

**ECONOMIC DEVELOPMENT AND FINANCE  
STANDING COMMITTEE MINUTES  
Monday, November 14, 2016**

The meeting of the Economic Development and Finance Standing Committee was held on Monday, November 14, 2016, at 5:07 p.m., in the 5<sup>th</sup> Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner McKiernan, Chairman; Commissioners Walker, Townsend (via phone), and Walters; and BPU Board Member Alvey. Commissioner Murguia was absent. The following officials were also in attendance: Joe Connor, Gordon Criswell, and Melissa Mundt, Assistant County Administrators; Debbie Jonscher, Assistant Finance Director; Debbie Pack, County Treasurer; Lisa Nolan, Treasurer's Office; Reginald Lindsey, Budget Director; George Brajkovic, Economic Development Director; Ken Moore, Chief Legal Counsel; Patrick Waters, Senior Attorney; and Officer Doug Bailey, Sergeant-At-Arms.

**Chairman McKiernan** called the meeting to order.

Roll call was taken and members were present as shown above.

**Chairman McKiernan** said there was a blue sheet that was sent out after the original publication of this agenda with some additional materials that I believe apply to Item 2 on the Item Agenda. **Debbie Jonscher, Assistant Finance Director**, said that's correct.

Approval of standing committee minutes from September 12, 2016. **On motion of BPU Board Member Alvey, seconded by Commissioner Walker, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

**Item No. 1 – 16863...REPORT: SECOND QUARTER REPORTS**

**Synopsis:** Third Quarter Reports: Quarterly Investment, Budget Revision, and Budget to Actual Report, submitted by Kathleen VonAchen, Chief Financial Officer.

**Debbie Jonscher, Assistant Finance Director**, said this is our quarterly report that we do. Each month we're going to present the quarterly investment, the budget revisions and also the budget-to-actual report. We'll start out with the quarterly investment report and I'm going to turn that over to our Treasurer, Debbie Pack.

**Debbie Pack, County Treasurer**, said I believe you all got this report. This is our new version like we showed you the last time. Basically showing you the same information. The overall portfolio is down about \$40M from the second quarter. Most of that is due to the high debt payment that we always incur in August, which is our normal debt payment in that time of year. This is not an unusual trend for us.

You can see that our portfolio holds about a little over \$149M at this time of which most of that, as you can see on the first page, is held in CDs, some in the Federals, and a little bit over \$35M in cash equivalents.

On the second page you can see the rates that we're currently getting are well above the 90-day T-Bill rate. The green line is our rates that we've been receiving over time. That's just a comparison for that.

Also, in the bottom left hand corner of that is a graph that shows kind of where we are on interest earnings for this year, which were almost up to and exceeding the 2015 and 2014 numbers. Hopefully that'll go over by the end of the year.

Page three is just a listing of who holds our portfolio at this time. You can see that UMB holds our sweep account. We have a pretty significant amount with Capital Federal and Commerce. Then we have our agency funds there that show how much is held in those funds.

The final page is just a transaction page. Kind of shows you what the differences were between last month and this month in the investment arena. What happened is we invested \$10M in that second section. The bottom section is basically just those investments that have matured in that section.

I did want to add because we got a lot of questions, we got a question last time about the amount of money that we have on hand. I am going to pass out another graph that is not in this portfolio that we have broken out where the funds lie within our accounting system, just so you can get a better idea. I know you are getting questions and you're giving us questions about we show we have a \$149M, why can't we spend that money.

This pie chart is going to show you how those funds were broken out and why they're kind of not within our realm. I want to just take a few minutes and look at that and kind of explain what this shows.

If you look at this pie chart — **Chairman McKiernan** said Debbie, if I could interrupt you for just one second. Since we have Commissioner Townsend on the phone, and I'm guessing she doesn't have this in front of her, if we could just try to be extra descriptive of what it is we're looking at and how it's all broken out. **Ms. Pack** said sure, no problem. **Commissioner Townsend** said I appreciate that.

**Ms. Pack** said basically what we've done is we've categorized the type of funds that we hold in our cash by General Fund, which is money that we can spend for our operations, that's the City General, the County General, County Parks, those types of funds.

Special Revenue Funds are revenue funds that are getting their own tax dollars like the Library Fund, the Mental Health Fund. Any of the grant funds are within the Special Revenue Funds. That portion holds about \$22M of that \$149M.

The Debt Service Fund is exactly what it is. It's the tax dollars that we have that are going to pay off our debt. We have a little bit, almost \$5M in that fund. This is as of September 30th. That's really just a reserve to cover our debt payments going forward.

The Capital Project Fund category, which is the biggest of all of these, is basically the funds that we use for our CMIP projects. At this point in time we had a little over \$50M in there. There's really some timing issues in that. If you know how we finance capital projects, what we do is we come to you. We ask for temporary note money, which is kind of temporary money for us to go out and spend and to be able to start these projects, pay for these projects, and complete the projects. Then, when they're completed, we go out and do a bond debt which allows us to pay that off over 20 years. That's why we'll see a lot of money in that fund for some of these bigger projects that are going on a year, or two, or three years at a time.

The Enterprise Fund section has about \$23M. That's your EMS Fund, your Sewer Fund, your Street Fund, those funds that act like businesses. Those have about, like I said, \$20-\$23M.

The Trust and Agency Fund is about \$16M. That's your Tax Collection Fund. This is money that belongs to somebody else that we're just collecting and we're going to distribute out. So, that's what that is.

As I said, the General Fund, which I didn't say the amount for Commissioner Townsend, is a little over \$27M.

We just wanted to break that out because when we had questions on that we wanted to make sure that, maybe, there would be a little bit more understanding about that. If you have any questions about any of those, feel free to ask them.

**Chairman McKiernan** said this pie chart effectively just visualizes what you said last month, which was out of that roughly \$150M, only \$27M-\$28M of that is actually in the General Fund. It's actually rotating through the General Fund. **Ms. Pack** said that's true.

**Chairman McKiernan** said the rest of that money on hand is earmarked for some special project, some special fund, or some special payment that we've already incurred. **Ms. Pack** said that's correct.

**Chairman McKiernan** asked any other questions or comments on the materials that have been put forward so far for this graph and the holding of funds.

I'll just reiterate what I said last month. I really love the new format, how it's visualized, how it's laid out, so well done to everybody on that. What's the next piece?

**Ms. Jonscher** said the next piece of that is the Quarterly Financial Report. This report was also presented in a new format last quarter. This is where we show all of the funds. The first couple of pages concentrate on the General Fund. We show a Consolidated General Fund. Then we also break out the three General Funds individually and show the revenues and expenditures. The last page of that report shows all of the other funds.

What we've done is we've broken out... I'll start with the first page. The first page is a Consolidated General Fund and it shows, on this page we're actually showing the comparison of budget-to-actual and we're also comparing the Third Quarter report where we ended Third Quarter 2016. We're comparing it to where we ended Third Quarter 2015.

**Chairman McKiernan** asked the budget column, is that the entire year's budget or budget year-to-date. **Ms. Jonscher** said that would be, I believe that's the total budget. Then you will see, there's an actual column, and it shows what percent of budget we've either spent or received.

So revenues for the Consolidated General Fund are \$192M. The actual amount of received, and I'm on page one of the report, I'm looking at the 2016 column. The actual was \$153 so that shows in revenues we've collected 80% of the budget for the year, for the first three quarters.

The next page breaks out the City General Fund. There's a graph at the top of the page that shows the actual for 2016 compared to budget. There's also another graph that shows the comparable from 2015 to 2016 and where we were at the same period last year. Any questions on that or shall I move forward?

The next page is the City General Fund expenditures. I'm going to let Reggie comment if there's any, these are the same graphs we have for each of the funds. He'll just comment if there's any changes that he wants to note for the third quarter.

**Reginald Lindsey, Budget Director**, said the City General Fund, one thing to keep in mind is that we're 75% through the year so 25% of the budget is left. You can kind of see where 69% of the total budget has been spent in 2016. We're in good standing. We're about almost 5.5% of the budget. Some key categories: personnel we're tracking under budget, services we're tracking under budget, most everything we're tracking pretty much under budget.

Second box you can kind of see where we're tracking there to third quarter of 2015. We have a couple of categories that are taped up as far as what we spent last year, but for the most part we are down. **Ms. Jonscher** said I'll also say on both the revenues and the expenditures, some of this has to do with timing of when these expenses occur. Not everything occurs on the revenues.

For instance, property tax, the majority of the property tax is collected in the first half of the year whereas sales tax is collected monthly. We also have the same thing on the expenditure side. We may have some expenditures that are not occurring until the second half of the year. That could explain some of the differences.

**Commissioner Walker** said we're halfway through the fourth quarter. Has anything unusual happened to date since the end of the third quarter that you're aware of that is an extraordinary expense? What I'm getting at is if you're correct, then we should have 5.5% of the budget left at the end of the year barring some unforeseen expense that we're not anticipating. That would be 5.5% that we could either bankroll into the fund balance or carryover. Anything going on that we don't know about that's going to hit us in December or that has hit us that's not showing up on this report? **Mr. Lindsey** said in fourth quarter we will have expenses as far as payouts for retirements for people that leave the organization and also penalties for retirements that we have to pay KPERS. We have those in the budget, but sometimes those numbers are hard to forecast. **Commissioner Walker** asked do we know how many retirements we're going to have. I think by this point we would have a pretty good handle who's putting the papers in. **Mr. Lindsey** said yes we do. I don't have that number in front of me right now, but we do have an idea.

**Ms. Jonscher** said the rest of the fund, the same thing. The next two pages are the County General Fund revenues and expenditures. Then we also broke out the Consolidated Parks Fund as well. As I said, on the very last page is a listing of all of the funds including the General Funds. If there's no other questions on that, Reggie will go through the budget revisions for the third quarter.

**Chairman McKiernan** asked any other questions or discussion on the budget report. Again, I really appreciate the information and the layout of the report because it does make it easy to look for what's ahead of projection, what's behind projection. Then it might spark questions like when you see 99.6% of property tax already collected, then to get the explanation that well that's the way it cycles. That's the timeline we're on. Go ahead with revisions.

**Mr. Lindsey** said during the third quarter we had 15 budget revisions that were \$10,000 that required sign off by the County Administrator's office. Seven of those transactions were in the City General Fund, six of them were in the County General Fund, and one was in the Health Department, and one was in our Dedicated Sales Tax, for a total of \$946,000. Most of them were done within the department. There were a few that were done from contingencies that were set aside for the whole Unified Government.

**Chairman McKiernan** said it seems I ask this every time, but I always forget, these are all budget neutral. They are just revisions that occur as we move expenditures from one line to another line. **Mr. Lindsey** said yes. The overall budget will not change at all for the Unified Government. These were done within budget.

**Commissioner Walker** asked are you saying then that these are coming from excess funds somewhere. I guess I'm looking here, if anyone looks at this, we have more than half of its legal expenses for cases. The public is not seeing this. What are we not doing as a result of this? Is there any impact on any ongoing project?

**Mr. Lindsey** said as far as the legal expenses, the funding gets moved between like settlements and what we pay out in legal fees, so we have a legal fee line item, but then we also have the line item of settlements. The money goes between those two different line items. Again, we also move money from the Unified Government's total contingencies. **Commissioner Walker** asked will any of this be bonded. **Mr. Lindsey** said no.

**Chairman McKiernan** asked anything else on this report. Appreciate the information. Glad you asked because I had the exact the same question when I looked at the size of those lines for legal expenses. Commissioner Townsend, any questions or comments before we move on? **Commissioner Townsend** said I do not. I'm following along and I've reviewed the submissions. Kudos to the staff on the presentation, on the format, but I don't have any additional questions.

**Action:** Information only.

## **Item No. 2 – 16871...RESOLUTIONS AND ORDINANCE: SALE OF MUNICIPAL TEMPORARY NOTES AND GENERAL OBLIGATION IMPROVEMENT BONDS**

**Synopsis:** Offering of sale of Municipal Temporary Notes and General Obligation Improvement Bonds, submitted by Debbie Jonscher, Assistant Finance Director.

Action items:

- Charter Resolution for county road projects
- Ordinance for issuing bonds under Home Rule for Economic Development

**November 14, 2016**

- Resolution authorizing the issuance of debt for capital improvements
- Resolution authorizing the offering for sale of temp notes/GO bonds.

**Chairman McKiernan** said we will go ahead and move on to Item No. 2 which is documents for the sale of Municipal Temporary Notes and General Obligation Bonds as I believe it relates to our CMIP projects. This was the materials that were blue sheeted. The blue sheet contained the supporting materials or updates of the supporting materials. **Debbie Jonscher, Assistant Finance Director**, said that's correct.

We have several action items for this. As you said these are documents all related to our annual sale of our Municipal Temporary Notes and General Obligation Bonds. We have three resolutions and one ordinance. I have listed out all of the items that we'll need action on. They will need to be approved in the order that I've listed them. I'm going to go through each one of those.

**Ms. Jonscher** said the first one is a charter resolution exempting the UG out of the state statute that requires us to go to a public vote for any issuance of debt on county roads. The current statute states that for both city and county roads we have to go to the public for a vote if we want to do a bond issue.

We currently already have a charter resolution for city roads that allows us to issue debt when we have road improvements, but that only is within the city limits of Kansas City, Kansas. This charter resolution that we're presenting tonight would allow us to exempt out of the state statute for county roads. If we wish to issue bonds for county roads we would be able to do. **Commissioner Walker** said could you give me an example of a county road. **Ms. Jonscher** said if we wanted to proceed with the K-32 Quiet Zone improvements that would be considered a county project, a county road.

I will also say I have Gina Riekhof here from Gilmore and Bell. She's helped us with these items so if there are any questions for either her or our Legal department.

**Commissioner Walker** said I guess I'm a little confused. It was my impression that at least to the line of Edwardsville, or outside of those two cities, that there are no county roads left in Wyandotte County. Am I wrong in that?

**Commissioner Walters** said there is a small area of unincorporated Wyandotte County. I'm not sure there's a whole lot of roads there. This is more than roads isn't it, it's just infrastructure, is it not? **Ms. Jonscher** said it would be, I think the ordinance we're doing is specific to county roads.

**Commissioner Walker** said I'm alright with it, but, Mr. Connor, I'd like to know if we are funding, what roads we're funding improvements on as a county and where they're located. One of the selling points was to eliminate that type of expense from the county side of the budget when annexation occurred best I remember it. This is the first I've heard that we have anything called a county road left in Wyandotte County. K-32 I thought that was a state highway, but apparently not. No rush, I'm just interested from curiosity as to what county roads are left that we're doing this for.

**Melissa Mundt, Assistant County Administrator**, said I don't believe, Commissioner, when we were looking at this that that was the primary driver there. **Commissioner Walker** said okay. **Ms. Mundt** said just so you know, Jeff and I were just having this conversation, our new Public Works Director, the other day about what might be considered a county road, both of us being new to the consolidated realm. I'm pretty much of the same understanding as Commissioner Walters is that if we have them, they're only in that small unconsolidated area. It would be very limited.

I believe we have an arrangement with Bonner Springs for that area. **Ms. Jonscher** said we do. **Ms. Mundt** said technically we wouldn't have county roads by definition.

**Action:** **Commissioner Walker made a motion, seconded by Commissioner Alvey, to approve the Charter Resolution and forward to full commission.** Roll call was taken and there were five "Ayes," Alvey, Walters, Townsend, Walker, McKiernan.

**Ms. Jonscher** said the next one is an ordinance for issuing bonds under Home Rule for Economic Development. The next item that we'll be approving will list all of the bond and temp note projects that we have. One of the items that's included in there is the bonding of the financing for the bonds that we have out for the Midtown redevelopment.

Currently those are issued as TIF notes. For bonding purposes we are not wanting to issue those as TIF bonds. Currently there is no TIF revenue coming in on that project and we would be subject to limiting that financing within the remainder of the TIF. We are looking to finance those as GO bonds so we would need to issue the bonds under a Home Rule ordinance.

**BPU Board Member Alvey** said the project's already done in terms of the demolition. **Ms. Jonscher** said yes. We just finished it up. It's currently been issued under temporary notes and now we're looking to permanently bond finance those notes. **BPU Board Member Alvey** said that makes sense. **Chairman McKiernan** said since there's no TIF revenue coming from it, rather than designating those as bonds issued from the TIF, just designate those as General Obligation which we will pay from other revenue sources. **Ms. Jonscher** said that's correct.

**Chairman McKiernan** asked will we or have we terminated that TIF. **Ms. Jonscher** said we have not. **Patrick Waters, Senior Attorney**, said we will be doing that in the future here, Commissioner. **Chairman McKiernan** said the TIF district still remains even though it produces no revenue. **Mr. Waters** said correct. **Chairman McKiernan** said the plan is to dissolve that TIF District. In prelude to that, to just designate how we're going to pay for the demolition that's already occurred. **Mr. Waters** said correct.

**BPU Board Member Alvey** said we would dissolve the current TIF, but if there was potential for further development, reinstate a new TIF. **Mr. Waters** said I don't believe that legally we can reinstate a new TIF. I'd probably let our bond counsel talk more about that. I think there's some legal hurdles to that. Once you dissolve the TIF, I think it's pretty difficult to renew it. **BPU Board Member Alvey** said that option won't be available. **Mr. Waters** said I don't believe so.

**Commissioner Walker** said there never is a question of what we're going to do with it then. **Mr. Waters** said I'm sorry? **Commissioner Walker** asked what would be the future for this. **Mr. Waters** said I'm not aware of the exact plans. **Chairman McKiernan** said it would seem to say that whatever the future is, it won't include a TIF District.

**BPU Board Member Alvey** asked is it necessary to dissolve the TIF or is the clock ticking on it and it won't serve a purpose anyway. **Mr. Waters** said right. I don't know that it's something that has to be done immediately, but my understanding is in the near future that we

would. We'd probably have to have another discussion. I'm not familiar with all the details.

**Ms. Jonscher** said there's approximately only about 10 years left on the current TIF.

**Chairman McKiernan** said the bottom line is, regardless of what ultimately happens to the TIF and to that site, the action that's requested tonight is to move the payment of these bonds from TIF to General Obligation.

**Gina Riekhof, Gilmore and Bell**, said the one comment that I would make is that the outstanding debt, this will not increase the amount of outstanding debt that there currently is for the demolition. The repayment currently is structured as a General Obligation if there is not TIF revenue available, which there has not historically been. This really just allows additional flexibility on the Unified Government's part in terms of both looking forward with what might need to be done on that site with the TIF or otherwise, but also additional flexibility in terms of structuring the repayment of these particular bonds because the repayment could be structured a bit differently if they were not issued as GO/TIF bonds. Really, the intention is to provide additional flexibility with this Home Rule. **Chairman McKiernan** said restructured in a way that might be more advantageous for us in terms of repayment. **Ms. Riekhof** said correct.

**Commissioner Walker** said let me ask a question about, I'm not tracking this. If I'm not tracking this, I have a suspicion that the ten people in TV land that are watching right now aren't tracking it either.

We have a TIF on a piece of property, several pieces of property. It's not producing any income. There's debt on it. We have no guarantee on it now. The only guarantee on that debt is the revenue that comes from that ground. **Ms. Riekhof** said no, they are General Obligation/TIF bonds. The first source of payment is TIF revenues but if those TIF revenues are insufficient, then it's a general obligation of the Unified Government. Because there has not been any TIF revenues to date, the Unified Government has been paying the interim financing costs.

**Commissioner Walker** said alright, then we come back to the question that was asked. If we're paying it already, are we gaining an advantage by doing this. Are we going to be paying a lower amount? Are we trying to reduce the annual? **Ms. Riekhof** said there are two advantages to doing this as a Home Rule project as opposed to just continuing to finance this as a GO/TIF project.

The first piece of flexibility that you gain by financing this as a Home Rule project and not as a TIF project is that you could structure the repayment term of the demolition cost over a period that extends beyond the existing TIF plan. I don't have it right in front of me right now, but the existing TIF plan, I believe, expires in something less than ten years. We could structure the repayment term of this project over a period of more than ten years.

The second thing that provides additional flexibility is if you were to choose to terminate the TIF District at some point in the future, that's a decision that's made, then there would need to be some additional discussions about how to accommodate any outstanding GO/TIF bonds that may be in place with respect to this project. By financing this with Home Rule Economic Development Bonds, we can take that issue off the table if and when you get to the point that you might consider terminating the TIF District.

**BPU Board Member Alvey** said I think my concern would be that if, and maybe I'm misreading this, if this goes to Home Rule General Obligation Bonds away from the TIF financed temporary notes, does it necessitate a dissolution of the TIF District. **Ms. Riekhof** said no it does not require a dissolution. **Chairman McKiernan** said but it's hedging that potential dissolution in the future. **Ms. Riekhof** said I think that would be a fair statement. It's providing you additional flexibility to potentially dissolve the TIF district in the future.

**Commissioner Walker** said you're basically stating that instead of having to pay this off in something less than 10 years, we're going to refinance this and extend the debt out for 15 or 20 years. **Ms. Riekhof** said I would defer to Ms. Jonscher on the expected term for this particular project. **Ms. Jonscher** said, typically, our bond issues are 20 years. Now, we could choose to still amortize this one over the remaining 10 years if we chose to.

**Commissioner Walker** said I'm having a hard time seeing why I should vote for this. I'm not a novice to these things. I'm a little confused as to what we're doing here, what the ultimate objective is, and the sequence. It's not clear.

**Commissioner Walters** asked what is the amount of money we're talking about. **Ms. Jonscher** said about \$5.4M. **Commissioner Walters** and that was all demolition costs. **Ms. Jonscher** said yes. **Commissioner Walker** said I don't understand why we would carry that debt for 15 or 20 years. I don't see we have any real plan here.

**Ms. Jonscher** said if it was a project that we just financed as a regular GO project that we issued the bonds to demolish the building, that would be our typical process to spread it out

over 20 years, but with the TIF we only have 10 years or less remaining on the TIF. If we left it and bonded it as TIF bonds, then it just be amortized over the remainder of that TIF period.

**Commissioner Walker** asked who's plan was this. I thought when we had the demolition that we had funding in place to do the demolition or a plan. Unless I didn't understand it, I'm sitting here right now, this is the first time I'm hearing that we're funding the demolition costs with this tool. Am I wrong? **Ms. Jonscher** said previously when they were issued as temp notes, we issued them under the TIF. The plan was to pay them out of the TIF. This came about because of the fact that we have no TIF revenue. We are paying them back with general property tax revenues because there is no TIF revenue funding the project. They were issued to be paid back if there were any TIF revenues. That was the intent, that they would be paid back with TIF revenues. Currently there are no TIF revenues on the project.

**Commissioner Walker** said I understand that, but we knew that when we decided to move forward with the demolition, didn't we. **Ms. Jonscher** said yes, that was the intent. **BPU Board Member Alvey** said it would seem to me that a TIF is normally a tool, and Mr. Kendall can address this far better than I can, but a TIF, I think, is a tool in the toolbox to encourage a developer to start the project, do all the infrastructure, the capital piece to it and then be able to repay those costs over time because of the differential in the tax, the increment. This seems like we incurred the expenses with no hope of generating any revenues for the TIF in the first place, at least there was nothing, no developer on tap to do that. I'm just confused about how that happened.

A final thought with a question. If the TIF is not dissolved but allowed to expire, and there's no development over that course of time, can we reset the clock and start a new TIF to encourage a developer, then, to absorb infrastructure costs, then to actually do a development that will pay for the infrastructure that is left to do. **Mr. Connor, Assistant County Administrator**, said I'm not sure I could answer that question. What I wanted to say, though, is there's obviously some history with Indian Springs and why we decided to do the demo without having a developer or project online.

Remember we hired Lane4 a few years ago to try to get something going with this and that hasn't developed yet. It was always the intention to demo that building and get the site ready. From a historical standpoint, I think those decisions were made a number of years ago as Debbie said. That's how this project got started.

**BPU Board Member Alvey** said that part I understand, but again, my experience is that normally a TIF is done with a development project in hand so that the increment will pay for those infrastructure costs including demolition and whatever else has to be done. I thought that's how a TIF is supposed to work, or the purpose of it. **Mr. Connor** said I'm going to let George try and answer this because I think we have some deals that aren't set up that way.

**George Brajkovic, Director of Economic Development**, said your question is spot on. Typically you create a TIF District and then you advance a TIF plan. The plan not only describes the redevelopment project, but embedded in that is how that financing is then going to pay back any debt you might have issued with initial TIF bonds and you're doing reimbursement on a project.

When this project area, or district, was first created, there was a plan associated with that. Over time that plan dissipated and we've been working to advance a new redevelopment proposal. As it relates to the TIF, we've already expired half the clock because the plan had been approved and that clock started ticking.

If we dissolve, and we're actually talking to Gary Anderson at Gilmore and Bell about some options on that as we are advancing or advancing discussions of redevelopment options, TIF may not end up being the best incentive tool to use there anyway. I'll try to answer your question.

If we wanted to keep it in place, if you dissolve the current TIF to try to restart the clock, by statute there's certain findings that have to be in place to say we can declare this a TIF eligible site. When we first acquired it, it was a blighted property. Now that we've demoed it we probably won't meet the blight definition anymore.

There is an opportunity though, perhaps, to expand the district from its current boundaries to grab some of the property on the east side of the highway as well. We're also exploring options for redevelopment proposals that we have in front of us where a TIF would not be the best incentive to put in place. We may advance discussions to resolve it, but I think the financing discussion is just all about options, whether it's extending the term or removing TIF as a primary source of repayment.

**BPU Board Member Alvey** said in general the practice would not be to establish a TIF without a solid agreement in hand. We would not do the TIF just to be able to fund the demolition without any potential for increment to pay it back. **Mr. Brajkovic** said that's correct.

**Commissioner Walker** asked is this fast-tracked for Thursday. **Ms. Jonscher** said no it is not. **Chairman McKiernan** said not that I'm aware. **Commissioner Walker** said to move us on, I'm going to make a motion to approve this with the qualifier that this be approved subject to being on the non-consent agenda when it comes before the Commission. I'd like a little more visual or visual kind of presentation of how we got where we are. I understand the general, but I'm still left confused as to how we're having to debt fund the demolition. That is not what I understood we were going to do. Probably wrong, it's probably been out there and I've just overlooked when it was there. Maybe I wasn't at the meeting, whatever.

**Action:** **Commissioner Walker made a motion, seconded by Commissioner Walters, to approve and forward to full commission with the understanding that the matter not appear on the consent agenda and a full presentation will occur.**

**BPU Board Member Alvey** said to clarify, this TIF was established you say ten years ago? **Ms. Jonscher** said I believe it was 2006.

**Chairman McKiernan** asked, Commissioner Walters, did I hear you second that? **Commissioner Walters** said I did. **Chairman McKiernan** said I just want to make sure that we can specify in the motion that this, even with the unanimous vote, moves forward but will not be on consent agenda when it comes to full commission. **Mr. Waters** said yes.

**Roll call was taken and there were five "Ayes," Alvey, Walters, Townsend, Walker, McKiernan.**

**Chairman McKiernan** said that was the second piece of the Blue Sheet, which was the ordinance. **Ms. Jonscher** said right. **Chairman McKiernan** said now we have two resolutions.

**Ms. Jonscher** said the first resolution is a resolution amending the 2016-2021 CMIP. It authorizes various public improvements, authorizes the issuance of GO bonds and temp notes to finance all the improvements, requesting the Public Building Commission to issue leasehold revenue bonds for the purpose or financing all or a portion of certain improvements, and

authorizing lease purchase agreements to finance the acquisition and installation of certain equipment.

I will just say this is a change from, in prior years we had brought a resolution for every project that we approved. All of these projects are included in the CMIP. What we have done is consolidated everything into one resolution. The backup that you received as the update lists all of the projects that are included in this bond issue.

I did want to note that we've got some color-coding for the projects. All of the projects that are highlighted in orange are new projects that this is the first time they're receiving financing, or it may be a current project that's ongoing where we amended the description or the scope of the work or we amended or increased the amount. All of those projects are highlighted in orange.

All of the blue projects are current projects that are already ongoing. We're either reissuing the temp note for another year or we're moving that project to bond financing because it's complete.

This has a listing of every project. I will just say that the next item that we're going to approve is the sale resolution. That lists all of the projects that are included either as temp notes or bond issues. All of those projects are listed in that resolution if you needed to see them. Here they're listed in alphabetical order.

I will also say at the very end, one part of the CMIP that we usually bring separately is the lease-finance equipment. The very last page is all of the equipment that was approved in the CMIP for lease-finance. This is included in this resolution also.

**Chairman McKiernan** said just to reiterate, everything that's included here has previously been approved as a function of the routine budget process CMIP approval. **Ms. Jonscher** said that's correct. **Chairman McKiernan** said the request for action is to approve the resolution authorizing the issuance of debt for capital improvements. **Ms. Jonscher** said yes.

**Action:** **Commissioner Walters made a motion, seconded by BPU Board Member Alvey, to approve and forward to full commission.** Roll call was taken on the motion and there were five "Ayes," Alvey, Walters, Townsend, Walker, McKiernan.

**Chairman McKiernan** said which brings us to the last item of this section, another resolution. **Ms. Jonscher** said this is the sale resolution. This one does list out all of the projects that we're currently looking at financing under temporary notes as well as we've got one temporary note issue, a tax-exempt issue, one tax-exempt bond issue and one taxable bond issue.

I will just say that these are, this is where we currently have the projects. We'll still be doing a final review of all of the projects, probably in December. If we determine that we think a project can be moved from the temp note to the bond, we may shift that around before the final, for the actual sale of the temp notes and bonds. These are all the projects that would be included.

**Chairman McKiernan** said once again to be a broken record, these projects and these amounts are all coming back to us as something we previously approved through the routine CMIP portion of the budget process. **Ms. Jonscher** said that's correct.

**Action:** **Commissioner Walters made a motion, seconded by BPU Board Member Alvey, to approve and forward to full commission.** Roll call was taken on the motion and there were five "Ayes," Alvey, Walters, Townsend, Walker, McKiernan.

### **Item No. 3 – 16866...RESOLUTION: AMENDING CASH INVESTMENT POLICY**

**Synopsis:** Resolution amending and adopting the Unified Government's Cash Management and Investment Policy, submitted by Kathleen VonAchen, Chief Financial Officer. Per Section 5 of the Policy, the Policy shall be reviewed and approved annually by the Board of Commissioners.

**Lisa Nolan, County Treasurer's Office,** said this item is being submitted for approval of a resolution to amend and adopt the UG's revised Cash Management and Investment Policy. The purpose of the policy is to identify policies from the management and investment of UG funds.

The Unified Government's Cash Management Committee is required annually to review the UG's Cash Management and Investment Policy. At its October 18 meeting, various revisions were reviewed and are now being recommended for adoption by the Board of Commissioners. We've provided you with a memorandum from Kathleen VonAchen addressing each revision, along with a red-lined copy of the policy in order to show you each revision.

Most of the revisions are minor, cleaning up of language, and to be in compliance with Kansas Statutes governing municipal investments. There are two significant revisions to improve the security of the investment portfolio.

One is to Section 11.B.2 of the policy, objectives for diversification by institution. This revision is to reduce the total investment portfolio that can be held by any one institution from 60% to 30% for any given time rather than over a 12 month period. Capping the limit to 30% is a conservative approach that ensures that the UG isn't overly invested in any one institution. It also gives smaller banks in our county an opportunity to sell us their securities.

The other significant revision is to Section 14.B.2 regarding local emphasis. This revision is to increase from \$95,000 to \$250,000 the level in which every financial institution with a main or local branch in Wyandotte County... I'm sorry we're going to increase the rate from \$95,000 to \$235,000 which is the level every financial institution with a main office or branch in Wyandotte County will be offered the opportunity to sell investments to the UG without the collateralization requirements. This increase is consistent with the current FDIC insurance coverage limit of \$250,000. The recommended amount of \$235,000 is slightly below the limit to allow for interest earned to be included within the FDIC's coverage.

**Commissioner Walker** said this thing is a hard read. It's not a fun read. I read this and prior to my eyes glazing over I noted that I don't who Terry Kraser is. Who's Terry Kraser? **Debbie Pack, County Treasurer**, said he's our outside financial advisor. **Commissioner Walker** asked who's she with. **Debbie Jonscher, Assistant Finance Director**, said she's with Springsted. **Commissioner Walker** said she sure seems to have a lot of comments. They've been our financial advisor for many years. It's interesting that every year they find something to improve upon their work they did the year before. **Ms. Pack** said Terry's fairly new in that position. I think she's been there a couple of years.

**BPU Board Member Alvey** said I have a question. I understand Section 11.B.2 so that we would diversify no more than 60%, we go to 30% of the total investment portfolio. Does that introduce any additional risk. I understand that you put all your eggs in one basket you might lose all of your eggs, but if you put them in multiple small baskets they may not have the solvency to sustain something. Do we know this is actually going to increase, protect the UG?

**Ms. Pack** said first and foremost we want to make sure that we're protected. That's the first initial implication of this is to protect ourselves from being in an institution that if something would happen and the collateral that they have secured... One of the big concerns was that the collateral that they can secure by our extended powers is collateral they might buy from a third party, so surety bonds or letters of credit, something like that. We lose a little bit of control there.

The other thing that we looked at is that if that amount is lowered and those banks are continuously giving us those bids above our local bank's being able to bid, one, they might have a better opportunity to get in above that minimum level.

When we go out to bid we set a minimum level that they have to meet based on state statute. Typically we have several banks that go over that amount and a few of the banks when our bids exceed their levels. There's two things that we see could happen. One is the banks that go over the 30% will no longer be bidding for CDs. It's either going to push us to a smaller bank who meets the rate, or it's going to push us to the ability to go out for maybe agencies or something like that. We won't have a CD capacity with that particular bank. Does that answer the question.

**BPU Board Member Alvey** said basically the question is are we certain this is going to be better protection for the Unified Government to go from the 60% to the 30% limit. **Ms. Pack** said it will based on the collateral requirements that we have. We don't foresee that it will affect our revenues coming in because there's going to be bids from other areas that are going to be as good, if not better, than some we're getting anyway.

**Chairman McKiernan** said I will just say that it is a lengthy and meaty document, but I really appreciate the red-line, strikeout, and commented copy rather than just a summary of the revisions. I can't follow the summary of revisions. I really love to see it in the original document, how's it's been added, deleted, and then commented on the rationale for the change. I really appreciate that. Commissioner Townsend, is there anything that you have in terms of discussion or questions.

**Commissioner Townsend** said just one and maybe I missed it. As Commissioner Walker said, this is not your most exciting reading but necessary. I was just wondering how many institutions

we have were at the 60% rating, that had 60% of our investment portfolio. **Ms. Pack** said at September 30th we had two banks that were over 30%. No bank was over 35% at that time, we only had two institutions that were over 30% on September 30th. **Commissioner Townsend** said I think I understood Ms. Pack to say two. It's difficult to hear her. **Ms. Pack** said yes, you asked about the 60% threshold. I said there were no banks at 60%, but there were two actual banks at the 30%, which is where we're proposing that we go.

**Action:** **Commissioner Walters made a motion, seconded by Commissioner Walker, to approve and forward to full commission.** Roll call was taken on the motion and there were five "Ayes," Alvey, Walters, Townsend, Walker, McKiernan.

**Item No. 4 – 16859...RESOLUTION: SALE OF DELAWARE PARK, 725 N. 74TH DR.**

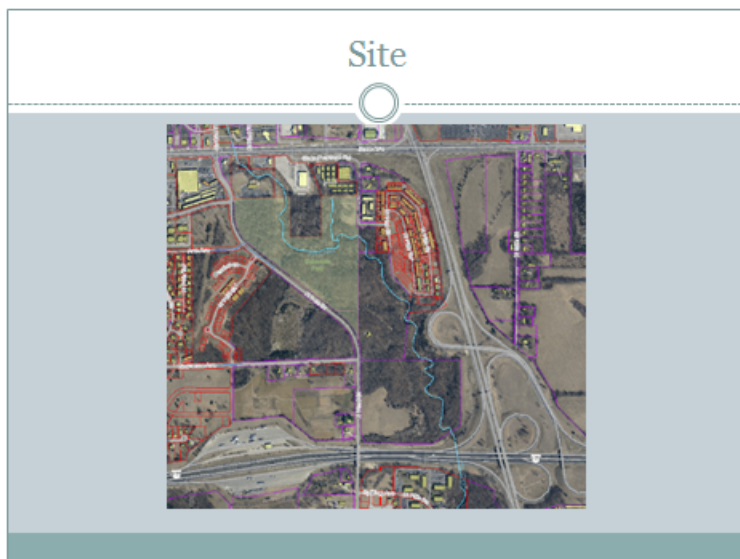
**Synopsis:** A resolution authorizing the sale of Delaware Park, 725 N. 74th Dr., to Turner Land, LLC, submitted by Angela Harshbarger, Economic Development. The site has never been recorded or used as a park, and there are no deed restrictions.

**George Brajkovic, Economic Development Director,** said Eric Watts is here for this item. Eric represents Turner Land LLC which is the proposed purchaser of this property.



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Got a really brief presentation, kind of orient you where this property is. I want to start off first by saying it's a great misnomer to call this property a park, but that's what it's labeled. The way the property was recorded, it was not recorded as a park. There aren't any deed restrictions. In fact, in the past, we've sold portions of this property off. I had a discussion with Jeremy Rogers, our Parks Director, again this morning about really the status here. We're not spending money here. As you'll see in some of these photos, it's just a heavily wooded area.



Having said that, again, the site is depicted here in a shade of green. It's about 30 acres or so. Here's State Avenue, Turner Diagonal and then I-70 on the south. This property, as a stand-alone property, doesn't really represent what we're here for tonight. Turner Land, LLC is doing some major land acquisitions within this general corridor as part of a larger project we're working on.

You hear us talk a lot about developing a new corridor for business park expansion. Some of the work that's already occurring just south of here on that 130 acre site that Amazon is building their facility on. This kind of fits in, again, with the larger land acquisition strategy. This group has already gained control of nearly all these larger land properties in the area.



To give you an idea of the parcel site. **Commissioner Walker** said excuse me, George, what is that cross street? **Mr. Brajkovic** said this one, this is North 74<sup>th</sup> Drive. Again, here's State Avenue and Turner Diagonal. As you can see, it is a heavily-treed area.

This cut out square represents a piece of property we had previously sold when Roger Smith & Sons Toyota was operating out of here. They had purchased some of this from us as part of an expansion opportunity they were pursuing. **Commissioner Walker** asked are they buying the mountain. **Mr. Brajkovic** said there are major topography changes in this area. Actually, as you can see, Mill Creek runs through here, so you can imagine as that property starts at a higher elevation comes back down to actually accommodate for two arms of that creek. **Commissioner Walker** said Commissioner Philbrook is just to the west. **Mr. Brajkovic** said yes.

### Offer Summary

- Turner Land, LLC
- 31.2 acres
- \$10k/acre
- \$312k Purchase price

Again, the summary of the offer: the proposed purchaser is Turner Land, LLC. They are doing this as part of a larger land acquisition. The site, itself, is 31 acres give or take. The offer price is \$10,000 an acre. That's right in line with a very similarly positioned property the UG owns in this corridor. In fact, it's right on the private appraisal that we received for the property. Again, the total purchase would be just a little over \$312,000.

### Property Split Provision



One caveat in our agreement is there was another property owner that was interested in a portion of this property. This is a newly renovated restaurant. It's the Mason Jar.

They had some interest in a portion of the property. Again, they did not need the entire 30 acres so this blue carve out represents about 10 acres. What our agreement contemplates with

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Turner Land, LLC is within a six month period they'll work out an agreement so that the ownership group, or an affiliate of the Mason Jar will come in, buy that said amount of ground for the same purchase price that Turner Land LLC purchased the entire property from the UG for. Same price per area.

We feel that's a very amenable solution to both of their needs as it relates to the project. **Commissioner Walker** said amenable to whom? **Mr. Brajkovic** said both parties. We've met with both parties. **Commissioner Walker** asked what are they going to do with that. **Mr. Brajkovic** said I'm sorry, which group? **Commissioner Walker** said the Mason Jar. Are they going to build? **Mr. Brajkovic** said they have expansion plans that are just plans at this point, but outdoor venue, additional parking for the facility they operate now.

In discussions, and I'm sure Eric would probably love to comment on record, the northern portion of this once you get to this creek area, I don't believe it fits really into their acquisition strategy or their redevelopment plans for the property. Staff is viewing it as a kind of a win-win situation for both parties.

**Commissioner Walker** said so you don't think it's developable, is that what you're saying. **Mr. Brajkovic** said I don't think it fits what...**Commissioner Walker** said Turner Land LLC wants? **Mr. Brajkovic** said yes. Going north of about this line, if we were going to extend, I don't think it fits what Turner Land LLC is looking for for their project, so it makes sense if this party is interested, let them explore those options.

I believe that's the end of our presentation. If you've got any further questions for me or Eric, we'll be happy to stand for those.

**Commissioner Walters** said I have a general question, George. What are our protocols when we offer land for sale, advertisement and making sure all parties have a shot at purchase? **Mr. Brajkovic** said the typical protocol includes a variety of options. The easiest is we list all of our land available through our department website. In addition to that, we will place strategic signs listing "Property available-contact the Unified Government" and give them our staff contact.

At some point we'll also do like what Mr. Connor referenced earlier, we'll go out and contract with either a brokerage group or a marketing firm like we did Lane4 for Indian Springs if it's a larger site and we need a little more exposure than what we can just generate here locally.

I believe for this property we had listed it on our website as one of our available properties.

**Action:**        **BPU Board Member Alvey made a motion, seconded by Commissioner Walters, to approve and forward to full commission.** Roll call was taken on the motion and there were five “Ayes,” Alvey, Walters, Townsend, Walker, McKiernan.

**Commissioner Walker** said, Mr. Brajkovic, when that agreement is signed I would like a copy of it please. **Mr. Brajkovic** said yes sir. I can give you a draft copy of it. **Commissioner Walker** said I would like to see that please.

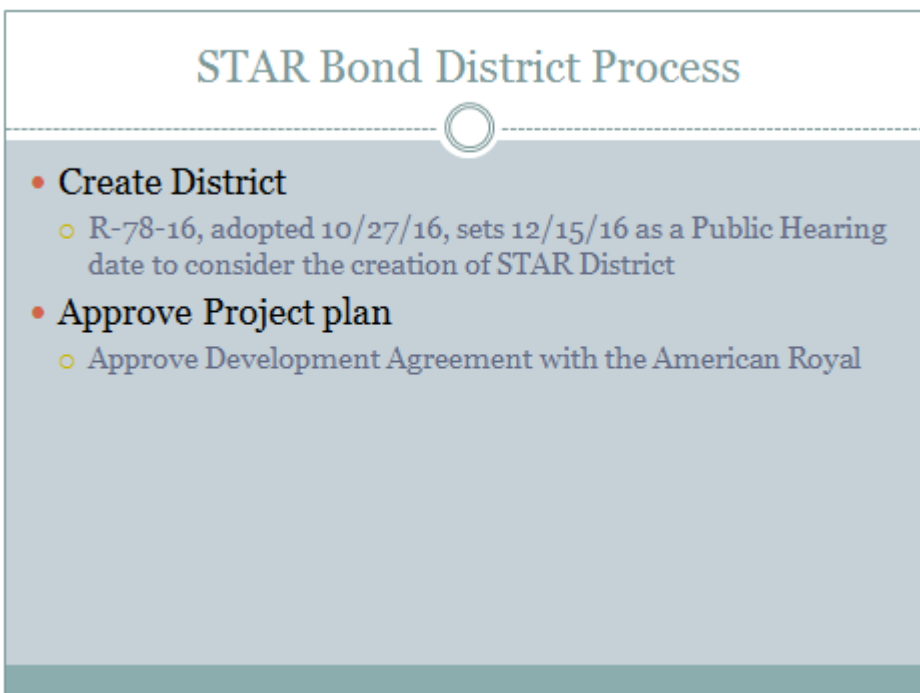
**Item No. 5 – 16869...DISCUSSION: AMERICAN ROYAL PROPOSAL AND STAR BOND DISTRICT**

**Synopsis:** Discussion regarding a new STAR Bond District as part of the American Royal proposal, submitted by George Brajkovic, Economic Development Director.

**George Brajkovic, Economic Development Director,** said let me make a couple of quick introductions. Chase Simmons with Polsinelli representing the development group, then Lynn Parman, who’s the president and CEO of the American Royal.



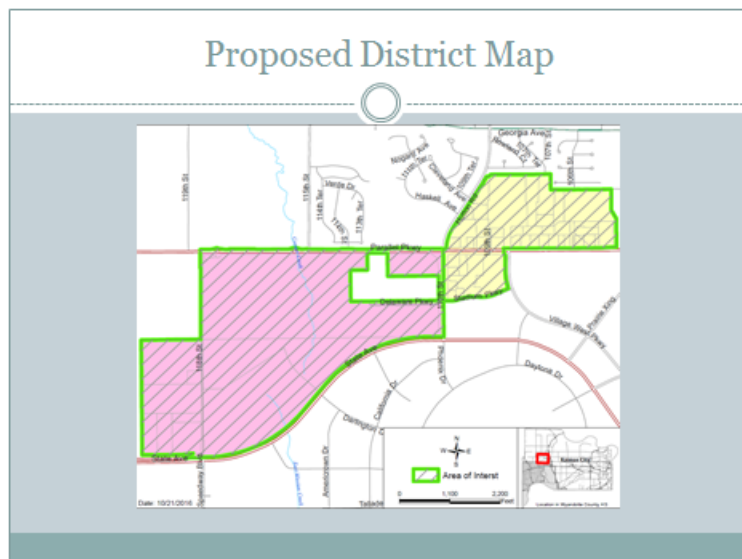
We've been working very closely with both of them for quite some time now to prepare their project proposal as well as having this opportunity tonight to kind of talk about the STAR Bond District, itself.



It shouldn't be new to you because at the October 27 meeting we had presented a resolution to set December 15 as the public hearing date to actually consider the creation of this district. Kind of earlier we talked a little bit about a TIF being a two-step process. You create a district and

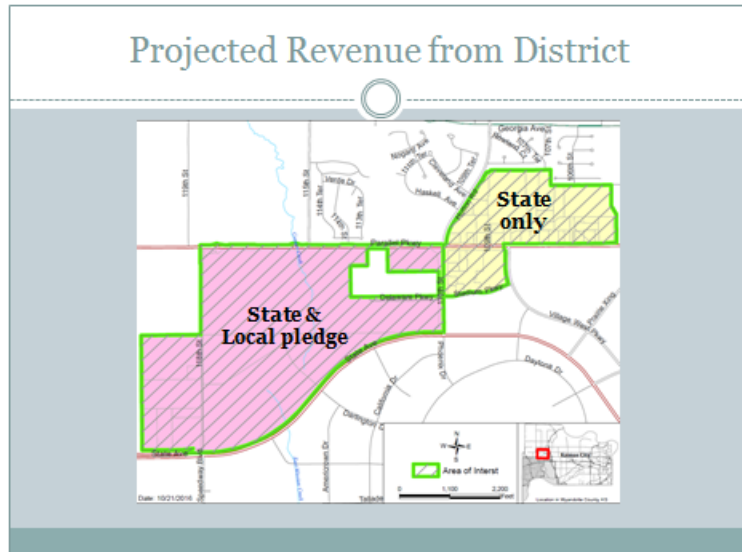
then approve the plan. The plan's really what imbeds all the financing and starts the clock. A way to look at STAR Bonds, it's kind of the Kansas version of a Super TIF.

You adopted that resolution. We've done all the certified mailings that are required by the statute so we're in compliance with that. As we move forward, a future step will be to approve a project plan. As we always do, we have a project plan and a development agreement that kind of go hand in hand with STAR Bond projects in particular.



The proposed district then, this is the exact map we used in the resolution to set the public hearing. I will use 110<sup>th</sup> Street kind of as a dividing line. See kind of this area shaded in pink that extends on the west end just past 118<sup>th</sup> Street, bordered by State Avenue on the south and then back up to Parallel. The carve outs here are the existing two apartment deals that NorthPoint had built on this site. Then there is a Baptist church located right here.

They wouldn't, by nature of a STAR Bond and sales tax revenue, they would not generate anything for this district. To kind of parley into this yellow shaded area, it's also a position that we're taking, staff is taking in negotiating this that any existing projects aren't contributing back to the project. The project's kind of paying for itself, at least as far as local revenue's concerned. We have a slide to address that.



You can see the overlay district. As this map depicts, proposes Target and JC Penney are located here. Then over into Piper Plaza where Danny's Bar & Grill is kind of a prominent development and then back into Piper Plaza, or Plaza, I'm sorry, Plaza at the Speedway where you have Walmart, Sam's and Kohl's. The way those would work, then, is how is the revenues from those areas accounted for. In particular, how does it funnel back into the STAR Bond District?

Starting with the pink, this is state and local pledge. Obviously this is all farmland now. It represents, I believe, almost 400 acres of ground. The thought here is there aren't any developments other than the two that we've already carved out. So, if the project can bring new development that would generate sales tax, that's where we would contemplate, and we still need to negotiate at what level, but there would be some level of local sales tax revenue pledged back to the project in addition to the state's share.

On the overlay proposal, again, it's been a staunch position of staff to say property tax, sales tax, anything that's generated from an existing development, locally we will not divert any of those funds back in to help pay for any new projects.

I just wanted to make that clear. We did not include that as part of the resolution. As we move forward in the negotiations of the development agreement, and as we lay out a project plan that is really going to discuss the financing of this project in much more detail than what we're prepared to do tonight, or even probably what we'll hear as we contemplate creating the district, it does kind of lay the foundation for what we expect the project to look like.

With that, let me turn it over to Chase and Lynn to kind of maybe go through some of the details they are prepared to talk about.

### Project Components

- \$160 Million invested up to 100 acres (potentially phased)
  - Livestock and Equestrian Exposition, Education Center/Museum, Arena/Show Facility
- \$ TBD
  - Agricultural Business Epicenter
- \$ Included in above
  - Infrastructure

**Chase Simmons, Polsinelli**, said we'll run through a couple of quick slides. Stop us at any time. I just want to reiterate one thing that George said which is this is creating a district, not tonight, but if you move us forward to the 15<sup>th</sup> that would be creating a district. That is not a point of no return. If, when you later see the project plan, or the details of the development agreement where we flush out some of the financing ideas, and the Commission decides you don't like what's being proposed, then there's no signal necessarily that you've decided to move forward with STAR Bonds here. It's just like, oftentimes you do, but there are the opportunities for any reason at any time to stop the process and say we're not going to go forward, or we want to renegotiate or we want to rethink.

This is a first step statutory requirement of the project, or of STAR Bonds. It's likely that if you go back just real quick, to go back to the map, it's likely that over time within those areas we can end up with more than one redevelopment project plan. It would have its own development agreement, etc. That's how we assure that this plan is likely going to happen. It may be that you have several, over the years you several developments that will come forward. Each of them will stand on their own.

For the plan that we have, I believe, will be coming to you after the district is created, shortly after the first of the year, of that 300 and some odd acres that George talked about, we

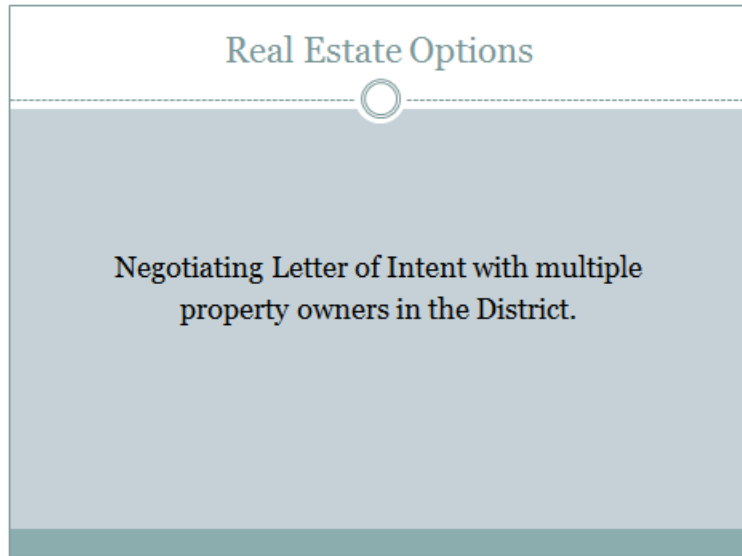
believe that we'll be showing you a plan of up to 100 acres. We're doing a lot of drawing and engineering, and as you'll see in future slides, discussion with property owners. It could be as small as 60 acres. We think it's going to be closer to 100 acres. It is a proposed \$160M investment. That is for a livestock/equestrian exposition. You can see the other items there, the education center/museum and arena or show facility. Very consistent with what you saw a few weeks ago.

Also, infrastructure for the entire area, we will have a lot of details on what infrastructure will be included to support this project and also to support the overall area. The idea is that, and we'll flush this a little bit more in the future, but we want to certainly note it, the idea is that what we're doing here will open up opportunities for an agricultural business epicenter. Those are big words for now, but we'll try to flush those out in the future. Those are not part of the \$160M investment, but they are part of the reason that we think this is a great opportunity and a great area to do this in. It's one of the reasons that we're looking for land areas that are larger than what we have additional plans for.



Of the 160, the idea is about half of it would be public STAR Bond revenues and about half would be project and/or charitable investment into the project. As George indicated, just to keep beating the drum again, the details of all of that will be fully articulated in the STAR Bond project plan and a development agreement. It could be that some of that phased. It could be, and I'm sure there will be, contingencies and requirements that the American Royal do X,Y, and Z

before the bonds are issued, and all of the things that you're used to seeing in any sort of economic incentive agreement.



Just from a real estate perspective, to be clear we do not have ownership or options on all of that land that is set forth in the district. The land that is currently vacant, much of it, we are under discussions right now to acquire land options with the various property owners. We hope that by the 15<sup>th</sup> we'll be able to give you a very detailed update on where we are. I don't know that that's a requirement for moving forward, but just in terms of our comfort we're working very hard with those property owners exchanging proposals back and forth. They're aware of the process that we're going forward and we've had great response from them and cooperation from them thus far.

**Commissioner McKiernan** asked is it typical to announce we're going to build something here before you've acquired the land for it. **Mr. Simmons** said it's not typical, fairly rare. There's nothing to prevent it. Based on the timing of what-the state obviously has a heavy role here, the timing of our discussion with the state, and after making contact with some of the property owners and doing some pretty significant planning with them, we thought that it was appropriate to go ahead, make the announcement. Obviously before we do a development agreement or go to the market or any of that, we're going to want to know exactly where the land is that various components of the project will be on so we feel comfortable with it. Certainly there's nothing to

force any of these landowners to sell the land or be involved in the project. That's just an arms-length transaction that we're going through with them right now.

**Commissioner McKiernan** said the other thing that I'd be curious about is that when you make an announcement like that, does it potentially change the acquisition costs. **Mr. Simmons** said I want to be a little careful about getting too deep into the negotiations, but as I indicated, we were....**Commissioner McKiernan** said just in generalities. **Mr. Simmons** said in general, we felt like in this instance the best thing was to be up front with the property owners about what the potential plan might be, who the user was, etc. There have been over the years, and George and I have worked on a lot of these out here, we've had to make that judgment call on other projects. It just seems like, ultimately, because we normally do need due diligence periods to get all the aspects to come together, we've gravitated towards just full disclosure, open book, with the property owners. We want to end up at an arms-length transaction irrespective of who the user is.

One thing, obviously, for a landowner, there's a little bit more involved. We talked about development agreements, and bond underwriting and all those sorts of things. That requires some cooperation for a landowner to allow you to have an option on their property for quite a while to get through all of that. We just feel like if they're going to go through all that with you, they might as well know it up front. That's how we decided to move forward with this.

**Commissioner Walker** said I would think that knowing that property, they've held that property, that family, at least a major portion of that property for a very long time. Since the Legends was built, they could hold it, what I'm getting at is they could hold it for a very long time if they don't come to a reasonable term with you.

This is a great opportunity to have a signature event destination at a location that is amenable to certain financing tools. I would hope that the ownership group would recognize a lot of them could be dead before that property sells again with an opportunity like this if they aren't willing to be fair about it. **Mr. Simmons** said they've been very engaged partners thus far. **Commissioner Walker** said I hope so. I'm 100% for this project. I'm not going to hide my cards. I have certain dreams of this, not so much the Royal, but there being a place for the Agricultural Hall of Fame on the site or perhaps in some relationship with the American Royal to

add to the, they've got 160 acres of what I consider to be prime, developable land with access to major arteries. As long they've got that sitting there vacant, they might as well negotiate something to make it and these agri-businesses that we hear about that might be interested in coming.

I think time is not our friend. I think this is something that we need to move on. Having said all of that for what didn't need to be said, I'm going to make a motion to...**Chairman McKiernan** said there's no motion. **Commissioner Walker** said no motion necessary? **Chairman McKiernan** said no. This was just as a prelude for our December 15 meeting, a prelude for the development agreement after that.

**Chairman McKiernan** asked do we have additional information that we wanted to present or discuss this evening. **Mr. Simmons** said Lynn's here if there's any questions for her. I can kick her if I feel like she's getting too far into anything that's for the next stage, but she's here if you have questions or anything of her. She's obviously been working very hard on the project.

**Chairman McKiernan** said I think it's a very interesting project that certainly has a lot of potential. The one thing that I have heard most often from people is that they don't have a complete understanding of the separation of the two subsections of the potential STAR District with the Unified Government contributing only from the western most piece and not from the eastern most piece of it. That's the one thing that has come up to me when this was announced and the potential for a STAR District was announced.

**Mr. Brajkovic** said we'll certainly be sure to have the same map or something very similar to that as part of the public hearing. Of course, if anything changes within the proposed district boundaries between now and then, we're still kind of exploring, making sure that legally we've covered all the area that's proposed can be included in it. If there's any changes I would suspect staff will have a list of recommendations.

**Commissioner Walters** asked so when do we have to nail down the boundaries for the December 15 public hearing. **Mr. Brajkovic** said in discussion with bond counsel, in particular on this, we would have a proposed district at the public hearing. As amendments or suggestions are made, we would then amend the plan, or the map, and the legal description accordingly. As

we move to publish that ordinance creating the district, it would then contain any of the changes that we discuss. As is, we're moving forward. This is the map that was included as part of the resolution that went out to all the required folks, all the folks that are required to receive certified mail notifying them of the December 15 meeting, that is all property owners and occupants within the proposed district.

**Action:** Information only.

Adjourn

**Chairman McKiernan** adjourned the meeting at 6:25 p.m.

**mls**