

ORDINANCE NO. 090646

Acknowledging and affirming the composition of the Tax Increment Financing Commission of Kansas City, Missouri; and stating the intention of the Council to consider ways to address Jackson County's concerns regarding the tax increment financing process.

WHEREAS, the Council, by Ordinance No. 54556, passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the Missouri General Assembly amended the Real Property Tax Increment Allocation Redevelopment Act (the "Act") in 1997, to authorize certain counties to appoint two members to the Commission; and

WHEREAS, the Commission promptly requested all counties, in whose boundaries a redevelopment plan or redevelopment area is located, to appoint two representatives to serve on the Commission for the purpose of holding public hearings in accordance with Section 88.825 of the Act; and

WHEREAS, since January of 1998, all counties, in whose boundaries a redevelopment plan or redevelopment area is located, have appointed two representatives to serve on the Commission for the purpose of convening public hearings, in accordance with Section 99.825 of the Act, to consider for recommendation to the Council approval of redevelopment plans and redevelopment projects and the designation of redevelopment areas located within the boundaries of such counties; and

WHEREAS, Jackson County has requested that the City enact an ordinance which specifically sets forth the composition of the Commission; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The Council hereby acknowledges that immediately subsequent to the Missouri General Assembly's 1997 amendments to the Real Property Tax Increment Allocation Redevelopment Act (the "Act"), the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission") has been comprised of eleven (11) persons for the purpose of convening public hearings in accordance with the Act and such membership has been as follows:

- a. six members ("City Representatives") have been appointed by the Mayor, with the consent of the majority of the City Council;
- b. school boards whose districts are included within a redevelopment plan or redevelopment area ("School District Representatives") have been notified in accordance with the Act and invited to appoint two (2) representatives to serve as members of the Commission;

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c. the county in whose boundaries the redevelopment plan or redevelopment area is located have been notified in accordance with the Act and invited to appoint two (2) representatives (the "County Representatives") to serve as members of the Commission and such appointments shall be made by the county's chief elected official, with the consent of the majority of the governing body of such county;

d. all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the City; have been notified in accordance with the Act and invited to appoint, in any manner agreed upon by the affected districts, one (1) representative ("Taxing Districts Representative") to serve on the Commission.

Section 2. The Council hereby affirms that the School District Representatives, the County Representatives and the Taxing Districts Representative shall serve on the Commission for the purpose of conducting public hearings to consider for recommendation to the Council approval of redevelopment plans and redevelopment projects and the designation of redevelopment areas, as well as all amendments thereto. The terms of the School District Representatives, County Representatives and Taxing Districts Representative shall coincide with the Commission's consideration of such redevelopment plans, redevelopment projects and redevelopment areas and shall terminate upon the City's final approval of a redevelopment plan, redevelopment project or designation of a redevelopment area; provided, however, such County Representatives, School District Representatives and Taxing Districts Representative shall be invited to serve on the Commission to conduct public hearings to consider amendments to a redevelopment plan, redevelopment project or designation of redevelopment area.

Section 3. The Council hereby affirms that the City Representatives shall serve on the Commission for the purpose of conducting public hearings to consider for recommendation to the Council approval of redevelopment plans and redevelopment projects and the designation of redevelopment areas, as well as all amendments thereto, and to perform all other functions and powers of the City that are granted to a municipality under the Act.

Section 4. That the Council hereby states its intention to consider ways to address Jackson County's concerns regarding the tax increment financing process to the extent allowed by law.

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Approved as to form and legality:

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Heather A. Brown  
Assistant City Attorney