

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
THURSDAY, DECEMBER 17, 2015

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, December 17, 2015, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO presiding. Commissioner Murguia, Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy Unified Government Clerk; Lew Levin, Chief Financial Officer; George Brajkovic, Economic Development Director; Jason Banks, Asst. to the Mayor/Manager; Ken Moore, Deputy Chief Counsel; Sharon Reed, Purchasing Director; Mike Tobin, Interim Public Works Director; Mike Taylor, Public Information Officer; Chris Slaughter, Land Bank Manager; Marlon Goff, Economic Development; Angie Masloski, Public Safety Business Office; and Major Robert Melton, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Holland.

INVOCATION was given by Reverend Cynthia Smart, Mason Memorial United Methodist Church.

Mayor Holland asked if there were any revisions to tonight’s agenda. **Carol Godsil, Deputy Unified Government Clerk**, stated a blue sheet went out for a Memorandum of Agreement with LiUNA/Public Service Employees Local Union #1290PE for years 2015 – 2017. That’s the only

amendment. **Mayor Holland** said that will be the last item on our agenda, just before the Land Bank.

MAYOR'S AGENDA

No items

CONSENT AGENDA

Mayor Holland asked would any member of the Commission, staff or citizens in attendance wish to set-aside an item. There were none.

Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the Consent Agenda. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 1 – 15248...ORDINANCE: EXTENSION OF MBE/WBE ORDINANCE FOR CONSTRUCTION CONTRACTS

SYNOPSIS: A request to re-adopt Division 2 of Ordinance No. O-17-09 to extend the sunset date of December 31, 2014, to December 31, 2017, relating to the MBE/WBE program for construction contracts exceeding \$250,000, which is located in Chapter 18, Article V, Division 2 of the Unified Government Code of Ordinances (Sec. 18-256 et seq.), submitted by Brandy Wells, Purchasing Department. On November 30, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-71-15**, “An ordinance amending Chapter 18, Article V of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, by adding a new division directing the County Administrator to take affirmative measures to provide opportunities for minority and woman business enterprises to participate on Unified Government construction contracts exceeding \$250,000, with a sunset date of December 31, 2017.” **Commissioner McKiernan made a**

motion, seconded by Commissioner Johnson, to approve the ordinance. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 2 – 15245... DISTRIBUTION: 2016 SPECIAL DRUG AND ALCOHOL TAX FUNDS

SYNOPSIS: Recommendation of the Alcohol and Drug Fund Advisory Committee to disburse 2016 Special Drug and Alcohol Tax funds to the following agencies, submitted by Angie Masloski, Public Safety Business Office. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to full commission.

- Associated Youth Services: \$127,536 (flat funding)
- Friends of Yates: \$73,474 (increase of \$2,558)
- Mirror, Inc.: \$48,490 (decrease of \$2,558)

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 3 – 15249...GRANT: 2016 VIOLENCE AGAINST WOMEN ACT (VAWA)

SYNOPSIS: Approval to request VAWA funding for \$76,618 for partial salaries and travel with a match of \$25,313, submitted by Angie Masloski, PSBO. The match is the remaining salaries of Ms. Meyer and Ms. Thomas as well as their travel expenses to the Annual Governor's Conference on Domestic Violence. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to full commission.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 4 – 15271...RESOLUTION: SALE OF MUNICIPAL TEMPORARY NOTES AND GENERAL OBLIGATION BONDS

SYNOPSIS: Resolution authorizing the offering for sale of Municipal Temporary Notes and General Obligation Bonds of the Unified Government of Wyandotte County/Kansas City, Kansas.

Temporary Notes:

2016-I (Tax-Exempt) \$61,048,573.29

2016-II (Taxable) \$ 7,167,702.08

General Obligation Improvement Bonds:

2016-I (Tax-Exempt) \$28,076,930.89

On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-111-15**, “A resolution authorizing the offering for sale of Municipal Temporary Notes and General Obligation Improvement Bonds of the Unified Government of Wyandotte County/Kansas City, Kansas, Temporary Notes 2016-I (Tax-Exempt) \$61,048,573.29, 2016-II (Taxable) \$7,167,702.08, General Obligation Improvement Bonds 2016-I (Tax-Exempt) \$28,076,930.89.”

Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt resolution. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 5 – 15273...AMENDMENT: WYANDOTTE PLAZA REDEVELOPMENT AGREEMENT

SYNOPSIS: Second amendment to the Wyandotte Plaza Redevelopment Agreement to allow for the sale of the Wyandotte Plaza by the developer and removes the pledge of the original CID to the lender, submitted by Lew Levin, Chief Financial Officer. This amendment pledges the original CID to the initial bond refinancing, which will occur in February of 2016. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the amendment.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 6 – 15279...RESOLUTION: TRANSFER/SALE OF WYANDOTTE PLAZA RETAIL CENTER

SYNOPSIS: A resolution authorizing the transfer/sale of Wyandotte Plaza Retail Center (the grocery store and all in-line shops), located at the northeast corner of 78th Street and State Avenue, to Phillips Edison, submitted by George Brajkovic, Economic Development Director. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-112-15,** A resolution authorizing the County Administrator to execute in the name of the Unified Government as the voluntary act of the Unified Government the Agreement (Wyandotte Plaza) by and between the Unified Government, Developer, and Transferee, and all other documents and agreements contemplated by this document in substantially the form presented to and reviewed by the Board of Commissioners on December 17, 2015, with such changes therein as shall be approved by the officers of the Unified Government executing these documents, such officers’ signature thereon being conclusive evidence thereof.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 7 – 15284...RESOLUTION: TRANSFER/SALE OF KRISPY KREME DOUGHNUTS IN THE WYANDOTTE PLAZA RETAIL CENTER

SYNOPSIS: A resolution authorizing the transfer/sale of Krispy Kreme Doughnuts in the Wyandotte Plaza Retail Center, located at the northeast corner of 78th Street and State

Avenue, to LAG Investments Kansas City, LLC, submitted by George Brajkovic, Economic Development Director. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-113-15**, A resolution authorizing the County Administrator to execute in the name of the Unified Government as the voluntary act of the Unified Government the Transferee Acknowledgement and Assumption Agreement (Wyandotte Plaza) by and between Developer and the Unified Government, and all other documents and agreements contemplated by this document in substantially the form presented to and reviewed by the Board of Commissioners on December 17, 2015, with such changes therein as shall be approved by the officers of the Unified Government executing these documents, such officers' signature thereon being conclusive evidence thereof." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 8 – 15247... RESOLUTION: RIVERVIEW AVENUE BRIDGE REPLACEMENT

SYNOPSIS: A resolution authorizing the replacement of the existing Riverview Avenue Bridge over Turner Diagonal with a new bridge and authorizing the issuance of general obligation bonds not to exceed \$8.8M for said improvement, submitted by Bill Heatherman, County Engineer. On November 30, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to forward this item to the Economic Development and Finance Standing Committee with the recommendation for the bridge replacement and an increase in the cost of the project from \$7M to \$8.8M. On December 7, 2015, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve the increase for the bridge replacement and forward to full commission.

Action: **RESOLUTION NO. R-114-15**, A resolution authorizing certain street and bridge improvements, Riverview Avenue Bridge Replacement, CMIP 962-9246, and providing for the manner of paying for the same.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 9 – 15317...PLAT: KU MEDICAL PLAZA, FIRST PLAT

SYNOPSIS: Plat of KU Medical Plaza, First Plat, located at 39th and State Line Road and being developed by The University of Kansas Hospital Authority, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the plat and authorize Mayor to sign said plat.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 10 – 15318...PLAT: KAW 88 SECOND PLAT

SYNOPSIS: Kaw 88 Second Plat located at Gibbs Road and S. 88th St. and being developed by W.H. Warehouse, LLC, submitted by Brent Thompson, County Surveyor, and William Heatherman, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the plat and authorize Mayor to sign said plat.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 11 – WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated December 10, 2015.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to receive and file. Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

PUBLIC HEARING AGENDA

ITEM NO. 1 – 15310...RESCHEDULE A PUBLIC HEARING/RESOLUTIONS:

LEGENDS APARTMENTS CID

SYNOPSIS: Request approval of the following resolutions relating to the proposed Legends Apartments and Garage CID, a \$50M development to include a three-story parking garage with 240+ units of luxury, market-rate apartments above, submitted by George Brajkovic, Economic Development Director. On November 19, 2015, the Commission unanimously adopted Resolution No. R-101-15 setting the public hearing date to December 17, 2015, to consider the CID; however, the original CID petition filed by the developer on November 16, 2015, was found to contain errors in the legal description and needs to be terminated.

- Terminate the previous CID action.

- Create a new public hearing date on January 7, 2016, to consider the CID as identified in the new CID petition filed December 10, 2015.

Mayor Holland said there are actually two items that are related, Item No. 1 and 2 are both rescheduling public hearings for the Legends Apartments. I’ll turn this over to Mr. Bach.

Doug Bach, County Administrator, said yes, in fact we had a public hearing scheduled tonight to consider a CID for the Legends area which is in relation to the apartments project, however; there were some errors and emissions in the documentation as it was set forth, thus we need to readvertise correctly the CID and then we recommend that we hold a new one on the 7th. Tonight I’m asking for actions to terminate the previous CID and then a separate action to establish a new public hearing for January 7th. **Mayor Holland** said the reason for setting the second one off, we could vote on the IRB and the PILOT schedule. It doesn’t make sense to do the full presentation for the public and only do half of the work. It makes sense to keep these

two items together. The developer understands the situation and we have worked out this plan with them. I need a motion to terminate the previous CID action.

Action: **RESOLUTION NO. R-115-15**, A resolution authorizing execution of the termination and release of petition for the creation of a Community Improvement District.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the resolution to terminate the previous CID by and between KKR and the Unified Government.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Action: **RESOLUTION NO. R-116-15**, A resolution calling and providing for the giving of notice of a public hearing to be held on January 7, 2016 on the advisability of creating a Community Improvement District in the city of Kansas City, Kansas to be known as the Legends Apartments and Garage Community Improvement District and regarding the Unified Government’s intent to levy a Community District sales tax within such district and issue Special Obligation Bonds.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution to create a new public hearing date of January 7, 2016 to consider establishing a CID.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland said we need to accept a motion to move to reschedule the public hearing for the IRBS/PILOT to January 7th as well.

**ITEM NO. 2 – 15308...RESCHEDULE A PUBLIC HEARING/RESOLUTION:
LEGENDS APARTMENTS IRBS/PILOT**

SYNOPSIS: Reschedule a public hearing to consider a Resolution of Intent to issue \$50M in IRBs and approve the PILOT structure for a multifamily project known as the Legends Apartments, located at 1879 Village West Pkwy., proposed by EPC Real Estate, Legacy

Development and KKR, submitted by George Brajkovic, Economic Development Director. The project includes a three-story parking garage with 240+ units of market-rate, luxury 1 & 2 bedroom units above. On November 19, 2015, the commission unanimously adopted Resolution No. R-101-15, setting the public hearing date.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to reschedule a public hearing date of January 7, 2016 for the IRBS/PILOT.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

Mayor Holland said that brings us to Item No. 3, which is a public hearing. We will have this public hearing. There will actually be two public hearings on the same issue, Item No. 3 and Item No. 4. The first one is Rainbow Village Redevelopment District. I will ask staff for presentation.

ITEM NO. 3 – 15309...PUBLIC HEARING/ORDINANCE: RAINBOW VILLAGE REDEVELOPMENT DISTRICT

SYNOPSIS: Conduct a public hearing to consider the creation of the Rainbow Village Redevelopment District, (a 4-acre parcel located at the NW corner of 34th Street and Rainbow Boulevard), to allow for the acquisition of land and redevelopment for hotel and transient guest purposes, retail and office use, submitted by Marlon Goff, Economic Development. On November 12, 2015, the commission unanimously adopted Resolution No. R-65-15, setting the public hearing date.

Doug Bach, County Administrator, said this is an item to which the standing committees have heard about. It’s the Rainbow Village area. We’ll have a presentation from Mr. Goff from Economic Development regarding this. I will note, what we are doing tonight is establishment of a TIF District. We’re not approving or looking to approve a plan or a development agreement in relation to this at this point. Those would be steps that would come in the future, but establishment of the district allows the developer to move forward knowing that they have

expenses that occur at this time that could be included in a future plan should we elect to do this as part of the plan as it comes forward.

As the Mayor noted, and I think Mr. Goff will wrap this in, Item No. 4 on the agenda is really one that just, some years ago we adopted an Urban Redevelopment Plan and there is some prohibiting language, it doesn't allow us to build new hotels and such like that and that's really clean up from that old language. With that I'll turn it over to Mr. Goff and let him provide a presentation.

Commissioner McKiernan said I want to clarify that the request for action tonight is to create the TIF District at the conclusion of the public hearing. **Mr. Bach** said yes. **Commissioner McKiernan** said and then the request for action on the other item would be to amend the University Rosedale Urban Renewal Plan after the public hearing. **Mr. Bach** said yes.

Marlon Goff, Economic Development, said before we start the presentation I'll just make a couple of brief introductions. In the audience we have Korb Maxwell with Polsinelli Law Firm and Hunter Harris with the Lane4 Property Group, representing development interest for this particular site.

Action items for consideration tonight

- An ordinance to establish the Rainbow Village Redevelopment District.
 1. Establishes district boundaries and base value.
 2. Outlines district plan activities.

To start again, to set the stage again, the action item we have under consideration is actually an ordinance. The ordinance will establish the boundaries of the district and set the base value. As

Mr. Bach pointed out, pave the way for the developer to continue their due diligence efforts while we negotiate with staff for a future TIF plan.



The proposed site in the foreground, you see the intersection of 7th Street Trafficway as it crosses the intersection with Southwest Boulevard and as you head south towards the medical center campus. It's roughly a four acre parcel and it's inside of an existing retail mixed use center.



Zooming in closer, this represents the boundaries for the proposed district outline and you'll see it expands the roadway to pick up the public right-away.

Proposed District Activities

- **A mix of uses including but not limited to:**
 - Acquisition and public infrastructure improvements.
 - Hotel and transient guest uses.
 - Restaurant and retail

- **Future TIF project plan will include the following:**
 1. Summary of public/private investment
 2. Summary of public benefit (assessed value, jobs, future investment)
 3. Development Agreement

As part of the district plan some of the proposed uses that are contemplated in this plan include acquisition, public infrastructure improvements and it will also allow for the development of hotel or transient guest uses. As Doug also pointed out earlier, this will require us to return back before the governing body with any project plans which would also contemplate a development agreement.

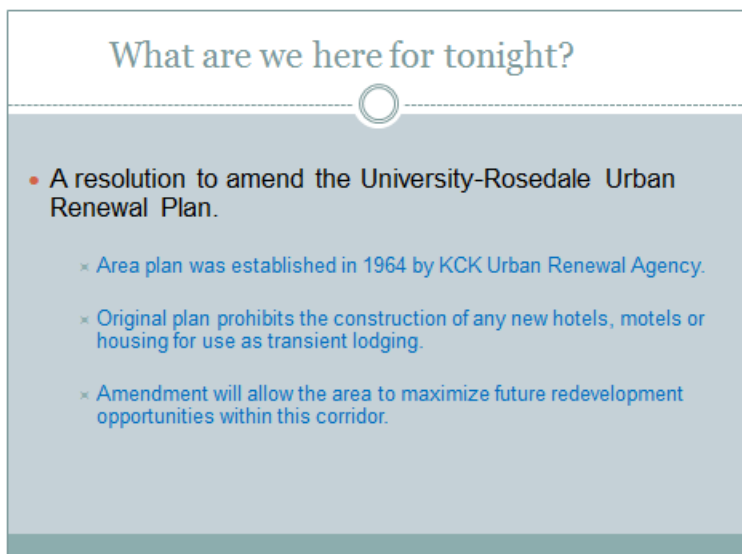
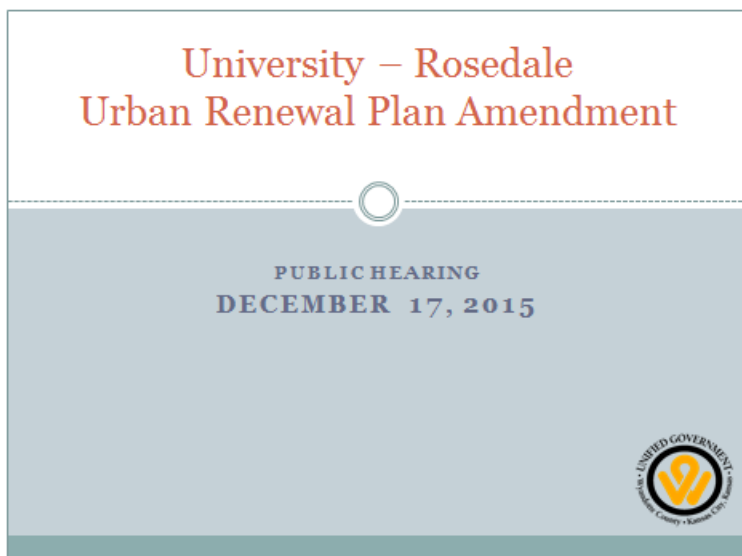
Proposed Calendar

Date	Committee	Action
11/9/15	ED&F Standing Committee	Presentation and discussion of district plan proposal
11/12/15	Full Commission	Adopt resolution setting a public hearing on 12/17/15
12/17/15	Full commission	1. Conduct a public hearing 2. Adopt ordinance to establish district.
TBD	ED&F Standing Committee	Presentation of TIF project plan and development agreement
TBD	Full Commission	1. Conduct public hearing 2. Consider adoption of ordinance approving project plan and development agreement.

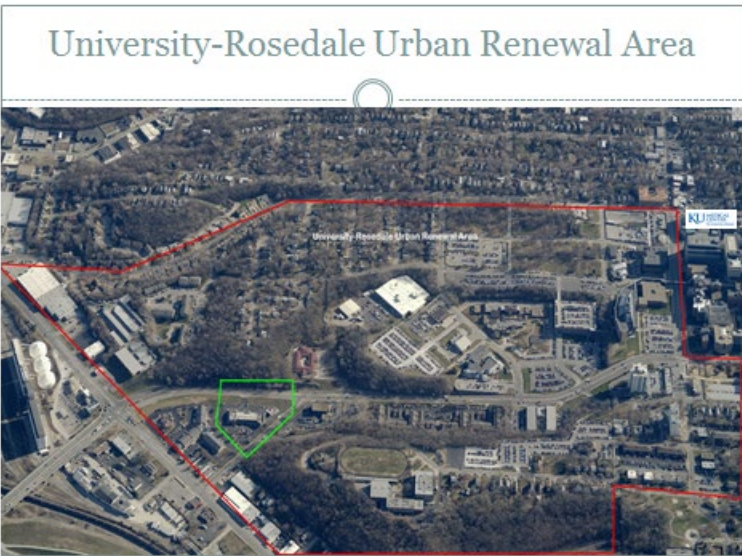
Here's just an outline of how we foresee this proposed calendar unfolding. You'll see back in November where we presented before the standing committee to get feedback and talk about the proposed district plan and then the blue section highlights the action before you tonight.

That'll conclude my comments for the presentation and I'll turn it back over to you for public comment. We can also roll into the next presentation which is also a public hearing on a

separate item, but also related to this project area. **Mayor Holland** said why don't you do that and then we'll open the public hearings consecutively.



Mr. Goff said this is part of the 1960s era urban redevelopment action. There's a plan that actually is included in the boundaries for the proposed district. A resolution is in your packet to consider an amendment to that plan. Currently that plan prohibits the construction of any new hotel or motel uses. The amendment will only impact this target area and it will essentially strike the language prohibiting the construction of any new hotel or motel developments.



Again, looking at the same site but from a different vantage point, the red boundary outlines the urban renewal plan. You'll see in the green that project plan that we previously looked at for the Rainbow Village Project Area.



Proposed Amendment

- The plan will be modified to remove language prohibiting the construction of any new hotels, motels or transient guest lodging within the area outlined.

Again, that's the target area that this amendment will impact and this essentially outlines what that amendment will entail. I will note that we had a previous amendment to an urban renewal plan before you earlier this year and it's something that we've actively been working with our UG Legal staff and Community Development staff to kind of look at all the existing and remaining Urban Renewal Plans across the city and to see if there's a way where we can make a joint ordinance to do away with those if they don't seem currently in line with what we're doing in redevelopment areas. With that, we can open it up for public comment on both items.

Mayor Holland said I'd like to open the public hearing. Commissioner Bynum would you like to comment before we open it? **Commissioner Bynum** said the amendment to the Urban Renewal Plan is only amending the projected development area, not the that whole red outlined area. **Mr. Goff** said correct. **Mayor Holland** asked is there a reason we want to retain it on the whole rest of the red area? **Mr. Goff** said when you look at the urban renewal plan, it really calls out the preferred land uses for the different corridors. I guess if we looked at the boundary within this district, it just so happens that the most recent hotel development was just to the south of the boundary of this area. I guess when you look at the available land uses, I wouldn't really want to speak for any private development firms to know where else we'd look to situate a hotel and, Ken, you might want to weigh in on this. So by making this amendment this will pave the way for this development area to move forward, but I don't think we plan on renewing it so it will essentially terminate on its own in the year 2020 if I'm not mistaken.

Ken Moore, Chief Legal Counsel, said that's correct. This is really a temporary move to facilitate this development to move forward. I think the long-term goal is to look at all these urban renewal plans because the city and the Unified Government have become more aggressive in adopting various master plans that control land use, like we're studying now for the Rosedale Master Plan and there are different areas. Ultimately those plans would govern land use and we would terminate the urban renewal plans across the city in their entirety because they have been around since 1965. **Mayor Holland** said I think every 51 years we should review our plans. **Commissioner Kane** asked isn't this where Applebee's and the gas station are at? **Mr. Goff** said it is. That parcel is included in this project area. Developers are proposing they will acquire that entire parcel. **Commissioner Kane** said but aren't those thriving businesses. **Mr. Goff** said under the preliminary proposal that we're currently evaluating, the Applebee's restaurant is targeted to remain in use. The design of the mixed-use of the hotel or the transient the extended stay part of it would incorporate that existing restaurant into the project plan for this area.

Mayor Holland opened the public hearing regarding the TIF District.

Gretchen Patch 2808 Lake Ave., said I'm here tonight representing Rosedale Development Association who stands in support of the proposed TIF District. Lane4 has been a valuable community partner and we look forward to pursuing a new project in Rosedale. While we appreciate their ongoing investment in our neighborhood, there are a few items that we wish to mention for the Commission's consideration. The corner of Rainbow and Southwest Trafficway is a valuable commercial site. This intersection is one of the busiest in KCK and is within blocks of the largest employer in the city. These inherent assets should be kept in mind as a development agreement is negotiated.

Sometimes in development agreements like these, the developer will make a civic contribution as a benefit to the overall community. If that occurs in this potential development agreement, we believe the gift should go to the city at-large specifically the Parks Department. Since the deferred taxes would come from the entire city, we think it is good public policy that that benefit should be shared equally across the city.

Lastly, while this meeting focuses on the economic aspects of the proposal, we hope the current and new master plan will offer good guidance on building for long-term sustainability and compatibility with the neighborhoods.

Mayor Holland asked if anyone was present in favor or opposition. No one came forward in opposition to the proposal.

Mayor Holland closed the public hearing on the TIF District.

Mayor Holland opened the public hearing on the amendment to the 1964 plan.

Mayor Holland asked if anyone was present in opposition let the record show no one came forward in favor or opposition to the proposal.

Mayor Holland closed the public hearing.

Item No. 3 is before us; the project as a whole is before us, but Item No. 3, the creation of the TIF District is now before us.

Commissioner McKiernan said in general I'm willing to make a motion to establish this TIF District contingent on future development agreements and as I shared with Mr. Maxwell and Mr. Harris the night they came to standing committee I still have a lot of unanswered questions as regards to the development itself, but I'm willing to make a motion to approve the TIF District so that we can move forward to try to answer those questions and provided that they are answered that we could move forward with this development.

Action: **ORDINANCE NO. O-72-15**, “An ordinance making certain findings and establishing the Rainbow Village Redevelopment District.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.**

Commissioner Walker said I'm not going to oppose the development of the TIF District, but again as I did in the committee, I want to be clear that the proposal as initially submitted was unacceptable to me. I don't recall the specifics beyond the fact that every potential source of revenue for this project was taken out to help fund the project for a 20 year period. The CID, the increment, the sales tax, including the sales tax and I don't know that Applebee's will improve, but whatever increment of tax on them.

I am not going to be part of establishing a goal standard because for a project that is really primarily to benefit, as I see it, the family, friends and relatives of people who are at KU. I don't think KU much cares where those people go and stay. While it's convenient and closer for them, KU could care less whether they're at the Plaza, Westport or Legends or anywhere else for that matter. If KU is that vitally interested in a creation of a hotel, then they need to be at the table with some dollars. They could build a hotel of their own if they wanted to.

I'm hoping that there will be significant give and take on this development agreement because I don't see the hotel being worth waiting 20 years to get the first revenue off of other than incidental sales tax that people might accrue by going to the few restaurants in the Rosedale area that now exist. Most of the restaurants at the present time are in Missouri on 39th St, on Southwest Boulevard on the Missouri side, and if we don't get anything out of this project in a shorter period than that, I'm not sure a hotel is worth building because there's no benefit for me or the community as I see it. Alright, I've been clear about it but I support the idea. I'm hopeful there's room to negotiate, but I'm not going to make this the standard that every developer wanting incentives comes in and ask for.

Mayor Holland said it has been moved and seconded to establish a TIF District. To reiterate, we have done this before. We have established TIF District's without a development plan. It does not obligate this Commission to advance a development plan, it just gives us the opportunity to move one forward.

Roll call was taken on the motion and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 4 – 15312...PUBLIC HEARING/RESOLUTION: UNIVERSITY-ROSEDALE URBAN RENEWAL PLAN AMENDMENT (Staff presented a PowerPoint with Item. No. 3)

SYNOPSIS: Conduct a public hearing to consider amending the University-Rosedale Urban Renewal Plan, submitted by Marlon Goff, Economic Development. The University-Rosedale Urban Renewal Area was established in 1964. The original plan includes language prohibiting the construction of any new hotels, motels and transient guest housing developments. The proposed resolution removes this language to help maximize the development opportunities within this corridor. On November 12, 2015 the commission unanimously adopted Resolution No. R-66-15, setting the public hearing date.

Mayor Holland said that brings us to the second vote on the urban renewal plan. I will say we have begun a very comprehensive Rosedale Master Plan that is currently underway. The master architect for that is BNIM, is that correct. Yes, BNIM is doing that. It goes from the interstate on the north all the way to County Line Road on the south. It goes from State Line Road on the east all the way to Mission Road and even further to the west. It's a very comprehensive look at all of Rosedale. We did have an update on that master plan last week to give us an idea of the scope, looking at all levels of it. Obviously, one of these things I'd want this development to focus on is fitting in with that master plan and there may be some reason to see how that master plan comes out before we do something on this valuable site.

I don't think it's one of the busiest intersections. I think 7th & Southwest Boulevard is the busiest intersection in Kansas City, KS. It's a major corridor and KU is our largest employer by more than double. In fact it's larger than our next two largest employers. It's a critical piece. This is a critical area for our community and we need to capture the benefit of KU. I think Jackson County and Johnson County capture the majority. As I say all the time we love Jackson County and Johnson County, we just want our fair cut of this revenue that's coming off of this enterprise right here in Kansas City, KS.

I think it is time to update our master plan and this one piece of it I think is fine, but I think we'll probably need to remove the entire urban renewal area established in 1964 with the adoption of our new master plan. We don't need to do that tonight, but anticipate that recommendation will come forward so that we're free to develop this whole area as the new

master plan comes forward. I will say this one last item. It's the first time the city and KU has worked together to do a master plan. KU has a master plan; we've had a master plan. This is the first joint master plan and I think that gives us a great opportunity to grow our city. I just wanted to make that preliminary statement.

Action: **RESOLUTION NO. R-117-15**, “An resolution calling and providing for amending the University-Rosedale Urban Renewal Plan.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the resolution amending the University–Rosedale Urban Renewal Plan.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 5 – 15316...PUBLIC HEARING/ORDINANCE: AMEND THE METROPOLITAN AVENUE REDEVELOPMENT DISTRICT PLAN

SYNOPSIS: Conduct a public hearing to consider an amendment to the Metropolitan Redevelopment TIF District and Project Plan as part of the proposed location for the new South Patrol Police Station, submitted by Marlon Goff, Economic Development Department. On November 12, 2015, the commission unanimously adopted Resolution No. R-67-15, setting the public hearing date.

Doug Bach, County Administrator, said last week we advanced a land coordination deal where we received a larger parcel of property in the Metropolitan Redevelopment District. This TIF was approved some time ago for this whole area. This is the one in which the Walmart Market is built within. It includes the area to where we were proposing to build the South Patrol Station. What this does is it modifies our current TIF structure to allow us to include public structures, the cost of public structures within the revenue that comes from that TIF. Marlon Goff is here to give any additional public presentation for this item.

What are we here for tonight?

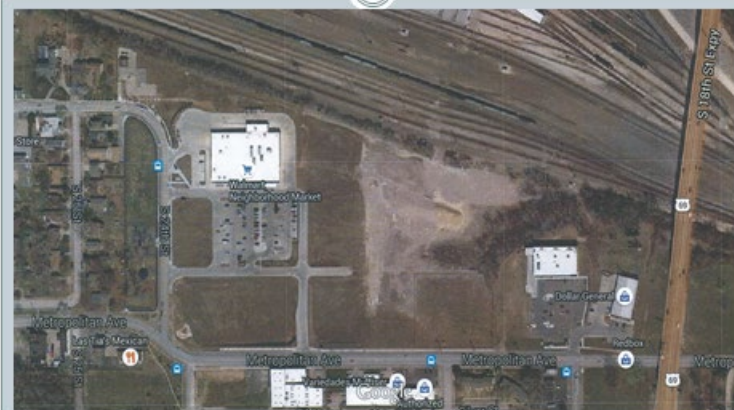
- Conduct a public hearing and consider a proposed amendment to the Metropolitan Avenue Redevelopment District Plan for Project Area 2.
- Proposed amendment would allow for the construction of buildings designated for governmental use within this TIF project area.

Marlon Goff, Economic Development Department, said I'm back for another amendment for another plan; this one being the Metropolitan Avenue Redevelopment District. As Mr. Bach pointed out, tonight's public hearing is to consider an amendment to that district plan. That amendment would allow for the construction of buildings designated for governmental purpose and then potentially be able to have those up TIF eligible cost reimbursed as part of the project.

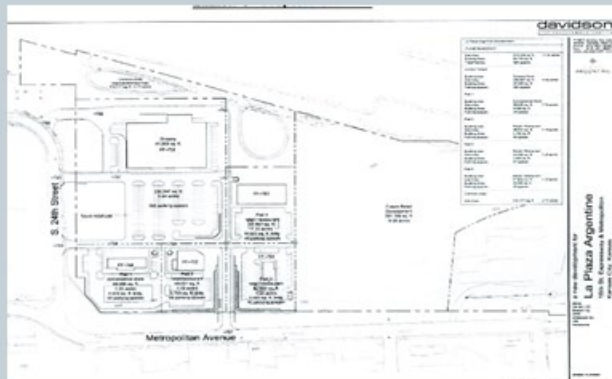
District Boundaries



Current site conditions



Proposed Site Plan by Argentine Retail Developers, Inc. and **LANE4** PROPERTY GROUP



Real quickly the boundaries for Projects Area 2, it's just to the west. This is what the current site looks like. You'll see the construction of the Walmart Neighborhood Market, the end of last year and 2014 so this is a preliminary rough site plan it what was originally proposed for that project area.

District Plan Amendment

Redevelopment Project Area 2:
Residential, industrial, commercial, and mixed-use development including, but not limited to, some or all of the following uses:

Government, retail, office, hotel, residential, industrial, manufacturing, structured and surface parking, as well as all associated public and private infrastructure.

Essentially, the amendment will include the language which will allow for governmental uses within this district plan, thereby paving the way for construction of that public facility.

Prior Commission Action

- August 29, 2013 – Commission adopted Ord 48-13 approving the Project Plan for Area 2 of the Metropolitan Avenue Redevelopment District. The Project Plan did not allow government buildings as an eligible TIF expense.

- October 16, 2014 – Authorized new South Patrol facility in the 2015 CMIP
G.O. debt funding.
Proposed location: Former Structural Steel site in Argentine.

- December 18, 2014 – Commission adopted R-122-14 authorizing \$1,850,000 in G.O. debt for an estimated 10,000 sq. ft. South Patrol facility located generally at 2300 Metropolitan Ave.

A quick summary of some prior Commission actions we've had, in August 2013 is when the plan was adopted. The South Patrol facility was added to the CMIP was added to 2014 so we authorized the financing mechanism for that project.

Prior Commission Action	
Date	Commission Action
8/29/13	Ordinance (O-48-13) Approval of the project plan for Area 2 of the redevelopment district. The reimbursement of TIF eligible project costs for government building not eligible under this plan.
10/16/14	Authorization to add South Patrol project to the 2015 CMIP projects schedule
11/12/15	Resolution (R-67-15) A resolution setting a public hearing on December 17, 2015, to consider amendment to Project Area 2 Plan for the Metropolitan Avenue Redevelopment District.
12/10/15	Resolution (R-102-15) A resolution approving Donation Agreement for land within the Metropolitan Avenue Redevelopment District for construction of South Patrol facility.
12/17/15	(Ordinance) After public hearing and comment, an ordinance approving the amendment to Project Area 2 Plan for the Metropolitan Avenue Redevelopment District.

Here's a slide that kind of brings it together a bit more. That previous slide, I apologize I don't think we're supposed to have that one as a part of this presentation. In yellow is tonight's action. We started back in 2013 with the ordinance approving the project plan and that brings us to tonight's action to amend the project plan and allow for that use.

Mayor Holland opened the public hearing.

Marcia Rupp, 2816 N. 46th St., said we just need to get this one done. I mean this is something great. I worked there three years as a volunteer in the South Patrol. You can hardly turn around to shake hands with someone. This will be great. We just need to get it done. Really I wanted to get up here to ask you guys please warm up this room by next year. It's so cold.

Mayor Holland asked if there was anyone present in opposition. No one came forward in opposition to the proposal.

Mayor Holland closed the public hearing.

Action: **ORDINANCE NO. O-73-15,** "An ordinance amending the Redevelopment District Plan for Project Area 2 within the Metropolitan Avenue Redevelopment District in the Unified Government of Wyandotte County/Kansas City, Kansas

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pursuant to K.S.A 12-1770 ET SEQ.” **Commissioner Walker made a motion, seconded by Commissioner Kane, to adopt the resolution amending the Metropolitan Avenue Redevelopment District Plan as presented.**

Commissioner Kane said I would sure like since this is going to be in our community that as many local people build this as possible. It’s much easier for us to drive by and see plates from Kansas, Missouri instead of Texas or some other states. I also would like to say that you know I think this is great, much needed, but as we looked at our fire study the other day we are underserved in western Wyandotte County by at least two fire stations. We found a way to figure out to build this, I think we need to figure out a way to build a fire station out west.

Mayor Holland said I’m very committed to the redevelopment of our public infrastructure. When we think of public infrastructure we often think of streets and sidewalks, most recently sewers. We also need to be mindful of our buildings. Our fire stations are in a dismal condition. No fault of our workers who have worked very hard to keep them up as best they can. Some of them started as challenging buildings and they have continued that way. This South Patrol station is in poor condition.

We have the Downtown Police Station in a great location at 7th & Minnesota. We have a new Central Patrol that is now at the Indian Springs in the Transient Center, which is a great location and our West Patrol is in a combined Police and Fire Station. It’s one of our newer facilities remarkably and then this one would update South Patrol. I’ve been pushing for this, this is a good project. It was contemplated in the original retail development that we would put the patrol here and it’s coming to fruition.

I want to thank our staff, it has been a very challenging project. There have been a number of bumps along the way, but we’ve been able to persevere through them. I’m glad that we’re here.

Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

STANDING COMMITTEES' AGENDA

No items

ADMINISTRATOR'S AGENDA**ITEM NO. 1 – 15311... RESOLUTION: FUTURE SALE OF HILTON GARDEN INN HOTEL**

SYNOPSIS: A resolution, submitted by Marlon Goff, Economic Development, authorizing the County Administrator to proceed with the following actions:

- Execute a purchase/sale agreement with potential buyers of the Hilton Garden Inn Hotel at an amount sufficient to satisfy outstanding obligations. (The Hilton Garden Inn Hotel is owned by the KCK Hotel Group, LLC, an entity which includes the Unified Government as a majority shareowner.)

- Execute an exclusive third-party agreement for management of the Jack Reardon Center. (The Reardon Center is fully owned by the Unified Government and is proposed to continue as a publicly owned facility and managed under a new third-party agreement.)

Doug Bach, County Administrator, said earlier this year I came to the Commission to let you know that I thought that our Hilton Garden Hotel in the downtown was marketable item, that we can go out and find a potential buyer to come forward with this. We've been out on the market. We have went out for RFPs, selected a company by the name of Warm Brat Hospitalities who have been marketing it. They have come forth with some proposals that we're working with from a staff level. Two things we're doing is looking at from the hotel perspective and then also what we can do from the Reardon Center and how we can put it back into play and what renovations would be to get it and have a third party manager. Tonight, I'm asking the Commission to give me authority to move forward with the executed deal which would cover our cost that we currently have in the hotel. If you see that we have the 2013 debt obligations, refinance that we did there. There's \$ 4.1M, we have a Section 108 Loan that's outstanding on it and we'd come up with at least enough money to put \$2M toward renovations over in the Reardon and then cover any closing costs, including our taxes and such like that.

December 17, 2015

I'm looking for authority that will allow me to execute a deal that cover all of these outstanding costs, put money back into the Reardon Center and allow us to move forward with the private sector operator that would be able to maintain the flag at the Hilton Hotels going into the future.

I'd also be looking for the ability to execute a third party management agreement, which I believe do already have as County Administrator, but I would be looking to move forward with that on the Reardon Center with a third party manager that would take it into the future and make it a more viable center than it is today.

Mayor Holland said we have two resolutions before us. The first is to—we did the same thing with the—**Mr. Bach** said it's just one resolution. **Mayor Holland** said you are correct. It's one resolution that has two items in it. It's similar to the one we did with the theatre to ask our Administrator to move forward with that sale. This is a similar resolution. **Commissioner Bynum** said I just wanted to commend Mr. Bach and staff on the work you've done on this project. It's a really good opportunity for us I think as a governing body.

Action: **RESOLUTION NO. R-118-15**, “A resolution authorizing the negotiation and execution of a purchase agreement for the sale of the Hilton Garden Inn Hotel and a management agreement for the Jack Reardon Center.” **Commissioner Bynum made a motion, seconded by Commissioner McKiernan, to adopt the resolution.**

Commissioner Walker said the only question I have is that this motion to approve this resolution is subject to final approval of the development agreement, is it not. **Mr. Bach** said no, this would be giving me authority to go forward and execute an agreement with the hotel buyer. **Commissioner Walker** said the development agreement that we have seen is pretty much final. **Mr. Bach** said yes, the terms and what I have talked to you about is what we would be covering within this. **Commissioner Walker** said alright, thanks for that clarification.

Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 2 – 15314... ADOPTION: 2016 STATE LEGISLATIVE PROGRAM

SYNOPSIS: Request approval of the 2016 Unified Government State Legislative Program, submitted by Mike Taylor, Public Relations Officer. The State Program was presented to the Commission and Wyandotte County Legislative Delegation during a special session held on December 10, 2015.

Mayor Holland said Mr. Taylor presented this to us. We had a great dinner and conversation with our legislative delegation. I want to just thank again the legislative delegation from Wyandotte County for all the hard work that they do on our behalf in Topeka. We were able to share with them our legislative agenda and ask them to support it. That legislative program is now before us for formal adoption.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the legislative program.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 3 – 15322... RESOLUTION: MEMORANDUM OF AGREEMENT WITH LIUNA

SYNOPSIS: A Memorandum of Agreement with LiUNA/Public Service Employees Local Union #1290PE for 2015-2017, submitted by Joe Connor, Assistant County Administrator. This is the 5th of 13 labor contracts to be ratified which represents 51% of the union workforce under contract.

Doug Bach, County Administrator, said before you tonight is a contract we’ve reached with our local LiUNA/Public Service Employees Local Union. Jeremy Hendrickson with the union is here present with the local. We’ve reached all the terms that are part of the agreement that Commission has given direction for us to move forward with and I recommend approval of this contract.

Commissioner Kane said just for a point of clarification, I work for Laborers 1290. I do not work for Laborers 1290PE.

Action: **RESOLUTION NO. R-119-15**, “A resolution authorizing and directing the County Administrator to execute in the name of the Unified Government a Memorandum of Understanding between the Unified Government of Wyandotte/Kansas City, Kansas and the Laborers’ International Union of North America (LiUNA!) Public Service Employees, Local Union 1290PE effective date of execution through December 31, 2017.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the Memorandum of Agreement.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

COMMISSIONERS' AGENDA

No items

Mayor Holland adjourned as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 2 – 15270... COMMUNICATION: LAND BANK APPLICATIONS

SYNOPSIS: Request approval of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Board of Trustees has recommended approval. On December 7, 2015, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Land Bank Applications

2113 Pacific Ave. – Dean Zagortz, development

2029 Homer Ave. – Dean Zagortz, development

2024 Quindaro Blvd. – Ronald Smith, yard extension

2102 N. 30th St. – Mustaffa Muhammad, property maintenance

3120 N. 23rd St. – Vance Reynolds, future development

1621 S. Early Dr. – Tyler Curry, future development

Transfer to Land Bank

2113 Pacific Ave. from Board of County Commissioners

(part of the land assemblage for Dean Zagortz)

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

PUBLIC ANNOUNCEMENTS

No items

**MAYOR HOLLAND
ADJOURNED THE MEETING AT 7:50 P.M.
December 17, 2015**

Carol Godsil
Deputy Government Clerk

tpl

December 17, 2015