# Economic Development and Finance
# Standing Committee Meeting Agenda
**Monday, September 9, 2024**
**5:00 PM**

**Location: Hybrid**
We invite you to view the meeting in person in the 5th Floor Conference Room, Suite 515, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click the link below to join the webinar:
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877 853 5257 US (Toll-Free) 888 475 4499 US (Toll-Free)
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| Name | Absent |
|---|---|
| Commissioner Tom Burroughs, Chair | ☐ |
| Commissioner Gayle Towsend | ☐ |
| Commissioner Chuck Stites | ☐ |
| Commissioner Bill Burns | ☐ |
| Commissioner Phil Lopez | ☐ |
| Stevie Wakes, BPU Member | ☐ |

**I. Call to Order/Roll Call**

**II. Revisions to September 9, 2024 Agenda**

**III. Approval of standing committee minutes from May 8, and June 5, 2023**

## IV. Committee Agenda

**Item No. 1 - PRESENTATION: 2024 SECOND QUARTER INVESTMENT REPORT**
**Synopsis:** A presentation of the Quarter 2, 2024 investment report for the period April 1, 2024 through June 30, 2024.

*For information only.*
**Tracking #: 21306**

**Item No. 2 - RESOLUTION: WAIVING OF CERTAIN APPLICATION AND PERMIT FEES RELATED TO DEVELOPMENT EAST OF 55$^{TH}$ STREET IN KANSAS CITY, KANSAS**
**Synopsis:** Approval of a resolution to waive certain application and permit fees for a period of five years for residences or development projects located east of 55$^{th}$ Street in Kansas City, Kansas, and requiring the tracking of key performance indicators.
**Tracking #: 21308**

**Item No. 3 - RESOLUTION: 2023 RECREATION TRAILS PROJECT GRANT AWARD**
**Synopsis:** Resolution authorizing application and acceptance of a grant from the Kansas Department of Wildlife & Parks Recreational Trails Program in the amount of $105,680 for a 1/3 mile walking trail in Kensington Park. There is a 20% match, which is identified in the department budget.
**Tracking #: 21315**

**Item No. 4 - ORDINANCE: AMENDING THE POWERS OF THE COUNTY ADMINISTRATOR REGARDING THE LEASE OF UNIFIED GOVERNMENT PROPERTY IN ECONOMIC DEVELOPMENT PROJECTS**
**Synopsis:** Approval of an amendment to section 2-103 of the UG Code, clarifying the powers of the county administrator by requiring written notification to the board of commissioners and its approval by resolution or ordinance whenever a lease of UG real property is required as a material part of a private economic development project.
**Tracking #: 21307**

**Item No. 5 - RESOLUTION: RESTATING AUTHORITY OF THE UNIFIED BOARD OF COMMISSIONERS TO SET OVERALL POLICY**
**Synopsis:** Approval of a resolution restating the authority of the Unified Government Board of Commissioners to set overall policy and clarifying the intent that the determination of meaning, and implementation of such policy may be made by the Board.

*This item was previously heard by the Board of Commission on July 18, 2024, and approval of the resolution was denied.*
**Tracking #: 21281**

**V.** **Public Agenda**

**VI.** **Adjourn**

**ECONOMIC DEVELOPMENT AND FINANCE**
**STANDING COMMITTEE MINUTES**
**Monday, May 8, 2023**

The meeting of the Economic Development and Finance Standing Committee was held on Monday, May 8, 2023, at 5:00 p.m. The following members were present: Commissioner Burroughs, Chairman; Commissioners Davis, Townsend, Stites, McKiernan, and BPU Board Member Haley. The following officials were also in attendance: Patrick Waters, Acting Chief Legal Counsel; Debbie Jonscher, Interim Chief Financial Officer; Reginald Lindsey, Budget Director; Alan Howze, Assistant County Administrator; and Monica Sparks, Deputy UG Clerk.

**Chairman Burroughs** said before I call the meeting to order, I want to announce that some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. When speaking, please speak directly into the microphone to ensure everyone listening is able to hear your comments and to ensure a clear record is made. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of this meeting. The public may also indicate their intent to provide remote public comment by contacting the Clerk's Office by 5:00 p.m. the Thursday before the meeting. The public also will have an opportunity to provide brief comments either by telephone or via Zoom from the 5th Floor Conference Room of the Municipal Office building.

**Chairman Burroughs** called the meeting to order. Roll call was taken and all members were present as shown above.

**Chairman Burroughs** asked if there were any revisions to tonight's agenda. **Monica Sparks, Deputy UG Clerk,** stated there are no revisions.

Approval of standing committee minutes. (No minutes available)

**COMMITTEE AGENDA**

**Item No. 1 – 212433…APPROVING: FIRST AMENDMENT TO ASSIGNMENT, ASSUMPTION AND AMENDED AND RESTATE AGREEMENT (HOMEFIELD CID)**
**Synopsis**: Approval of First Amendment to Assignment, Assumption, and Amended and Restated Agreement (Homefield CID), submitted by Patrick Waters, Acting Chief Legal Counsel.

**Patrick Waters, Acting Chief Legal Counsel,** said thank you Mr. Chairman. I believe that the developer and their counsel have a presentation they would like to start off with, so I will turn it over to them. **Chairman Burroughs** said, and gentleman, for those watching, would you please introduce yourselves so that they know who is speaking?

**Richard Napper, 1671 Kansas City Rd, Olathe KS, representing Homefield,** said Homefield, the master plan developer and the developer named under the development agreement. First off, thank you all very much for your time tonight. It's wonderful to be in front of you and update you with where this project is and then also walk through what we're requesting this evening to see this project through to its fruition.

It is further interesting to me that when you look back, it is a little ironic we're here this evening in the month of May of 2023. 10 years ago, this month, I started working on this master plan. Initially for the prior financial partner for the land that surrounded the former water park and today for the current owner, Homefield, that is developing what was the water park and the rest of the remaining land.

Since 2013, we've seen the development out there, hundreds of millions of dollars in development activity. Ford, Nissan, Chrysler, and Jeep, all were out of state companies coming into the state of Kansas into Wyandotte County from Texas as well as Louisiana, employing great numbers of people, paying large property taxes, and creating a lot of jobs. Further, Enterprise Rent-a-Car is on site, Phillips 66, Go Big Carwash, Freddy's, Frontier Justice, Menards, Camping World, which is the largest RV dealer in the country, a large publicly traded company. We have the National Training Center for US Soccer. We have a Fairfield Inn and Suites. The world headquarters of Dairy Farmers of America, the largest private employer in the Kansas City metropolitan area. We have a $50 million plus, Class A, market-rate apartment complex finishing development by Milhaus out of Indianapolis. We have two medical office buildings currently under construction. We have the Homefield Indoor multi-use sports arena that will be unlike anything else in Metropolitan Kansas City. We have the Homefield Outdoor baseball complex, 800% synthetic turf, baseball fields lighted. We have a Margaritaville Resort Hotel with large outdoor amenities of Homefield Outdoor. As you'll see here in a moment in the rest of slideshow, we have other users coming. Atlas 9, which is very similar to the Meow Wolf concept if you've seen that across the country. We have Big Shots Golf, which is the largest competitor to Top Golf. I remember 10 years ago, I had people all throughout this community asking me when can we get a Big Shots Golf—I mean Top Golf. We have Big Shots, it's owned by ClubCorp, the largest owner of golf courses in the country, to my knowledge, that owns the National Golf Club, as well as Nicklaus Golf Club here in town. We have a deal pending with Live Nation, the largest concert promoter in the country. We have a concept going with 6S Pickleball, Hilton Garden Inn, Supercar Guys, another medical office building, and an indoor karting concept that is one of the largest entertainment attraction uses in the country. So there's been a lot of progress in the past 10 years.


That was in the past 10 years. In the past two years, progress is part of this. I touched on that earlier, but to elaborate a little bit further, construction has commenced on the 150,000 square foot Homefield building. I will have an image here shortly. Construction has also commenced on the baseball facility. The final development plan was approved for the Margaritaville Resort and mass grading is underway. We have applied for footing and foundations permits. We are anxiously awaiting that permit and we will start footings and foundations. Camping World, as I said, the largest RV dealer in the country, is open for business. Fairfield Inn and Suites are set to open in August. I've noted before Milhaus, the apartment developer is, as I understand, taking reservations and residents are moving into that complex.

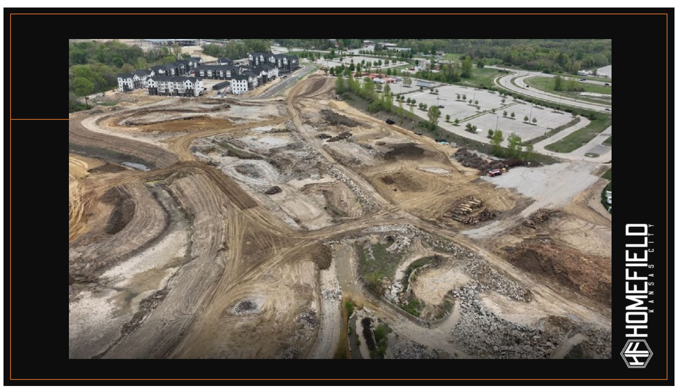

I go back to 2013, as I opened up my comments, I'm sure a lot of you remember this. That was what it looked like in 2013. Since then, all the name people, all the named users that have occurred are under construction, open for business, or under contract and letter of intent. I did not want to bore everyone here with about 35 images, so I kept it brief, but I thought this one from 2013, looking easterly, was very interesting.


The National Training Center, a premier athletic facility.


The world headquarters of Dairy Farmers America.


Mass grading for Homefield Outdoor and the Margaritaville Resort. A footnote, Margaritaville and Homefield Outdoor as currently referenced our development agreement, which is but a year old, was called out collectively as about $100 million dollars on the budget in the development agreement. Today, that number is $150 million dollars. That is a sizable increase. We've not changed the scope dramatically, but I think we've all witnessed inflation, labor shortages, and just how expensive everything is. We remain fully committed to this build. We have not decreased the scope or decreased what we're doing. It's $150 million dollars.


You can see towards the back of this image, this is the baseball facility. It is hard to tell from this vantage point, but that is the four easterly most baseball diamonds. Fine graded and actually the light poles are up as well. The westerly diamonds are being cut in as well.

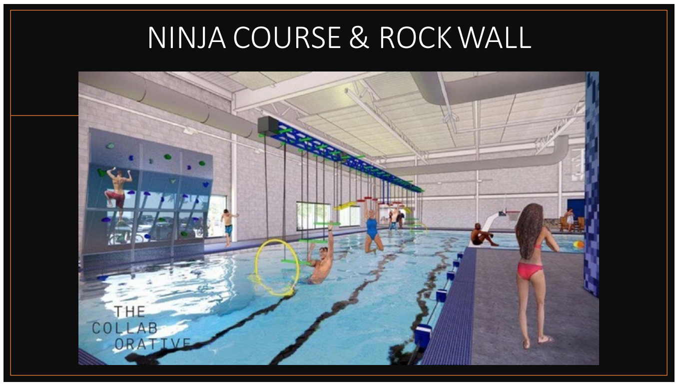



Another image of Homefield Outdoor Margaritaville with the Milhaus apartment complex in the background.


The steel structure is nearly topped out on the Homefield, 150,000 square foot and multi-use indoor sports facility, that will bring people in from all across the Midwest.


Another image of it looking west shows the Milhaus apartments and the rest of the development.


Images are of the Margaritaville Resort, which I just referenced, that along with the Homefield Outdoor amenity components, right now, is priced at $150 million. That is the Land Shark signature restaurant on the left, the hotel tower on the back of it, and the outdoor pool amenities cozy up next to it.

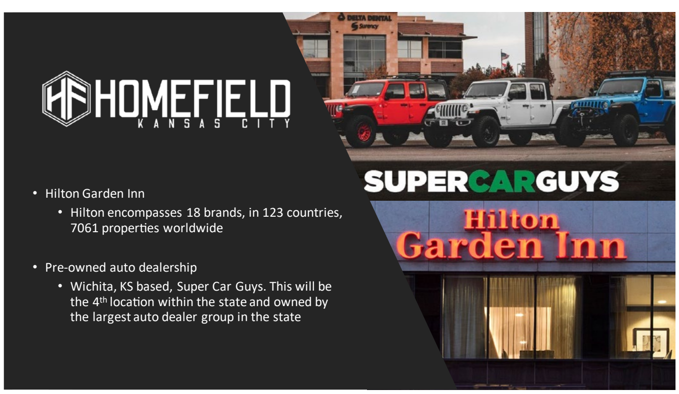



The indoor pool so that we can activate this resort year-round. There is a ninja course that drops down from the ceiling. There is a rock-climbing wall that when the kids fall off the rock-climbing wall, which is not but 10 or 12 feet tall, but they will fall into the pool. I know my son would have loved that when he was a little bit younger.


We've hit on baseball a couple times. Part of what is in the development agreement amendment is in our current development agreement, there was a user that was more or less our operator within the development agreement for the baseball facility. Unfortunately, that user, past the 11th hour became in default of their lease agreement with us. Not only were they trying to reduce the usage fees or rent fees to use the fields 65%, they were also not meeting other financial obligations under the lease. We went to find—Perfect Game was one of the premier operators. There are other premier operators in the country and our mission was to find another premier operator. As it turns out, when you look at our development agreement as it was written a year ago, everyone wanted to make sure that what we were building, the facility we were building, was Class A and met certain standards. The standard called out in our development agreement was "you must be like

LakePoint in Atlanta" and that is one of the mothership youth baseball facilities in the country. LakePoint was previously managed by Perfect Game. They were removed and a company called PBR Tournaments was put in place and they were managing and operating the baseball facility referenced in our developed agreement that we must be like. PBR Tournaments is our operator for the baseball fields. We have found an equal or better operator than we ever had before.


Briefly touch on the new tax generators and attractions that I hit on earlier. Hilton Garden Inn, Super Car Guys, which is owned by the largest automotive dealership group in the state of Kansas, 6S Pickleball, Big Shots Golf, Atlas 9, and Live Nation. Those collectively add about $200 million in additional development costs. Honestly, when this is published from that time today, the $190 is probably up to $210.




A brief image of Super Car Guys and Hilton Garden Inn.

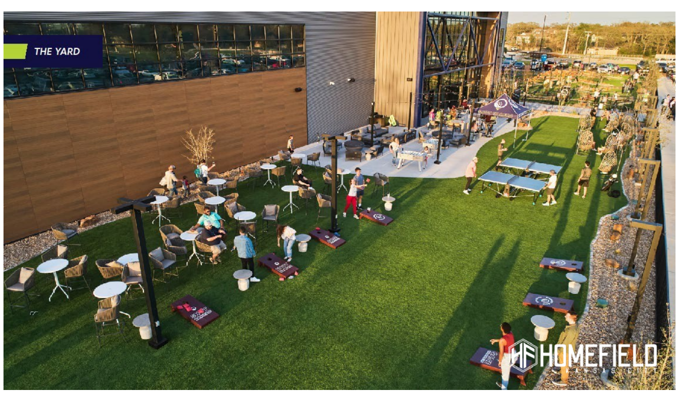


6S Bar and Grill, this is the pickleball concept.

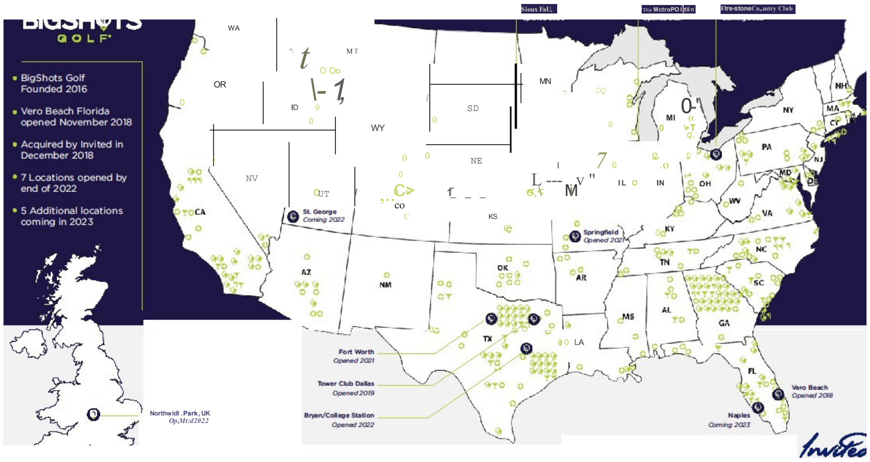

Then, we come to Big Shots. This, I think, is one of the most exciting concepts we've had at this project in the 10 years I've been involved.



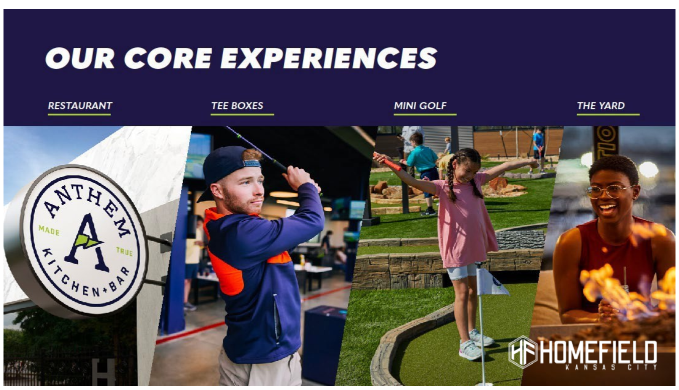
These are images of current Big Shots. They have slightly refined their prototype. We are one of three Big Shots moving forward in the United States for 2023 to 2024. It's an adult type of outdoor putt-putt golf. Of course, kids can play as well, but there is no clown's mouth. Other outdoor games as well.

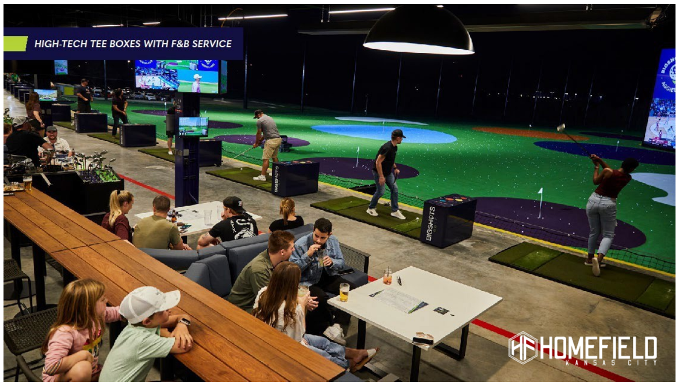



Food and beverage.



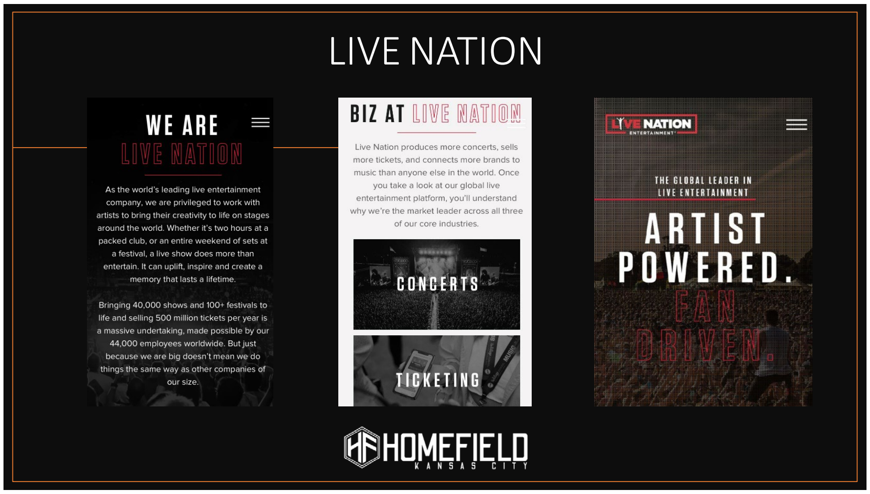

All these dots are where Big Shots and ClubCorp have touches of golf and entertainment related complexes throughout the country.




More imagery of Big Shots.

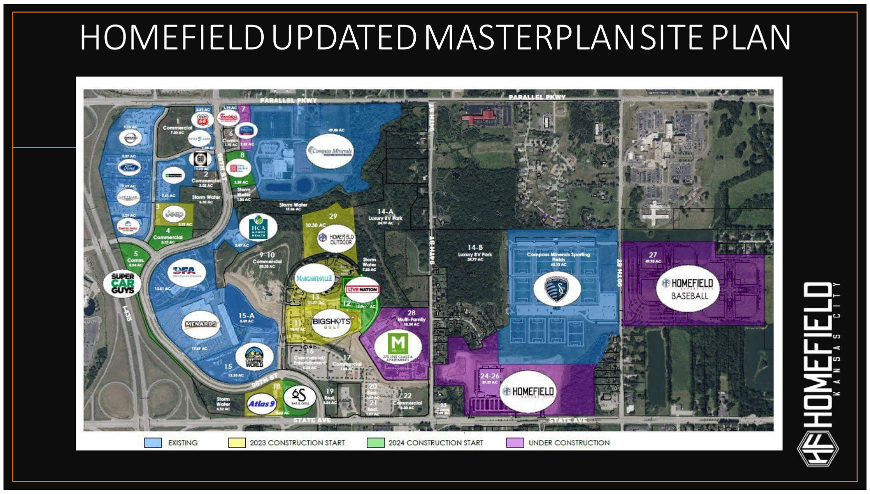

Then we come to Atlas 9. If any of you have been to Meow Wolf, as I've referenced before, you would know this. This is a concept similar to Meow Wolf. If you've not been to Meow Wolf, I would ask you to Google that when the meeting is over. This would be a better, more attractive version of that. It is an immersive, interactive museum. The three Meow Wolf across this country bring in visitors from all across the country. Large employment, large revenue, and again, a tourist attraction.




Live Nation, largest concert promoter in the country. We are trying to finalize the deal with them for a 55,000 square foot, indoor, multi-use arena. They would anchor it for about 110 nights with music, the rest of the events would be activated with sports and sports related. When you look at the indoor sports that we have within the Homefield organization, and to have the championship volleyball or basketball game in a facility like this would be awfully exciting for the players, as well as parents.

Other sports, eSports, cornhole, we've had them active in our other facilities. Again, activating this with other indoor sports, dance, cheer, and the like, for this facility as well.


An image of a current model that Live Nation is looking at.




This is the updated master plan, color coded for what is existing under development and what is slated for development in the near term. Major components, and, Curt I'm going to let you take it from here.

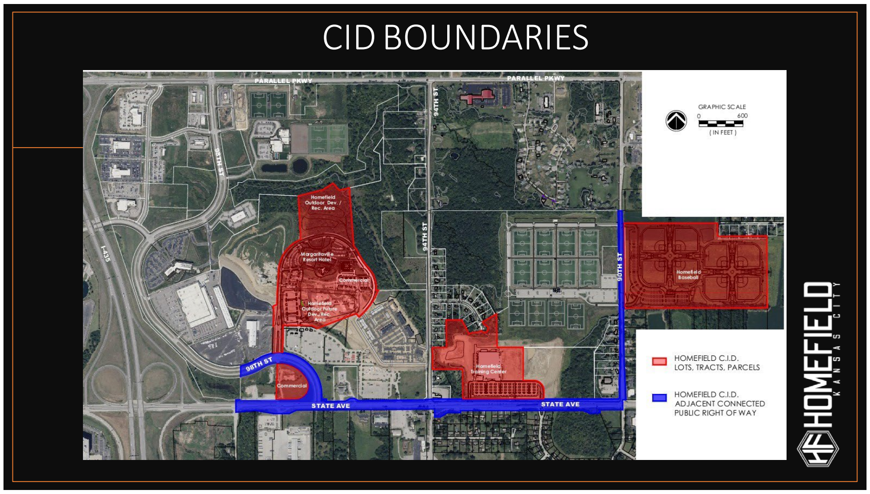
**Curt Petersen, with Polsinelli on behalf of the developer,** said with Richard's remarks as the backdrop talking about the overall project, I want to remind us and kind of draw our attention to why we're specifically here tonight, which is a pending proposed amendment to the existing development agreement for the overall Homefield project. This is the first of two steps tonight, going to full commission, of making that $200 million of additional investment happen. It's two steps. Tonight is the first, going into full commission. Later this summer, is the other. The reason we have to wait on that is because it involves STAR bonds. As you all know, everybody knows sitting in this room, that that also involves the state and just takes a little longer to get that piece going. Tonight is step one of two steps for this additional couple $100 million dollar investment. So tonight, the DA Amendment is this critical first step that has the following components and I know the UG's attorney Todd LaSala, is here, and we'll go into more detail, but I want to touch on it for a culminating point.

The first is that it officially recognizes three of these pieces, these new projects, that make up the several $100 million-dollar additional investment.


That is Big Shots, Atlas 9, and the arena, what Richard referred to as Live Nation. Second, it recognizes PBR as the new Baseball operator, again, as Richard touched on. Third, it establishes and adjusted Homefield Baseball predictable tax amount. Already, as part of getting that deal financed and moving forward, there was a predictable tax amount that was set and approved by the full commission. But now because instead of having 10 fields, the fields are all east of 90th Street. Altogether, was that two clovers you started to make out, the two sets of four in that photograph Richard put on the screen? There used to be the concept of two additional fields making ten on the west side of 90th, but both the former baseball operator and now the current one, PBR tournaments, said that is not credent to the business model, it doesn't really make sense, especially cost-benefit. So now it's eight fields all together on the east side and because of that the predictable tax amount is adjusted by 20% to reflect going from ten to eight.

The next is the establishment for the first time of a Margaritaville Resort and Homefield Outdoor predictable PILOT. We worked with UG staff on trying to figure this amount out. Getting this right is critical because there's really nothing like Margaritaville Resort and the amenities that will have anywhere in the state. Predictability is key as you can imagine. When you put together the capital stack, the equity, and the debt for something like this, everybody wants to know what the taxes are going to be, not just for a year, but for the foreseeable future as it stabilizes. It's really, really hard to finance a $150 million hotel with this sort of amenity package. This is a key aspect to make sure we get these fixed predicable taxes in place.

Then the last piece, to kind of summarize it again, what's before you tonight as part of this amendment is the CID Bond financing.




If we go to the next slide, you'll see a map. The map, you'll see the colors there, the red indicates what will be within the proposed Community Improvement District CID. The blue is just that you always—in Kansas we always connect our pieces of the district and that's all public right-of-way, a very common approach to piecing together the CID district, but the red is what you want to focus on. There are six projects within the proposed CID, within that red area. If you start on the right of the screen, east of 90th there, you'll start with Homefield Baseball. If you move to the west you're down on State Avenue now, you'll have the Homefield Training Facility. Then lastly, if you move to the last red area farthest to the west, the former waterpark area, you'll have in the northern part Margaritaville Hotel, and Homefield Outdoor, all the associated amenities. You'll have the Live Nation Arena just to the east of that still within that big red area, farthest west. You'll have Big Shots as you move south from there. Then, if you go down on State Avenue, that southwest corner, the Southwest red piece there, that is where you'll find the Atlas 9 Museum.

So why a Community Improvement District and Community Improvement District bonds? Well, first, we have to understand that there's two financial components to it that affect those red areas. One, there would be as proposed, a 2% additional sales tax on any sales that happen within those red areas, that is cash registers for the six projects I just mentioned. The second piece is a CID special assessment. The special assessment would apply to three of those pieces. Specifically, there would be one, a $2 ticket fee on anyone entering the Atlas 9 Museum. Second, there'll be a $2 ticket fee on anyone going to an event at the arena. And lastly, there'll be a $30 resort fee for use of all the amenities at the Margaritaville and the Homefield Outdoor Resort and that makes up together this special assessment component of the Community Improvement District.

Now those revenues, the sales tax, and the special assessments would all be bundled and underwritten and would be part of an, as requested, a CID bond issuance to third party bond purchasers. The bond proceeds, once the bonds are purchased, the proceeds of the bonds would be used to help finance the attractions that Richard went through in some detail, on the screen in front of you within the CID. While all of that is important to the overall project all of the uses, absolutely the most important one from a temporal perspective is the piece that would go to help finance this $150 million resort hotel and amenities. The construction loan for that project, that is the resort, requires that all of the financing be in place to have any of the financing, which is totally typical for those of you that are involved in financing pieces. The lender wants to see you have it all there and part of that is the CID bonds. So the UG has engaged, subject to all this moving forward, has engaged Stiefel, a common underwriter for UG projects to look into this, underwrite everything, and with this bodies recommendation, hopefully, and then the full commission later in the month approval, we would move forward to getting the CID bonds issued later in the summer, and getting the financing in place, and the hotel resort, and the rest of the projects moving forward.

Chairman, one last piece, before we're just available for your questions and inquiries, is this. We couldn't help ourselves as we were kind of collecting our thoughts and putting this all together, how do we be succinct, but put a lot in? I mean, this is six months of solid work by the team trying—more than that, putting everything together? How do we do it quickly, that gets you all the substance you need for you to make a good judgment about whether you want to see all this move forward? One question that jumped out, we said there's a lot of money here. There's also a ton of private money being proposed to be spent. There's a ton of amenities for Wyandotte County, but there's also a lot of what we call public financing. The question on the table we wanted to ask and answer briefly. Is this, what's before you tonight, is this good for the taxpayers and citizens of Wyandotte County? It's a lot of money. I'm going to attempt briefly to answer that, maybe to cause you have some questions, we can talk a lot about later. One, and you can guess what we think the answer is or we wouldn't have spent this much time on this. But one is property taxes, real property taxes. I've had the privilege of working in this county on this project, even in the previous iteration that laid the kind of foundation for what we're doing today. There's especially a few commissioners in this room that have pounded the table again and again and said, I'm supportive all this, this is great for the county, but I want to see property tax generation go to the taxing jurisdictions, including the city and county like the UG. I will tell you this in brief, a little bit of a sketch, the property tax generated by the overall project is mind-blowing. It's a ton of tax, but I don't even need to go there. I just want to focus on what Richard has said before you tonight. In fact, I'm going to do a sub part of it.

He laid out six—if you saw on that slide, there were six new projects that would cost somewhere in the range of another $200 million. Because the arena and Atlas 9 the museum, just to be totally honest, no one has a clue yet about what the tax would be. We'll be working with staff, that's part two this summer we said we'll come back with, we'll talk about that later. Let's just focus on the other four pieces. The other four pieces, estimates, that we can go into great detail and work through with you, but the estimate generates another $1.5 million dollars in real property tax. That's not counting the other two components. That's not counting all the components Richard went through, that's not counting the components that are still to come with everything. This positive feedback loop creates huge, massive property taxes involved just with what's before you tonight, the Unified Government, the school district and the other taxing jurisdictions.

Two, this level of investment and construction creates an immense number of construction jobs, but then also ongoing operational jobs forever in this county in this location, huge benefit. Next, the amount of visitation, and I use this phrase and it's one of my favorites for projects like this, positive feedback loop. When we put into the state's biggest tourist destination, that's already here, it's already operating that way, and we drop another total almost a billion dollars, $800 million, another $200 million tonight, and bring the amount of tourists that these amenities will bring has an amazing feedback loop on bringing more development, and more residential and more commercial and everything. So the positive feedback loop is incredible with this level of investment.

Next, is just to briefly reflect on the history and I know you all appreciate the history here. We had a waterpark that obviously had a tragedy and we had a major problem for a prime area of western Wyandotte County. That whole section was tainted, it was, what goes there, what builds around that, what do you do with that? The current developer, who Richard and I represent and work for, has frankly solved that problem with your partnership. Not only have they solved that, but also you'll remember the 2015B STAR bonds had some—we call it credit enhancement. Credit enhancement means the UG stands behind it with their pen. By the way, not what's proposed for the summer with CID bonds, totally Special Obligation Bonds. Different topic, right? But this developer found a way to take care of that, the UG no longer has their signature if you know what

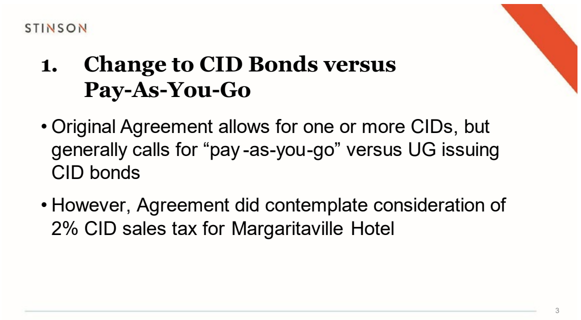
I mean, credit enhancement on the 2015B bonds. Also, Big Shots that you saw there, that has an immense amount of sales just from their track record. All of those sales will go to the 2015A, the existing STAR bonds and feed those. It's a great thing.

Lastly, just making a remark again, why is this good for the taxpayers? How amazing to live in the county where you also get to use these amenities when your family and friends come into town or just on the weekend. This is incredible that this is an amenity for the residents of Wyandotte County. So finishing with what was the question, what was the answer? Do we believe, respectfully, that what is proposed tonight, with another $200 million of capital investment for Wyandotte County and this overall project, is it good for the taxpayers? We think respectfully, Chairman, it's amazing for the taxpayers and we're proud to be presenting it to you. With that, we'd be ready either now or after Mr. LaSala speaks to address any questions you might have.

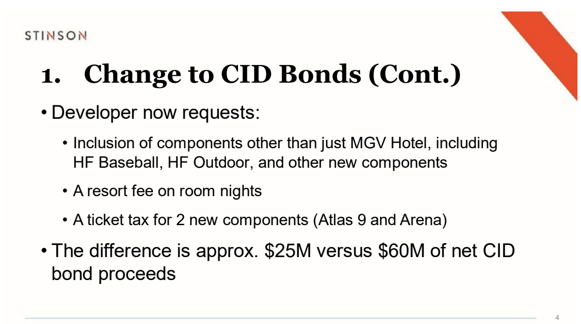
**Todd LaSala, Stinson Firm,** said I'm representing the UG on this as I have for a long time. I'm going to focus primarily on the development agreement, the first amendment to our development agreement and what it does. It essentially accomplishes four things. I will show you what those are.


These are the four primary changes we're looking at tonight in the development agreement. The gentlemen from Homefield have really alluded to what those four things are. I'm going to try and crystallize these and do this very quickly.

One, we're going to change what our development agreement currently says about how we do Community Improvement Districts here, from a preference towards pay-as-you-go CID to a bonded CID issued by the Unified Government. Two, the developer will commit to many of those new project components that they were talking about. We will get a contractual commitment, along with a commencement date, and a completion date for those components. I'll go into detail about what that looks like. Third, there are changes to Homefield Baseball that the guys talked about, including the change of the operator and the reduction of the fields from ten to eight. We'll touch that too. Fourth, and finally, some changes to the Industrial Revenue Bond, or IRB bond, part of our financing project and I'll give you some detail about that as well.




Okay first, change to CID Bonds versus pay-as-you-go. Well, what does our development agreement currently say, the one we executed last summer. It really talks about the availability of using Community Improvement District, CID, in this project, one or more CIDs, but really expresses a preference for pay-as-you-go CID versus bonding them as an issuer. The one exception to that was the developer even then was telegraphing, hey, for the Margaritaville Hotel, I think we're going to need to bond, and it says that the UG reserves the right to have the commissioners make a decision about bonding the Margaritaville component as and when more information becomes available. That's what it says today.

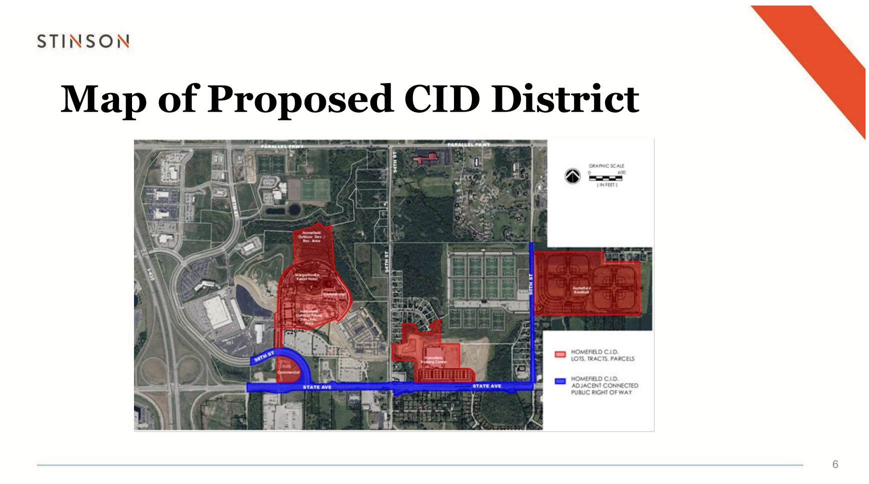



So what's changing, the developer is requesting a number of changes to the CID structure. Number one, all of this, they'd like to bond as opposed to pay-as-you-go. The UG would be the issuer, we would go out publicly, and we'd sell these bonds publicly. Is there some risk related to that as the issuer? Sure. Now, as the guys said, we're not going to back these bonds, the sole pledge will be the revenues generated from the CID, but to be fair, when bonds don't perform, you're still the issuer, you get those calls. There are rating agencies that are taking a more jaundiced view, even of Special Obligation Bonds. So, it's just a risk we need to be cognizant of that didn't exist last years development agreement, it is going to be more prevalent now.

Secondly, it's not just the Margaritaville Hotel anymore that we bond, it's these other components as well, Homefield Baseball, Homefield Outdoor, Atlas 9, the arena, all of those would be covered by the CID bonds we'd issue, not just the hotel, so it's broader in scope. Another way that it's different and broader is that we're not talking about just CID sales tax on the 2%. We're also talking about these concepts that Curt alluded to, a resort fee, ticket fee, those are unique to some of the components that are now coming and there's a revenue opportunity there that really wasn't contemplated before but is part of this deal now. Particularly for Atlas 9, the arena, and the Margaritaville Hotel. The difference in those things based on what the original development agreement contemplated versus now when you get into a bonded environment, it's the difference between about $25 million dollars' worth of net bond proceeds versus $60 million. So, it's a much bigger number. The developer team will tell you, this is a much bigger project and a much bigger capital investment, that's why. But I want to be clear about how this is different than what was on the table last year at this time.


Secondly, the new project components, the guys did a great job of articulating what those things are. These are things that were not contemplated at your original development agreement. It's all new. They're going to contractually commit to all of these things and it's very, very positive for us.

Big Shots Golf is a $20 million project with 60 bays. The sports live music arena, the Live Nation component, is a $53 million project, 55,000 square foot arena, they would contractually commit to deliver that. Atlas 9 that the guys talked about, very unique art museum, immersive. I did go visit one of these Meow Wolfs because I was interested in it. I went to one in Denver. There's really nothing like it. It is a very unique component. That's about a $26 million add. So just within the CID, there's $99 million worth of new project components that were not committed to be delivered to us before. So all of this is new.




The guys showed you before where those things are. I won't dwell on this, but this is what the CID district would look like.

STINSON

**BUDGET FOR CID PROJECT**

| | | Total Est. Cost | Use of CID Revenues |
|---|---|---|---|
| Themed Hotel/Homefield Outdoor | Area C | $ 145,000,000 | $ 29,461,000 [1] |
| Homefield Indoor Training Facility | Area B | $ 60,000,000 | $ 4,648,000 [2] |
| Big Shots | Area C | $ 20,000,000 | $ 1,034,000 |
| Atlas 9 | Area D | $ 26,700,000 | $ 15,388,000 |
| Arena | Area C | $ 53,000,000 | $ 8,558,000 |
| **Total $$:** | | **$ 304,700,000** | **$ 59,089,000** |
| **Percentage of CID** | | | **19.39%** |

1. In addition to the CID Proceeds listed here, the Homefield Outdoor component is entitled to a $15M allocation of STAR Bonds, approximately $13.4M of which are available in the previously issued first Series issued in 2022.

[2] In addition to the CID Proceeds listed here, the Homefield Indoor component is currently entitled to a $60M allocation of STAR Bonds, approximately $53.8M of which are available in the previously issued first Series issued in 2022.

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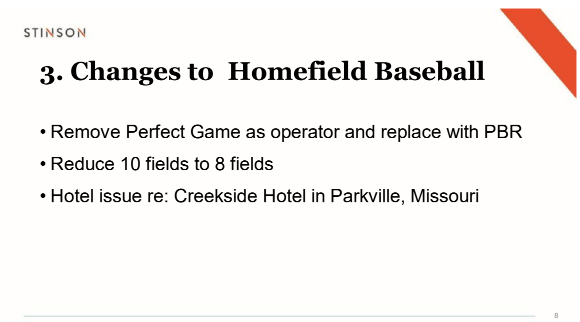
This is the budget. This is attached to the first amendment of the development agreement. It really shows you the various components that are within the boundaries of the Community Improvement District. That first column shows you the total cost of those projects as contemplated. The second column shows you where the $60 million dollars in net bond proceeds would go. When you do the ratio and you look at those numbers, when you talk about CID alone, it's about 20% when you compare the total cost of those projects versus the CID that's contributed. Now, there are footnotes here that that make clear for some of these components there are also STAR bonds in the equation.

When you talk about Homefield Indoor and Homefield Outdoor there are STAR bonds contributing. When you add those to the mix, the public/private ratio here, the public component is north of 40%. So, it's a different number, but to be fair, that's what we're talking about.

One other thing that I should point out, the arena component, Live Nation, the developer is talking to Live Nation and is down the road aways within their contract negotiations. Our amendment would allow them to pull out Live Nation if they don't get all the way to the finish line or get far enough as we proceed toward bonding. They have the ability to pull back on that and pull Live Nation out of the equation to do it in the future in another different CID and it would come off of the table. Now, there's some mechanics and some gymnastics to how we would do that, but I want to be clear that even though these other things are really pretty hard and fast contractual components, Live Nation, they have the ability in their discretion to pull that off the table and not do that as a part of this CID.




Changes to Baseball, the guys did a good job of articulating this. They talked about the change from Perfect Game to PBR. The development agreement amendment would now take care of that and fix that. It also reduces the baseball field commitment from ten fields to eight fields. Then I also want to talk for a moment about hotel rooms. The baseball component of this project, a major part of it has always been that would attract lots of families to our community to play here and be here for a weekend. There's a bunch of good things that happen when that occurs, including hotel room nights in your community. Our development agreement, even from last summer, has a prioritization and a booking system that we're asking the Baseball operator to use with these families and prioritize first hotel rooms that are within our districts, then second hotel rooms that are within the county, and then third hotel rooms that are within the state. That's the prioritization of booking hotel rooms for Baseball. There's a caveat to this because PBR currently has a facility in Parkville. There was a TIF involved in that over on the Missouri side. Accordingly, PBR already has a contractual commitment to promote the Creekside Hotel there in Parkville. It's a 92 room hotel, so it has to be an exception to our agreement with them about the way that they promote hotel rooms. Now, they'll tell you, that's not a very big hotel. They contemplate PBR having very large tournaments that will use both facilities and they believe it will be net positive to the UG, but I want to be very clear that when we get into this amendment, they are carving out in our prioritization this one hotel in Parkville because they have to contractually.

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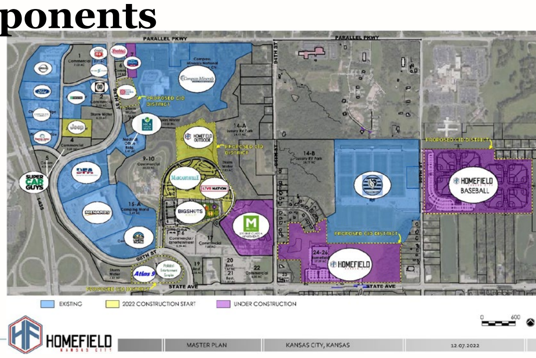
## Map of Baseball/Other Project Components

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This map they showed you before, the only reason I'm putting it there is I want to show you on the far right, in that purple area, that's where the eight fields remain. That's the same place they were located last summer when we did this. The two fields that are removed are in that other purple box just on the other side of 98th along State Avenue. That's where the other two fields were previously located. Those are the ones that are going away.

STINSON

## 4. IRB Financing

- Our Agreement Contemplates Certainty IRBs in your discretion
- Reduction for baseball (20%)
- New Agreement re: MGV Hotel
  - $800,000 PILOT, increasing annually up to $876,589 (1%) increases)

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Alright, I'll conclude by talking about Industrial Revenue Bonds. The IRB financing, the guys have done a good job of talking about this. They're really Certainty Industrial Revenue Bonds. We're really not trying to use the vehicle in this case for tax abatement, but really to provide 10 years of certainty about what the property taxes will be for some very unique assets. As they mentioned, the baseball component has been reduced from ten fields to eight fields. There's a 20% reduction in the PILOT we had previously agreed to for baseball and I'll show that to you in a minute. The Margaritaville Hotel and Homefield Outdoor, that one is new, negotiated for the first time, and I will show you the schedule.

STINSON

**Homefield/MGV Hotel PILOT Schedule**

| | Homefield Building | Homefield Baseball | Homefield Outdoor/Themed Hotel |
|---|---|---|---|
| Year 1** | $ 241,253 | $ 85,362 | $ 801,500 |
| Year 2 | $ 243,666 | $ 86,216 | $ 809,515 |
| Year 3 | $ 246,102 | $ 87,078 | $ 817,610 |
| Year 4 | $ 248,563 | $ 87,949 | $ 825,786 |
| Year 5 | $ 251,049 | $ 88,828 | $ 834,044 |
| Year 6 | $ 253,559 | $ 89,717 | $ 842,385 |
| Year 7 | $ 256,095 | $ 90,614 | $ 850,808 |
| Year 8 | $ 258,656 | $ 91,520 | $ 859,316 |
| Year 9 | $ 261,242 | $ 92,435 | $ 867,910 |
| Year 10 | $ 263,855 | $ 93,360 | $ 876,589 |

*Excludes capital outlay mills not subject to IRB property tax abatement.
**For Homefield Building and Homefiled Baseball, begins first calendar year after the date when IRBs are issues for eitherHomefield Building or Homefield Baseball [See Section 4.12(b)(i)].

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When you look at these components when it comes to using Industrial Revenue Bonds for purposes of certainty, this is exactly what the UG would get from those assets for the next 10 years.

Mr. Chairman, I'll stop there. I think that's what I wanted to highlight as the changes in our development agreement. This is what the first amendment would contemplate. The other two agenda items you have after this are really resolutions of intent that are about formalizing these Industrial Revenue Bonds. I'll stop there and stand for any questions.

**Chairman Burroughs** said before I take questions, Todd, the aggregate total of the 800 on the side, is that roughly just under $9 million or is it under $10 million dollars? The aggregate number starting on the far right. I mean, if you want to do all three of them, that's fine. I'm just trying to get an aggregate count of the property or the PILOT proceeds on these three developments in aggregate numbers. I just noticed that's not on there. **Mr. LaSala** said yeah, so if you went through year one, and you added—**Mr. Petersen** said Chairman, lawyers don't do math. Can you answer that? Is that about $1.3 million, Chairman, I think? **Mr. LaSala** said that looks about right, in the first year. **Mr. Napper** said are they asking for all 10 years, is that the question? **Mr. LaSala** said let's do one year first. If you took year one, I think Curt's right, you got about $1.3 million dollars when you total 241 from the indoor building, 85 for baseball, and 801 for the hotel and outdoor. That's about 1.3 annually. **Mr. Petersen** said I was doing year ten too, just not to be confusing when I was totaling it up but—**Mr. LaSala** said oh, yeah. **Mr. Petersen** said so 1.1 to 1.3 depending if you're in year one or year three. **Chairman Burroughs** said so we're looking at over—we're looking at about $12-$13 million in total aggregate numbers. **Mr. Napper** said approximately, yes.

**Chairman Burroughs** said thank you, Mr. Napper. I think it's important that we see the numbers in the aggregate amounts so the public knows what kind of money we're talking about here. Okay, gentleman, if you're done with your presentation, I'll now ask if there's any questions or comments from the Commission.

**Commissioner Townsend** said thank you for your continued interest in development in Wyandotte County, but I do have some questions. I'll start with the easiest one, I can barely read my own notes. Start with the new piece, the immersive theater project, a couple of questions. My only experience with the immersive theaters have been like the Van Gogh setups and those types of things. It's not a whole lot of them in a year. Do you see this as something that would be used year-round? I also saw in some of the paperwork, there was a talk about a theater and I wasn't quite sure in what manner theater. Would that compete with our movie theater already out there? We'll start with those questions.

**Mr. Napper** said no, it would not compete with your traditional movie theater whatsoever. I believe as Todd referenced, he's been to the Meow Wolf. Again, this is not Meow Wolf, we'd like to think of it as version 2.0: better. This would be year-round, 365. Our partner in this endeavor, Dimensional Innovations, came up with this three-paragraph summary of what this envisioned. I did not read it earlier in the respect of time, but I'm happy to read this real quick as to how they would describe it. So, give me 60 seconds, I'll try not to bumble through here.

"A movie ticket like no other. Atlas 9 is the Midwest premiere immersive art museum driven by an intriguing narrative centered around a movie theater that has been magically transformed. Visitors have a ticket to explore an artistic escape from reality. Spanning two floors and over 30,000 square feet, the experience invites visitors to explore multiple installations, interactives, and integrated live performance where local and regional artists channels cinematic themes to conjure a surreal and captivating world. All are meticulously crafted to artistically bring to life everything that we've loved about the movies. Food, beverage, events, and retail options are all woven into the experience. Replete with a full themed concession stand, and a time traveling speakeasy where the bartenders play the part. A 250-seat movie theater auditorium offers countless opportunities not just for screenings and film festivals, but a staged performance venue for live events. Not simply an escape room or a haunted house, and light years beyond a selfie museum, Atlas 9 represents a new wave of immersive entertainment that blurs the line between reality and fiction."

They are not showing first run movies. This is, again, I would ask for you to Google Meow Wolf when you leave here and I'd be happy to advance to you after tonight a few of the images that are still in works. I'd hated to share them tonight because they're not finished, but this is not where you're going to go see the same movie you'd see at AMC or any other theater like that, not possible. **Commissioner Townsend** said that's why I was wondering, I'm not familiar with Meow Wolf, I will Google it, if there is a year-round market for the variety of things that you're talking about.

**Mr. Napper** said we believe there is and I think if you look at the existing three Meow Wolf facilities, kind of just the template, one in Denver, one in Santa Fe, and one in Las Vegas. They are year-round. We actually think the fact that this is year-round and it happens to be indoors—I think on the hot, muggy days of summer when kids are playing baseball, this is a great place to go inside and see something unique. In winter, same thing, a great place to come inside. This is absolutely 100% a year-round activity.

**Mr. Petersen** said Commissioner Townsend, one of the things to Google, because I can tell you're interested in this, Dimensional Innovations, if that's not somebody that kind of jumps to the forefront of your mind. It's a national, frankly, international—I don't even know what to call them. They can—how about this. If you can, if you can think it, they can build it. Tucker Trotter is the CEO. If you Google their website and look at some of the projects they've done, stadiums across the United States, and how they're renowned around the world. They're based in the metro and there are partners signed up ready to do this. I think that will be the other piece of the puzzle for you when you see who's involved. **Commissioner Townsend** said what's the name again? **Mr. Petersen** said Dimensional Innovations. Their symbol you can see on I-35 there at their headquarters. It's a big DI on the building.

**Commissioner Townsend** said counsel, you were talking about the special assessments as part of the package now, $2 ticket fees? I'm not sure I can write quickly enough on which activity. $30 resort fee, I imagine that's for the hotel, is that $30 per night? **Mr. Napper** said per night per room. **Commissioner Townsend** said who will see that money? How does that play into the financing packages, those special assessments. **Mr. Napper** said whether it's the ticket tax or the resort fee, they will be—and I'm summarizing at a very high level for my brain. There'll be packaged with the rest of the CID, underwritten by the third-party underwriter and a third-party analyst that would do the projections and they would be sold in the same, more or less, the same package as the balance of the CID. **Commissioner Townsend** said okay, in addition to the 2% sales tax on any sales. That's on any good or service affiliated with any of these projects? **Mr. Napper** said anything that is eligible for retail sales tax. **Commissioner Townsend** said thank you. I may have some questions later, but that's a good start for me.

**David Haley, BPU Board Member,** said this is a comprehensive review. Thank you, Mr. Chair, and thank you for the presentation. I'm impressed to look at the expansion that has been outlined. As stated by the previous Commissioner, I probably don't know what to ask, I wish I did. When we look at the shift from the IRBs and where they will fall. I don't exactly know where we go from here with the ask, and this may be a question more for staff. In terms of access, I know that other venues have bifurcation of fees. We look at if there's any way to generate and to incentivize participation by Wyandotte County taxpayers for access. I know that's been done in some other venues. I think right offhand, at the sporting venues in Jackson County, Missouri were first come, and certainly opportunities are afforded to their tax base to participate. I don't know how or if that has ever come up or even if it's feasible to do so. The Wyandotte County taxpayer is incentivized, I guess, because of being a proud participant taxpayer in assisting with this to participate. It may not have come up before, it may not be anything that could be a part of that. But I just thought I would throw that out, because again, full disclosure. I don't know much of whatever else I could ask about.

**Mr. LaSala** said really appreciate the question. Though this isn't new, this is a part of our development agreement from last year. There are some commitments to the local community and opportunities for Wyandotte County citizens that I'd love to remind you about. This says that during—and I'm going back to Section article 8 of our original development agreement. One thing is when it comes to admission to Homefield, the Homefield Building, Homefield Outdoor and Homefield Baseball, all of those admission prices will be at least 20% off for Wyandotte County residents. Secondly, the developer is working on, and you guys may want to give us an update about this, they are working with the local school districts, all of the local school districts to provide special opportunities for these sports related facilities to the students of our various school districts. There is also a commitment to provide at least 500 tickets annually to the UG Parks and Rec Department for free admission to the Homefield Outdoor facility part of the project. Then finally, the commitment to push hotels is also a part of this list. There were some things that we negotiated previously that were about prioritization and access to the local community. Those remain in place. The component with the school district is a thing that they have been working on, it really has to be finalized before we go out and do this next round of bonds.

**Mr. Napper** said that is completely accurate. The agreements with the school districts, last information I've received, as they had been sent to the school districts for review and hopefully execution. Then additionally, late last year, November or December, Homefield delivered approximately—hard to pick the exact dollar value, but a couple $100,000 in textbooks that we were able to get our hands on and we delivered them with our baseball club and other volunteers to all of the high schools in Wyandotte County. So again, that's outside of our obligations or commitments in the development agreement, that something we thought was a great community benefit that we wanted to do and our Head of Operations took that on and made it happen.

**Mr. Haley** said thank you for that, in terms of, and I do appreciate the initial assessment of the tax, I think you said 1.5. Has there been a run or looked at what some of the other property tax, real property tax assessment might be or when might those be forthcoming? **Mr. Napper** said on the components we're bringing to the table? If I understand the question. **Mr. Haley** said yes. **Mr. Napper** said obviously, it depends on how quickly we're able to get them through Planning and get them built, but everything—and as Mr. LaSala pointed out in the development agreement amendment we will have dates that he's called out in there, we must deliver these components. These aren't dates 10 years out, they're in the relatively immediate term that we have to execute on all these potential new developments. It is in the near term, not the long term.

**Mr. Petersen** said adding one layer of detail, which I think you might be looking for as well. With respect to Live Nation and the Atlas 9 Museum, those will be worked out in—I don't know if you want to call it round two, but remember I said two steps. Step two this summer. So you'll see that this summer, we will work that through staff and do the normal processes.

**Mr. Haley** said finally, Mr. Chair, gentleman, I didn't quite catch the further commitment from the state STAR bond on what exactly, I missed that, it glazed over me a bit. **Mr. Petersen** said I made a brief reference to it that's why you're—I didn't really go into any detail. I look over at Mr. LaSala and Mr. Waters because we work very closely with UG when we do STAR bond deals with our third partner, which is the state of Kansas. So anytime we're proposing new projects or additional revenues, or changing use of revenues, the three parties, the state being the third, get together and talk about it. Frankly, and it's understandable, it just takes longer when you're working with the state at that level. So that's what I was referring to, that process will play out over the next few months.

**Mr. LaSala** said yeah, I would only offer a little more detail. The original development agreement called for $150 million worth of STAR bonds, 130 in the first issuance and then another $20 million issuance. When we actually went out last summer, we issued 115 as opposed to 130, give or take. So it is still on the board's pursuant to the development agreement right now that we could do—we could do another $35 million of STAR bonds. The developer is really telling you, hey, with these additional components, many of which are STAR bond type components, there's a desire to go back to the state and talk about additional STAR bonds on top of the $150 million that are currently authorized right now. And Mr. Petersen is absolutely right, all of that is done in concert with our partners at the state. I should have said this earlier, we also previewed all of this, this first amendment and what's going on here with baseball and these new components with the Department of Commerce. They have seen all of this, including a copy of this amendment. We are always careful to be transparent and forthcoming with the department there because they're a very good municipal partner.

**Commissioner McKiernan** said from the beginning, this has been a really exciting project. I still think it is a really exciting project. It's a very complicated project. I'm disappointed that I didn't get the PowerPoints until this afternoon. I'm disappointed that I didn't get these cost-benefit analyses until this afternoon. I did get the development agreement, the wording of that, I was able to go through it and pick out relevant details. But in something as complex as this, something I've asked for from the beginning is, give me time to thoughtfully consider these materials before you ask me to make a thoughtful decision. Please. Mr. Petersen, I'm glad you remember that I liked the fact that everything out here is paying property tax. I don't remember pounding the table, but I have been pretty insistent that one of the benefits we get, besides all of the amenities, besides all of the sales tax, besides all of the visitors, we get the real property tax benefits from this. And so I just have a few questions, like Senator Haley, I will undoubtedly be back for more questions as I continue to think and evolve here.

First of all, what is the CID percentage? I'm sorry, the CID is 2%. What will that bring the total sales tax up to in the CID boundaries? **Mr. Petersen** said right now it's 9.125%, so we would add the 2%, which would be 11.125%. **Commissioner McKiernan** said so that really would not be out of line with other areas that have similar CIDs in the Legends Village West area. Correct? **Mr. Petersen** said right. Just even more broadly, I kind of thought someone—this is a good question. I thought about it and I went and counted. In our state, we have 220 2% CIDs. The latest numbers were 92 of those have rates above 11%. So when there's something compelling there's a pathway for this being done both here and statewide.

**Commissioner McKiernan** said so we have several benefits that accrue from this CID. First of all, it enhances the project. Second of all, it's only visitors to that site who actually end up paying it. And third, it is not out of line with other tax rates that you'd find in various districts within Village West area. Good.

We're proposing, however, to bond the CID proceeds in advance. I know we're not going to back those, but if you'd elaborate a little bit, does issuing those have any impact on our credit rating and what we might pay for borrowing for actual UG related projects?

**Mr. LaSala** said I'm going to answer this question and I'm going to also offer—if Kevin Wempe, your bond council, wants to come up if I do this wrong, I'd ask Kevin to come up and make sure that he weighs in here too. The answer is it shouldn't, because you are only—it's a special obligation. It's only a pledge of the revenues from the—you are not putting your full faith in credit behind these bonds. However, Commissioner, your question is timely. There are cases in the country in the last year where municipalities who have done something similar and the bonds go south, there is at least one rating agency who has been giving municipalities, at least a couple of cases, a black eye on their credit rating as a result of that. Despite the fact that the municipality had not guaranteed the bonds and had not put its full faith in credit behind them. Now, the other two rating agencies have not followed suit and done that, but there are at least a couple of examples out there that your financial advisor, your bond counsel, are worried about, and so when I tell you that there is risk related to bonding versus paying-as-you-go, that's what it is. Now, there are trends in the marketplace, and you know, the answer to your question is it shouldn't, but of late for at least a couple of municipalities it has. It has hurt their credit.

**Commissioner McKiernan** said so that might be something that we want to take into account every time from now forward that we consider something like bonding for a CID or because we are also going to issue the IRBs here. Again, not back them, but issue them. Does that then just compound our problem? **Mr. LaSala** said IRBs shouldn't have any impact on your credit rating because those you're not going out and selling publicly in the marketplace. It's really a very different risk profile and we do not have the same concerns when it comes to the IRBs versus packaging CID bonds or STAR bonds and going out to market publicly. **Mr. Petersen** said Todd, can I add just on top of that. Just to put a point on what you said, which is, no concern, because in this instance, we're doing buy your own bonds, which means the developer buys its own bond. I'm just adding to the fact that, in this particular case, we're not worried at all.

**Commissioner McKiernan** said we could put back up onto the screen the PILOT schedule. Again, just to make sure that we're clear, this is not the BPU payment in lieu of tax, but a property tax payment in lieu of tax. What I want to know is—so for example, in year one, I'll go to the far-right column, we have broken out that the themed hotel will pay 801.5 in property tax as the first year of that schedule, would that 801.5 be similar to the amount of tax that a similarly assessed property would pay in that year? **Mr. Petersen** said footnote, because I'll lose it, and then we go to the main point. When we throw these numbers, I'm looking at my fellow attorneys, there's certain mill levies. School district, capital, outlay mill levies that are carved out. So just using rough numbers that 800 in the first year could be as high as 850 to 875. It's a material amount of money, so I just wanted to say it.

**Commissioner McKiernan** said then I'll go back to some of the documents that we received this afternoon that do spell that out a little bit in some of the tables here, but I haven't had a chance to look through those yet. I figured that that was the case, but just with whatever mill levy we're applying is 801.5 what this property would ordinarily pay?

**Mr. Petersen** said I mean the closest you get to again—see, we all know it's unique, it's unique in the state. We looked across the street at Great Wolf in tax, last year, paid about 895. So right in there, I mean, you can speak to the credit markets, but they're telling you about comp, but I mean is that—to be fair, the closest thing to— **Mr. Napper** said I think that's the closest comp, so if we're all in at what you said 858.75 could be as high as 900. Our closest comp we can come up with for 2022 was Great Wolf at 898 or 899, whatever your number was, we were trying to comp off of that. **Commissioner McKiernan** said so we can be confident that even though we're applying a PILOT with a predictable change year to year, that we're at least starting at a payment that is as close as we can find to a comparable assessed property.

**Mr. Napper** said that is correct. And again, our comp has been, on many levels, has been Great Wolf and that's what we were—when we are approached by investors and lenders and they look at Great Wolf as the closest thing to a comp and they look at all levels of the income stream and they focus on the property taxes, again, that's why we try to comp off of them as we think it is as close to comparable as we can possibly get.

**Commissioner McKiernan** said fantastic. Well, as Mr. Petersen knows, I've always looked at the fact that these properties are paying property tax as a real benefit because that is money that doesn't get funneled back into the development. It's money that we can take for the provision of city services to our residents. I think it's really important that this is how this is built, that it'd be money that's available to us. Mr. Chair, at this time, that's all the questions I have.

**Commissioner Davis** said this has been very informative and I am excited. I have not been to Meow Wolf, but I am familiar with the museum and the amazing amenity that they offer in various kind of touristy areas in Vegas and Denver, and what have you. I do have some questions. I know that with these added amenities and with the changes of the Baseball developer it has changed in just the details of the agreement. Has there been any contemplation on the community benefit portion? I know, Todd, you had kind of mentioned what it was in the previous agreement. Now that we have new amenities, I think we may want to revisit that portion of the agreement as well. Has that been contemplated? **Mr. LaSala** said we have not made any changes to that.

**Commissioner Davis** said gotcha, gotcha. Well, I think there are some things that could be given if we're going to talk about the museum and Big Shots, and what have you, that if we want access for—I'm particularly thinking about our residents on the east side, who may not have access to transportation or it may be slightly expensive for them to access these amenities. I would like to see some sort of language codified within the contract that would allow that access, whether it'd be a discount or something of that measure, the same kind of structure that you all had for the school districts in regards to Baseball and Margaritaville. Let's just apply that to Atlas 9, Big Shots, and what have you. That way we can get field trips and things of that sort there. Do we have a response?

**Mr. Napper** said great idea. My only comment would be that would be for the assets, or the uses, that we control such as Atlas 9 and we will be the landlord under the Live Nation sports arena, we absolutely have no issue. It may be the best time, if not now, it'd be in the version 2.0 Curt referenced earlier. Todd, elaborate on for third party users like Big Shots where we are selling them the land and they are the owner and developer. There's no way for us to agree to that. I mean, I would say—and I can't speak for them, but if everyone else around there is working towards that same type of goal, I don't think it would be out of bounds to speak with them about that, but I can't contractually obligate Big Shots to offer that. But for the assets we control, we have no issue in working with counsel and staff to come up with what that formula is for the next round of attractions that we own or operate. **Commissioner Davis** said yeah, I mean, even just having a conversation with them as you had before about being partners. **Mr. Napper** said I know they want to be a great partner to the community and to the project. I don't foresee that being a difficult conversation with them, but I certainly can't bind them. I can make the introductions and push the ball as hard as we can.

**Commissioner Davis** said awesome. Yeah, I wouldn't want you to commit to something that you couldn't honor, but I do appreciate that honesty. I think with Atlas 9, so we have a lot of artists within our community that I think are really looking for opportunities. Perhaps this could be one where there could be some sort of partnership and we can give them the opportunity to display their art or we can teach our students or our youth about the various professions associated with Atlas 9 and those experiences. I'm a big, big proponent of that. Another idea would be recruitment heavily within Wyandotte County. I know, if we cannot mandate hiring requirements, maybe going to various entities with workforce partnerships and others to ensure that our residents know about the jobs that are available and are able to put in an application. Those are the things that I would like to see since we are adding on and the UG's putting a considerable amount of investment. I would like to see some of that codified as well.

**Mr. Napper** said we love the idea and I think we've tried to be a good community partner, not only within the bounds of the development agreement, but outside of those actual written words as well and would certainly welcome the opportunity to expand upon that relationship and communication with you.

**Commissioner Davis** said awesome. Thank you. Then, for the special assessments, that would be in addition to the market value of the entry, right? For the $2 added that would be in addition to, correct? **Mr. Napper** said correct. So if the—and I'm making numbers up a little bit, but if the ticket is $25, it would be $27. We've spoken with not only the parties that would have the ticket tax, but also other parties that have the CID. They see this not only in, really, all of metropolitan Kansas City, but other markets there in as well and understand it. Again, when you look at a lot of the users that we have, we'll be bringing people in from out of state, out of county, a lot of money will be coming in from out of state that would pay in this versus people in state or in County.

**Commissioner Davis** said awesome. My last question, Chair, for the PILOT payments, and staff may be able to answer these questions, was there a particular formula or just remind me of the rhyme and reason of how we come up with these particular numbers? We know that they're not market value property tax payments, but how did we come up with these numbers?

**Mr. Napper** said we believed that the Margaritaville, Homefield Outdoor, we comped off of the property tax being paid across the highway at Great Wolf, so we believe that is a market value, a comp. That was our goal, just to have it predictable for the next 10 years. So we believe comping off Great Wolf is a market number.

**Commissioner Davis** said I see. Okay, gotcha for your rhyme and reason for the PILOT was just look across the street. Right, okay just to have that. Awesome. Well, yeah, I would just like to see—I agree with my colleague, Commissioner McKiernan, of just getting more time to really digest this. I would also like to see if we're going to give more incentives and put more of an investment in that. I would like to see more from you as a developer as far as community benefits, just so that we're both being good partners.

**Commissioner Stites** said I guess I'm going to switch gears on what I was going to start with, I got many notes here. I think that they have already demonstrated their civic contributions. They were not obligated to the nearly $200,000 worth of books that went to every high school in Wyandotte County, so I think they're actually demonstrating. I don't disagree, because we have economically challenged areas in, not just the eastern part of Wyandotte County, but we have them in all three cities. I think that everywhere that we can help our Wyandotte County constituents access these amenities, I think it's good. One thing if you guys would go back to, and I remember hearing Series A and Series B. I want to be real clear on it because if I'm not mistaken Series A, the Unified Government is on the hook for right now. Is that right? Or no? That's why I'm asking.

**Mr. LaSala** said no, if you're talking about the bonds that we issued, no, those are Special Obligation Bonds. Are you talking about the Homefield STAR bonds or are you talking about the Schlitterbahn 2015 Series A. **Commissioner Stites** said yes. **Mr. LaSala** said okay. 2015, you're right there were Series A and Series B bonds. The Series B bonds were the ones we were on the hook for. We took those bonds out last summer when we publicly issued. So those Series B bonds where we had a general obligation pledge behind it, they have been repaid, refunded, fully amortized. They're gone. **Commissioner Stites** said okay. That's what I wanted to make clear that we are no longer, as the Unified Government, are no longer on—and we were for quite some time on the hook for those and the developers have now stepped up and those have been paid off. **Mr. LaSala** said they were paid off as a part of the bond issuance we did last summer.

**Mr. Napper** said yeah, if I may, can I make a point on that? The former developer that had the Series A and B issued, they never asked for the B to be issued. That is something that they wanted. Again, they're long gone, but those have been paid off in full. Even at the bond closing in May of '22 when the proceeds that developer—well the forecast came up $14 million short. The full Bs were still redeemed paid in full.

**Commissioner Stites** said perfect. The development agreement for the north of the river in Parkville, they have 92 rooms, right. I know that how we had it structured, that it was at Margaritaville and then Wyandotte County, and then just local. Do they have—and I understand that they have contractual obligations up there to steer and fulfill those 92 rooms. Are they also under that same—then we need to go to, was that Platte County? Does it need to be in the county or can they then steer them to our project in Wyandotte County. **Mr. LaSala** said I'm going to ask Curt to confirm this, but I believe it's the latter.

**Mr. Petersen** said it's the latter. I didn't want to interrupt at the time, but teamwork in terms of explaining the web that's out there. When PBR in theory, because I think this is in theory going forward once we're built, in theory would hold the tournament in Parkville. Then, they're contractually obligated to push people to the 92 rooms that are right next to the fields, right. The important point is that they intend—PBR is making this their absolutely world-class headquarter fields here in Wyandotte County. So in reality, what's going to happen is—and by the way we're all turf, not to baseball coach, are nice fields and everything, but they're partial turf. So we still get in Kansas City, we lose a lot of games there. Here in Wyandotte County they're going to play and they're going to play, and play. They have more fields here. This is the marquee field area. What they're going to do is their tournaments are so popular, they're a national operator, that they're going to bleed over and also use the Parkville fields. What this development, as Todd explained it well, what the development agreement is saying is that, look, we understand when you do that and you're playing people over at Parkville, you got to do your 92 rooms. But after that, you're absolutely 100% back to your formula with us for your tournament of filling the ones in the district, the ones in the county, and then lastly in the state. Richard, just because you've worked so closely with the PBR guys, very quickly add—we can say it because they've said it so many times to us, relay their view on what we offer down here to their players.

**Mr. Napper** said if you look at the intersection of the two freeways where they're located and Google where there's hotels, restaurants, and amenities and you do a mapping service, we're closer or the same time of where you're going to find any of the large amenities to them. They are beyond excited to book the hotel room nights down here because we have all the amenities. There are no attractions up there. Their first comment was, all the bookings they're putting people in up by KCI, they're bringing them down here because of all the attractions we have and from a time standpoint, mileage and driving time, we are as close, if not closer, than where they were putting people. With their headquarters being in our building and one of our eight fields is a championship quality field, in our opinion, we'll be seeing more than we can probably handle on a given summer with hotel room nights at our facility.

**Mr. LaSala** said Commissioner, there's a sentence in here that I probably should have read in the beginning of this that puts an exclamation point on what you're asking. The last sentence in our first amendment about this says; however, the developers going to cause PBR to agree that it's booking system will not promote the Creekside Hotel unless and only if PBR is hosting a tournament that's large enough to require both Homefield Baseball and Creekside Baseball Park to be engaged and only for such large tournaments requiring use of both facilities. PBR may not promote any non-Kansas hotels other than the Creekside Hotel. So, we've driven that point home, contractually.

**Commissioner Stites** said yeah, because we want to fill up our rooms in our area for sure. I think it's interesting that in the original development agreement that LakePoint was identified as, we need to have a user that is like LakePoint, right? I mean, we call them out, we named them we because we feel like they are it. Then, we end up landing Perfect Game and I think it's very unfortunate that the way that these developers were treated by Perfect Game, that they've backed out of what they contractually obligated to do. I commend the developer for not going out and getting somebody like LakePoint, they got LakePoint. We got the premier, so congratulations. Perfect Game, shame on you, but I'm glad that we've got the better product. I'm in full support of this, I look forward to it. It's in my district and I look forward to seeing more things come out there.

**Mr. Haley** said just a brief postscript on some of the things you mentioned. The event space out there has been some sort of— would house 55,000? Please just touch on that again. Was that—

**Mr. LaSala** said are you talking about the 55,000 square foot Live Nation arena, the sports and live music venue? Is that what you're asking about? **Mr. Haley** said is that only a sports venue? **Mr. Napper** said sports, live music, and then frankly, the Margaritaville Resort has conference space in it as well. We have an agreement, the agreement would say that if that conference space is filled up, we can overflow into the arena for additional capacity. So maybe it's a multi-use arena that could be used again for sports, live music, and other events.

**Mr. Haley** said do you happen to know offhand the square footage of that area? **Mr. Napper** said that buildings 55,000 square feet. **Mr. Haley** said and the spillover? **Mr. Napper** said the live music and sports arena is 55,000 square feet. The conference space inside Margaritaville is approximately 12,500 square feet. **Mr. Haley** said 67? **Mr. Napper** said those combined are of size and then if you look at outdoor areas, and again, we realize not every day you could host an event outdoors. But when you look at the outdoor area around Margaritaville and Homefield Outdoor, number one, it's pretty cool. Number two, it is expansive.

**Commissioner McKiernan** said I agree with Commissioner Stites. I do think that there is a lot of very positive benefit that could come from moving forward with this. I do have a question though. I'm trying to read quickly through the cost-benefit analyses here. It appears that if I cut to the chase, each taxing entity has a positive benefit to cost ratio in excess of the desired 1.3. Whoever prepared this report, would I assume that they believe that there is a net gain for all taxing entities? **Mr. Petersen** said correct, Commissioner, we use an outside consultant to prepare all of these for every IRB and both of these came back positive.

**Commissioner McKiernan** said right. I do definitely want a net gain. One thing that's interesting here is that it says that this report assumes—no I'm sorry. The PILOT to be in place for any property tax payment, except for the school capital outlook. Is there a difference, stratification for USD—but by the way, what school district is this, 500 or 204? **Mr. LaSala** said it's in multiple school districts, isn't that right, Patrick? **Mr. Waters** said I thought it was all within 500. **Mr. Petersen** said I think it's all within 500 as well.

**Commissioner McKiernan** said I thought that. Is it all 500? Okay, so do I read—**Mr. Petersen** said that's why we're getting that—Todd is answering the question that we made sure all the school districts in the county are helped. But your question is, is it physically 500? Yes. **Commissioner McKiernan** said so it is 500. Do I read this correctly, that the school district will not follow the same PILOT schedule?

**Mr. Petersen** said this is my cryptic comment and I'm jumping in because I touched on this, but we always don't want to test the Chairman's patience here as we get into the gross weeds until you say go ahead, go ahead. State law says that—and I have the boss in the back, the Bond Counsel, back here, but state law says that when the Unified Government or any other municipality approves, predictable PILOTs, abatement, depends on the circumstance, that there's a part of the mill levies that are held harmless. It's like things just go on, like you didn't even do what you're doing over here and that is the school district and its eight mills. When I said, if you remember on the screen, rough numbers $800,000 PILOT for Margaritaville, Homefield Outdoor, but I said just to be clear, we don't know exactly 850, 875, maybe a little higher, because I'm adding—I'm doing the math, I'm adding on those eight mills that's held harmless. We cut the $800,000 schedule, but state law says you still have to pay eight mills, which is another 50, 75, whatever, that was that conversation.

**Commissioner McKiernan** said okay, so the school district then in that case is really getting full benefit from full valuation as if their mill PILOT—**Mr. Petersen** said for part of their mill levies because their mill levies are much higher. **Commissioner McKiernan** said exactly, but proportional to their mill levy, they are still getting full benefit from this. We are choosing to set the PILOT up for the benefit of gaining the amenity, gaining the jobs, gaining the tourists, gaining the sales tax, all the gains that we will make. With the school district, while still benefiting from those, will also benefit from the full application of their mill levy against these dollars. **Mr. Petersen** said from those eight mills, precisely right.

**Commissioner Townsend** said going back to the agreement here, it seems like I noted that there were obligations for the partners, the developing partners for the hotel, for I think the theater, maybe the golf, not so much Live Nation, but for those operators if this goes forward to operate for 15 years, so there won't be other entities coming in? I guess this is really relevant based on what just happened with Perfect Game. (Inaudible) did pass though, right?

**Mr. LaSala** said when we're doing these, particularly when we're going out for bonds, we are trying to get a covenant, an agreement from the developer to continuously operate these new assets for as long as possible. For the things that this developer has control of, particularly when it's the Margaritaville Hotel, this partnership they have with Dimensional Innovations for Atlas 9, they can commit to us that they will stay open, no matter what, for a certain period of time, that period of time is 15 years for those two assets, Margaritaville and Atlas 9**. Commissioner Townsend** said and as a Margaritaville and as Atlas 9, I think that's really important. I remember that type of term, it gives certainty when we did the theater out there, which seemed a long time ago now. So I just wanted to make sure I was clear on that. **Mr. LaSala** said it's important to us whenever we can get it. They will tell you when it comes to Big Shots Golf that they don't have control over that. For ones where they have control, we've been able to secure a 15-year covenant, which is pretty good.

**Commissioner Townsend** said the other thing, Mr. LaSala, you talked about. I just want to make sure I understand, we're still having a CID for some or all of these projects because they were talking about financing by bond and so other than the uncertainty to a credit rating if something goes south, what is the risk to the UG by going from the CID, if it's not existing, to the bond financing?

**Mr. LaSala** said I would tell you it's really two things. The credit rating thing is important and worth noting. The other reason that the UG has a general preference for pay-as-you-go is you remain in control. When you bond these revenues, you have to pledge it all upfront. No matter what happens after that, the bondholders have access to that revenue stream. When we do development agreements where we've got pay-as-you-go, we continue to hold that money, you pay it out slowly over time. In a development agreement where somebody closes in spite of their 15-year covenant or doesn't rebuild after a fire, a bunch of the ongoing obligations we have, we have the ability to shut off the money. Here you won't have—once you issue bonds and pledge that revenue, you're no longer in control of that money as and when that money comes in, it is necessarily pledged to bondholders, and you can't ever pull it back from them. You can't. So it provides you less control over the project over the 22 year life with a CID versus a vehicle where it's purely pay-as-you-go.

**Mr. Petersen** said, Commissioner, may I add to that? In addition to what Todd is saying is that when you are wanting to dig in when—I was going to make a joke about if you need to fall asleep, but if you wanted to get deep—**Commissioner Townsend** said I'm wide awake when we're talking about this level of money.

**Mr. Petersen** said there are what's called disbursement conditions that say that the bonds close and number of big bond buyers come in, and so the bond proceeds are sitting there. Before the developer for these various CID projects can actually get their hands on that money, it's sitting there, it's up front, there's a whole list, it's probably a page or something like that in the development agreement amendment that spells out you need to get all your plans approved, needs to be vertical construction, and I'm not going to say them all off top my head, but it goes through. The reason that Mr. LaSala, Mr. Waters and the UG attorneys put all those in there is to make sure that the Unified Government is going to get what they bargained for before the bond money can be received. The only thing Mr. LaSala referred to after that is if there's a 15 year covenant or something like that, but other than that piece of it, the rest of it, we—there's a lot of negotiation, gets handled through those disbursement conditions, which if you want, I'm sure I could to talk a long time about those if you want, but I want to at least get that—it's kind of a diamond with all the facets, I'm speaking to a different facet than Todd.

**Mr. LaSala** said he's right. There're multiple things going on here. There's the construction risk and getting what you're asking for in the first place and we do as much as we can to make sure that happens when we're in a bonded environment. The part I started with was, what happens after the thing opens, it's delivered to us initially? The place where you lose control is after the thing gets built initially and opens. It's control over the facility over the remaining life of the vehicle. That's the place where this is about losing—I'm going to say losing control. That's not strictly true. You still have these agreements, but your remedies are different when you're no longer holding money hostage.

**Mr. Napper** said can I make one comment, just on one property, Margaritaville and the Homefield Outdoors, about $150 million dollars. That is a staggering amount of money in the CID component and that pales in comparison to the amount of private capital being invested in that project. So yes, there's some risk that goes around, but for the parties putting in an excess of $100 million dollars, they've got a lot of reasons to make it work. I think the list of users I rattled off since 2013, the status of the drone videos, and the other construction going on, I think you have in the Homefield group, I think you have some proven performers, again, in my opinion. Again, $100 million dollars or more just on one project, that's a lot of private capital.

**Commissioner Townsend** said thank you, gentlemen, for that. I mean, these are just questions worth asking at this level and I want to echo something that Commissioner McKiernan brought up, I think for something this level, I would like to see from staff, a preview, like a three on three. I think that would benefit all of us for something this detailed. We may have the opportunity to do that when part two or before part two is introduced, I think that may be helpful. I look forward to these new additions. I would appreciate the consideration of what can be done as a community benefit maybe in the way of tickets or something to be considered for citizens of Wyandotte County east of 635. I think that would be something worthy of this project. I want to say that I know that Mr. Napper and his group hasn't been formally announced yet, but they have taken that into consideration and some other areas of development related to Homefield that will come up that will benefit District One.

**Commissioner McKiernan** said just one other thing. If this does move forward to Full Commission, then there will be a period of time where I can look through all these documents in a little bit greater depth. I would just say for future meetings, if we were to get these documents prior to the Committee Meeting, then we can make relatively more progress in terms of our discussion here, leaving less to be discussed and potentially considered, debated, voted on at full commission. Anything we can do to accelerate the delivery of these I think would just be beneficial from the standing committee moving on forward. Should we move this forward to full commission, we will have a period of time to do that, ask additional questions, and fold that into the discussion then. I think that ultimately will work out.

**Chairman Burroughs** said okay, no other questions. I do have a few. I would just like to say that this kind of reminds me of a bundled bill that we made rules about in the legislature. It's got good and bad in it, or maybe not so good in it, and hearing some of the comments from the committee I do see that we have some reputation risk in our credit rating that could be at risk for us and increase in fees and an increase in taxes. Mr. Napper, do you believe that the $30, that is not going to force you out of market for a resort style environment, will it? **Mr. Napper** said we do not think it will, neither do the financial partners that are investing in the project, and neither does Margaritaville as a large corporate international resort.

**Chairman Burroughs** said wonderful. I just wanted to make sure that we're not pricing ourselves out of the market in order to make the CID work. The next question I might have is, Mr. Petersen, you gave comment that 92 projects were around us that had over 11% CID, or sales tax base. How many of those projects are close to us in a metropolitan area that we might find ourselves in competition with in like-type sporting venues, because we do have a number of sporting venues within the metropolitan area that are pretty close to one another.

**Mr. Petersen** said I didn't go that deep. That's something I can work with staff on to collaboratively prepare for you, Chairman, between now and full commission if you'd like to see it. Those are just the raw numbers that I counted off while building a spreadsheet. The state publishes all this. I just didn't commit those levels of details to memory.

**Chairman Burroughs** said I appreciate that. The only reason why I brought that up is because you went through the numbers and I just wanted to see how many of those are in competition with the projects being proposed before us tonight. I did want to talk about the monies that I asked an aggregate number because I think it's important that taxpayers realize they're going to get nearly $13 million in revenue that the developer knows they have to pay through the PILOT. I do appreciate Commissioner McKiernan bringing up it's not the PILOT that you see on the utilities. I still wish we would change the name of that because it does get quite confusing.

It was requested that we look at doing something for the individual districts. I would encourage just to be mindful that this is community-wide tax dollars that are going into this. I would hope that all Wyandotte County districts would be included and considered when it comes to opportunities for our kids and/or job creation. Mr. LaSala, this is a new thing that I haven't heard of and that's bonding CIDs and we're doing away with the pay go, which I think was a very appropriate approach in the initial agreement and I think if it was a 70/30 or 60/40 that had to be met in the initial agreement.

**Mr. LaSala** said your memory is spot on. When it comes to the STAR bond part of the equation, it's 60/40 for the first phase of STAR bonds, 60 private, 40 public. When we go to issue a second series of bonds, it's 70 private, 30 public. **Chairman Burroughs** said alright. Thank you. I just wanted to make sure we're on that, but now it's nearly 50/50. **Mr. LaSala** said well, even when—I don't think so. It'll still be short of 50/50. We still have the 50/50 test in our development agreement, we'll never be north of 50/50. My math on that suggested that we were above 40 when you combine STAR bonds and CID, but we're still not right up against 50. You're still in the low 40s, I think.

**Chairman Burroughs** said I appreciate the developer bringing forward six individual projects of quality magnitude. I mean, every one of them is a hook for a major development, so I commend them for doing that. But I also see that three of the projects proposed here aren't supposed to start—and the commencement date is in the contract July of 2025 I believe. **Mr. LaSala** said it was the completion dates, right? I believe the completion dates for those are all in July of 2025. I think they're all supposed to start in July of 2024. **Chairman Burroughs** said yeah, commencement of construction in July of 2024. So, the CID will be in place now and they all start drawing the proceeds once construction is up, and they start submitting their expenses from the bonding issue portion that we're going to bond. **Mr. LaSala** said your timing question is a really good question when it comes to the CID. We would form it now, establish it now—relatively right now. But, you wouldn't have to start collecting at that time. With CID you can peg a date in the future and I'm sure the developer will want to do this in a way that really maximizes the proceeds and coordinates with the opening of these facilities. We probably won't start collecting right away. It'll be around the time these things open and then it runs 22 years. **Chairman Burroughs** said I was going to say most of them do run 22 years. So that's not any different than any other project that we've worked on that has this type of—**Mr. LaSala** said you're absolutely correct.

**Chairman Burroughs** said one other item, if I may. We talked about the downgrade that could occur if there's any kind of default or shortness of revenue proceeds to meet the CID requirement which could hamper our, I call it, reputation risk as a government. Is there anything in the contract—I know this is a new item, we may want to consider some kind of bonding benefit that should that downgrade occur. This is just moving forward, I'm not saying that needs to be done with this project, but if this is something that's going to be used coming forward, we may want to put some protection in it to ensure that if the development does not meet the proceeds projection and our reputation risk, and it costs us more to borrow money moving forward, that somebody has to pay that or remedy that for us as a government. It's tough. It's tax dollars that the public deserves to have protected. **Mr. LaSala** said I hear where you're coming from. We'll certainly look at that and talk about that. That one's tough to do, but we totally hear you and we'll look at it.

**Chairman Burroughs** said two other comments if I may. If I remember correctly, it was stated that you have talked with the state to ensure that they are aware of the additional items. I know the STAR bonds are a very wonderful economic development tool provided it's utilized properly and I'm sure they will keep their eyes on the project moving forward, but these are stellar projects. I do commend the developer for bringing this type of development forward. I'm anxious about seeing something occur out there when it's been sitting around.

One other thing if I may, I want to bring to the committee's attention that on page nine of the development agreement, Section F, there is no UG guarantee or credit enhancement. The UG shall not be required in any way to guarantee or lend its credit to secure the CID bonds. Now, this question has been requested here this evening and it's spelled out in the contract. **Mr. LaSala** said absolutely. That's absolutely right.

**Chairman Burroughs** said wonderful. Well, the only other thing is does the CID enhance the developer's equity position to draw down additional STAR bonds? **Mr. LaSala** said no, I get what you're asking, that again is about the public/private ratio. The CID money is not public money—or it's not private money, it's public. But yeah, absolutely.

**Chairman Burroughs** said wonderful. Thank you. Any other questions committee? Okay, seeing none, I'll ask the Clerk if there's any comments that were received from the public. **Ms. Sparks** said no comments received. **Chairman Burroughs** said I'll now recognize members of the public who wish to address the committee. I'll ask the Clerk, are there any hands raised by the public who wish to speak? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said is there anyone in the audience who wishes to speak? You will be given up to three minutes to make your comments, please come to the podium and state your name and city of residence for the record. Let the record show no one stepped forward. Thank you, committee. Thank you, Mr. LaSala, Mr. Napper, Mr. Petersen. We sincerely appreciate the transparency and the full disclosure that you brought forward this evening in reference to this project. With that, this is an action item. I would entertain a motion.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Chairman Burroughs** said thank you, committee. I sincerely appreciate all your help. **Commissioner Stites** said all I want to say is that, when this comes in front of full commission, which is when is that? **Ms. Sparks** said May 25th. **Commissioner Stites** said I'm sure that there are many questions perhaps (inaudible). I figured I'd talk loud enough, sorry. But I appreciate the thoroughness tonight, and that the full commission will probably have some questions also, if they didn't get answered tonight, so thank you again.

**Item No. 2 – 212434…RESOLUTION: ADOPTION OF RESOLUTION OF INTENT TO ISSUE INDUSTRIAL REVENUE BONDS (MARGARITAVILLE/HOMEFIELD OUTDOOR PROJECT)**

**Synopsis:** Adoption of a Resolution of Intent to issue Industrial Revenue Bonds for the Margaritaville/Homefield Outdoor Project, submitted by Patrick Waters, Acting Chief Legal Counsel.

**Mr. LaSala** said you have two other agenda items right after this. These are the resolutions of intent that are about the Industrial Revenue Bond financing, those Certainty IRBs. First for Margaritaville Hotel and Homefield Outdoor. The second one is Homefield Baseball.

**Chairman Burroughs** said I'll recognize Patrick, if he has any comments. **Mr. Waters** said Mr. Chairman, I have no additional comments. I believe it's ready for a motion, if the committee so chooses.

**Chairman Burroughs** said our conferees have any comments? **Mr. LaSala** said no, Commissioner. **Chairman Burroughs** said any comments from the Commission? Okay, we'll move right along. I'll ask are there any comments that were received from the public? **Ms. Sparks** said no comments received. **Chairman Burroughs** said I'll recognize member of the public who wish to address the committee. I'll ask the Clerk, are there any hands raised by the public who wish to speak? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said is there anyone in the audience who wishes to speak? You will be given up to three minutes to make your comments. Please come to the podium, state your name and city of residence for the record. Let the record show no one stepped forward. Thank you, committee. I'll entertain a motion, this is an action item.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner Davis, to approve.**

**Chairman Burroughs** said we have a motion and a second. David, do you have a comment? **Mr. Haley** said restate exactly specifically because there are three. So, this is specifically? **Chairman Burroughs** said Item #2. It's a resolution of intent to issue the Industrial Revenue Bonds for the Margaritaville, Homefield Outdoor project and I think it was referred to as the Outdoor Hotel, so I'm assuming—Homefield Hotel, so I'm assuming it's the Margaritaville. **Mr. LaSala** said that's correct. **Mr. Haley** said thank you. **Chairman Burroughs** said we have a motion and a second. I'd ask the Clerk to please call roll.

**Roll call** was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Item No. 3 – 212434…RESOLUTION: ADOPTION OF RESOLUTION OF INTENT TO ISSUE INDUSTRIAL REVENUE BONDS (HOMEFIELD BASEBALL AMENDMENT)**

**Synopsis:** Adoption of a Resolution of Intent to issue Industrial Revenue Bonds for the Homefield Baseball Amendment, submitted by Patrick Waters, Acting Chief Legal Counsel.

**Chairman Burroughs** said that takes us to Item #3. I'll recognize Patrick for any comments. **Mr. Waters** said no additional comments. **Chairman Burroughs** said conferees? **Mr. LaSala** said nothing from me. **Chairman Burroughs** said committee? Seeing none, I'll ask Clerk if there's any received from the public. **Ms. Sparks** said no comments received. **Chairman Burroughs** said any members online have their hand raised? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said is there anyone in the audience who wishes to speak to this item? Let the record show no one step forward. With that, I'll entertain a motion.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Mr. Haley** said whatever happened with the field, the turf for the field. I was not privy to that. I remember that was a previous discussion. **Commissioner Burroughs** said I can't hear you, David. I'm sorry. I got this thing right behind me here. **Mr. Haley** said so that was for Monarch's field and not for Homefield. Thank you. I should have conferred with Commissioner Stites.

**Item No. 4 – 212428…RESOLUTION: AUTHORIZING UG TO ENTER INTO TWO REAL ESTATE PURCHASE AGREEMENTS WITH KCKCC**

**Synopsis:** A resolution authorizing the Unified Government to enter into two real estate purchase agreements with the Kansas City Kansas Community College, submitted by Patrick Waters, Acting Chief Counsel.

**Chairman Burroughs** said for our next item it's going to be a resolution dealing with Kansas City Kansas Community College. I'll wait and ask for a transition to occur. And at that time, if the individuals are wanting to step up, speak to the item, please, this is the time to do so. Just a minute, Mr. Mosier. If you want to join us up here to speak about the project, I would just assume you'd be up here in front of us in case there's any questions anybody should have. Alright, committee. Item number four is authorizing the UG to enter into two real estate purchase agreements with the Kansas City Kansas Community College, submitted by Patrick Waters, Chief Counsel. I'll recognize Patrick at this time.

**Mr. Waters** said the Unified Government owns two properties just down the street, 600 State Avenue + 645 Nebraska Avenue. These are in the general area where the Community College is planning to do their downtown campus. After discussing with the Community College, we believe that this land could be put towards a very good use with their downtown campus. This resolution would authorize the Unified Government to sell outright 600 State Avenue and then a portion, approximately half, of 645 Nebraska which is on the eastern edge by the Willa Gill Center. We are working with the Community College and their engineers to get that exact dividing line, we would do a lot split there. We show in the resolution approximately where that lot split would occur, it’s about the eastern half of the property. Dr. Mosier is here to discuss a little bit about the Community College's proposed use for the property.

**Greg Mosier, Kansas City Community College President,** said good evening, Commissioners. It's a pleasure to be with you tonight and talk about the progress that we are making on the project. This project has been going for approximately three years now. When we hit January of 2023 we have achieved the fundraising efforts of raising $46 million dollars for the downtown project. It is a public/private partnership with KCKCC, Swope Health, Community America Credit Union, and we're working very closely with USD 500 as well to provide dual enrollment for high school students at this site.

It will be approximately 100,000 square feet in total with the college owning the property and about 80% of the facilities. It is a commercial condominium association, so the other partners have ownership in their space as well with Swope Health having about 16.5% and Community America Credit Union owning about 3.5%. We have been making great progress on this. We have done both the environmental phase one and phase two studies. The land surveying of the entire block going to the opposite sides of the roads is being conducted by BHC as we speak. We are working with the Landmarks Commission and I presented a week ago tonight on the adoption of a revised selective deconstruction schedule for the 7th Street Church which was approved. The land that we are looking at and requesting the transfer of is the addresses that Mr. Waters identified. Those are extremely important to the project as they will allow for off-street parking. The 600 State Avenue will be a small parking lot adjacent to the blue building that will continue to stand and maybe repurposed as a food service or some other site or business for the community. Then the 645 Nebraska up to about 20-30 feet from the east side of Willa Gill will also produce off-street parking which will be important for the project, approximately 80 to 90 parking spots dependent upon the layout and the islands and such that will be required to put in this facility.

The time schedule is moving right along. We have hired our owner’s rep Copaken Brooks. We've hired our architect PGAV. We were down at the site today actually working through the church with a historical architect as well identifying historical elements that will be built into the project. Selective deconstruction will start in the fall. Full demolition will begin in the winter and we look to go into full construction of the site beginning January 2024, with an anticipated completion date of June of 2025, opening for the college in fall 2025. This land would be extremely beneficial to not only this project, but the community that it will be serving in downtown Kansas City, Kansas.

**Chairman Burroughs** said thank you, Dr. Mosier. Commission, any questions?

**Commissioner Davis** said just some clarity, have you all reached your fundraising goal? **Mr. Mosier** said we have reached the fundraising goal that allows us to move to construction. We have a partner agreement with all three partners that they are financially obligated for anything that has not fundraised. So, in essence we are at 100%, but we are going to continue to fundraise to try and get as close to 100% raised with the fundraising efforts as possible. **Commissioner Davis** said well congratulations and kudos to you and your board and your staff for getting that done.

I have another really miscellaneous question for staff. Is there a reason why we're selling it for $10? **Mr. Waters** said Commissioner, this is proposed as an in-kind donation to the college to assist their efforts. That's what's being proposed. Obviously, it is the Commission's discretion, but that’s the proposal. **Commissioner Davis** said I'm sure that's fine. I didn't know if there was any rhyme or reason behind it, but I'm in full support and I'm excited to see this transition and the revitalization of downtown.

**Mr. Haley** said Dr. Mosier, I too, as you know, I'm extremely excited about the overall project. Glad to hear that you've reached the funding point that you anticipated and to see it move forward. Certainly glad you got over the hurdle of the historic property that's there and how that's going to be met. So succinctly, and I wish we had a map or some sort of—so that I could visualize. I'm familiar with the area, but is this going to be, if approved, basically, parking or you said there was something, a residential component? I'm trying to see how it, if approved, is going to meet with the existing facility that you mentioned or referenced. The kitchen there, the food kitchen, is that independent of that? Again, I wish I had some sort of a map to point to because I heard the addresses, but I don't know exactly how they meet with what's already there.

**Mr. Mosier** said sure. I apologize for that. The ground that has been identified is currently a parking lot. The entrance to the college facility will be on the corner of 7th Street + State Avenue. 600 State Avenue is the far southeast corner. There is a blue building standing there currently. It's been a variety of different denominational churches. The last service was as a Hispanic store that just sold general items to the community. This is to the east side of that. So it's the very bottom right hand corner, southeast corner of the block on 6th + State Avenue. The top half of that block, Willa Gill Center is in just about in the center, slightly west, there is a dirt gravel parking lot from the east side of Willa Gill over to 6th Street and that is the other piece of property that is being identified as 645 Nebraska. The Willa Gill will stay as it is for now until solutions are made available for maybe a full-service encompassing food service, housing, additional services provided to the community. Then there's a parking lot to the west of that as well, so that will still stay intact. We're just talking about the gravel lot that is on the east side of Willa Gill to 6th Street and then the bottom southeast corner of that block on 6th + State Avenue.

**Mr. Haley** said let me ask you to speculate and thank you, Mr. Chairman. Thank you, Dr. Mosier. What the future, once you're up and running, might be of the location of the food kitchen and what is then the heart or very close to the heart of your facility. I don't know the mechanics of what's happening or what's envisioned. But would you anticipate if you could prophetically look at some point in time that the functions now met by the Willa Gill Center might be relocated?

**Alan Howze, Assistant County Administrator,** said there are some discussions around the provision of services that currently exist downtown and what the future could look like for those, so that there are some active discussions. The Mayor has his task force on the homeless and so there are several conversations that are overlapping at this point. We do anticipate here in the next several months, year or so to have some sort of ideas to put back on the table in terms of what that could look like in the future. But I don't think it's concrete at this point for consideration. **Mr. Mosier** said and we have no desire to disrupt the services that are currently provided there.

**Mr. Haley** said I just think about what fits, you know. You have the academic environment, you'll have students coming and going, and then you'll have those that are under-housed or, in fact, need of the social service of—and I don't know, for the full flow in the mix of what's happening in the transformation. If it is a seamless mix there or disruption of service, it may or may not be in the best interest of the success of the long range project. **Someone** was inaudible. **Mr. Haley** said if I could remember exactly what I said I would. Just looking to the future of what that mix might be with the existing land use and the functions that are provided, and the future what's anticipated with as much appreciated project of the school. I don't know how long range the two might successfully coexist. So anyway, it's a philosophical musing on my part, and pardon me, Mr. Chair, for going down that rabbit hole on the microphone.

**Commissioner McKiernan** said so the map is actually in our agenda packet as an appendix. For those people who don't have it, I just pulled up Dotte Maps and cobbled together this little diagram. I do believe that the areas that I've shaded in green are the areas that we're contemplating with this. I would remind everybody that these are the same areas that we previously committed to the Linear Group Project way back when. So, it's not new that we are considering the transfer of these properties for another use because we've previously contemplated that. Mr. Waters, am I fairly accurate in terms of what we're looking at? **Mr. Waters** said yes, absolutely. **Commissioner McKiernan** said perfect. Thank you so much.

**Chairman Burroughs** said any other questions? Okay, seeing none, I'll ask the Clerk if there were any comments received from the public? **Ms. Sparks** said no comments received. **Commissioner Burroughs** said I'll now recognize members of the public who wish to address the committee. I'll ask the Clerk if there are there any hands raised by the public who wish to speak? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said is there anyone in the audience who wishes to speak, you will be given up to three minutes to make your comments. Please come to the podium and state your name and city of residence for the record, and I believe Madam Clerk will give you the timeline with one minute remaining.

**Steven Smith, Lake Quivera,** said thank you very much for the opportunity to speak tonight about this real estate purchase. I'm on the board of Hot Lunch Service, Inc, more commonly known as the St. Mary's Food Kitchen. For those of you who don't know us, we've been serving free hot lunch—free lunch seven days a week, 365 days a year for the past 41 years and have operated out of the 645 Nebraska building that's subject to this transaction since 1997. We've not missed a single day during that entire 41 years of serving the people of Kansas City, Kansas and that includes working through all the issues that we faced during the pandemic. Just for a sense of volume, in 2022 we served 81,000 meals and we're projected to exceed 91,000 this year, just to give you a sense of scale.

Now, with regard to this transaction, to date we've really received very limited information. We have not been included, really, in any discussions for a couple of years at least. In fact, we just heard about this meeting by chance. We have a few questions we'd like to pose and a request. As I understand, per the resolution, the real estate to be purchased by the community college includes a portion of this subject 645 property that we're one of the tenants. We're just looking for some clarity with regard to how or if this impacts our operation because it's not clear. You look at the exhibits and what you put up earlier, Mr. McKiernan, helped because the exhibits attached to the resolution you could not tell what part of the property for 645 was subject to this purchase. So that was helpful to see. **Ms. Sparks** said one minute remaining. **Mr. Smith** said so first of all, if the building remains as is, we have access questions in terms of how we access the building. Will that change? Do we have access to the alley, how our volunteers can park and where they park, it looks like the parking lot will stay. Do our clients will they have continued safe access everyday while we feed them during this construction period? Then there's a whole host of questions if in fact we are asked to move our operation at some future point that was referenced here tonight, and how the UG will work with us on that. The main thing from our standpoint, we need to understand, for our planning purposes, the proposed timeline for all this to happen, what's going to happen, and that we get included in all future communications relative to this project. So that's our request, that we continue to work with the UG on this—**Ms. Sparks** said your time has expired. **Mr. Smith** said and that we are notified, we're happy to provide you contact information.

**Jacqueline Elbert, Overland Park,** said in continuation of what he was saying, the one additional issue that we would like to bring up, within that building there is Mt. Carmel and there is Hot Lunch Service, Inc., doing business as, St. Mary's Food Kitchen. Two separate entities. The information that goes to Mt. Carmel, goes to Mt. Carmel, it does not come to us. We have not been in the loop because of the fact that somewhere along the line it was believed that we were employees, or managed by, or in some way part of Mt. Carmel, we are not. We are a 501(c)(3), a non-for-profit that take care of the homeless and the food insecure. We are there for the marginalized. We are not in any way related to Mt. Carmel. Why is this important? It is important because we're not getting the information. We're not in the loop and that's all we're asking. Please talk to us, please include us. We want to continue for another 41 years.

**Chairman Burroughs** said is there anyone else in the audience who wishes to speak? Let the record show that no one else has stepped forward. Thank you, committee.

**Commissioner Stites** said I think it's totally ridiculous that we've gone this far down the road in this project and somebody that's doing this kind of great work in our community has no idea what's going on and hasn't been involved. I don't know where the breakdown or the failure has occurred there, but I think it's terrible and I thank you guys for what you're doing in our community. I have other questions regarding this location, the funding, the tax implications to our constituents. We already have a community college. Anyway, I'll get into those questions later, but I just can't believe that we are this far down the road and these folks are being treated this way. It's terrible.

**Mr. Haley** said from the last two speakers. Who owns Willa Gill? The city owns Willa Gill and so the city leases to the two entities that spoke? Is it a lease agreement with them right now? **Mr. Howze** said that would be yes. There are two separate contracts, one with Mt. Carmel, one with Hot Lunch. **Mr. Haley** said how often are those renewed? **Mr. Howze** said they were renewed last year, I believe. **Mr. Haley** said so they're annual contracts? **Mr. Howze** said I don't know if they are renewed annually, but they were renewed last year. **Mr. Haley** said has there been a variance, to your knowledge, previously in terms of use or what the contract has been for the lessees for those two that were here today? Has there been any variance in what the facility can provide or the surrounding area? **Mr. Howze** said variance in terms of? **Mr. Haley** said maybe parking or you know, what's allowed. I'm sure there's some code matters that might be there. I mean, has there been any new provisions or different provisions in several years at least that the city has leased to these two? So this would be the first change in the surrounding use of the building for the two tenants that they have, if approved? **Mr. Howze** said yes, I think that if I understand your question correctly. They've been operating in a kind of the same physical environment. So this would be the first time that the physical environment has changed.

**Mr. Haley** said so here's what I'm getting at, so there are two tenants that are in a city owned and operated building that has been leased to them for a number of years. Correct? **Mr. Howze** said yes. **Mr. Haley** said and during that particular time, there's been no variance in what their responsibility has been, which I will make the assumption that they've met, or new requirements by the city, a change in the peaceable use and enjoyment for that which they've contracted to use the premises for. **Mr. Howze** said none that I'm aware of. **Mr. Haley** said but to the best of your knowledge. So this would be a change in what they have known, if approved, for quite some time, but, arguably, for a broader use of the surrounding area.

**Mr. Howze** said yes, comma, if you look at the map, I think the portion of the property that's, you know—because the plat is envisioned to be subdivided, so the portion of the plat that is currently being utilized for the service delivery is the same. It's sort of held harmless in a sense. The portion to the east is the portion that is to be given to the community college for their project. I'll ask Mr. Waters if he has— **Mr. Waters** said right. This had contemplated to be an athletic field for some time under the Linear development and now it's contemplated to be a parking lot. So I mean, the reuse of this in a different way had been contemplated for some time. But instead of a grass field, it sounds like now it would be a parking lot, so that's the only difference. **Mr. Haley** said okay. I need to think this through further, but thank you Mr. Chair for now. I appreciate the responses.

**Chairman Burroughs** said there was a lady had her hand up in the back. I want to make sure if you have a response, public comment is closed unless somebody wants to make a motion to allow you to speak again.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner Townsend, to approve.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Chairman Burroughs** said you will have up to three minutes and please restate your name and place of residence please.

**Ms. Elbert** said the reason I said, wait, is because there has been a change. That building was built for us. It was a social concerned group along with Bob Dole that built that building for the usage to serve the people food. We had been in there with a lease up until most recently, when they changed it to a license. We are only licensed to utilize the space, which means we can't even lock our supply closet door where our things are because it's not our building. We don't even get to lock our office where our financial information is because they have given us a license, not a lease. We're not tenants. We are somebody who gets to come in there every day, serve food and leave. Now is that what that building was meant for? No, that was not what it was built for. It was for us to come in there and to provide a service and have a space that we could operate within. This license expires at the end of this year, then what? It took us two years to get to this point, to get a license instead of a lease. It's frustrating. We're here to do something good for the community and we're getting treated so badly. I'm not saying oh poor, poor pitiful us. I'm saying look at why we are here. Look at why this building was built.

**Chairman Burroughs** said I do want to remind the committee that we're not here to debate Willa Gill. We're here to debate the project to the resolution for the Kansas City Kansas Community College, but I do appreciate the comments that have been made and I do want to show respect to those in the audience that feel so passionate about this item. So commissioners, any other comments or concerns?

**Commissioner Townsend** said the comments raised by Mr. Smith, Ms. Elbert, and commissioners, the depiction there, just to make sure I understand. The areas shown in green that borders closer to the north that showed Nebraska Avenue. Is that totally vacant property or not?

That's totally vacant property now. Okay. So to Ms. Elbert's concerns, I want to make sure I'm not missing anything. When Ms. Elbert, Mr. Smith, you talk about the building you currently co-occupy the Willa Gill Center, correct? Okay. I agree with you, you should know as an independent occupant of that building what's going on as well. But currently, you're not using the green space for delivery of any service. Okay. Alright. The segment to the south, that green space, which is also an issue here. Is that totally vacant property now? **Mr. Howze** said yes. **Commissioner Townsend** said alright, thank you.

**Commissioner Davis** said this is news to me regarding the concerns and I do hear you all as far as wanting to be considered. I would leave that up to staff and the community college just to get folks up to speed. Perhaps, even if it's not this standing committee, maybe at another standing committee, there'd be a discussion about that particular situation. I don't—for me, that doesn't necessarily change whether or not we sell this for $10. I think that's another conversation on the relationship between the UG and the folks that are lessees, or if you have a license, or if you're using that particular space. But I do hear the unfairness of not being considered throughout, which is unfortunate. I don't know what the reasoning is, but I do want to validate those particular feelings. With that, I'm still in favor of this particular transition, committee, so that we can keep going with this particular project and have that conversation about Willa Gill at another time. But yes, I do hear those concerns and I hope at another time we can have that discussion.

**Commissioner Townsend** said thank you, Mr. Chair for indulging me again. Initially, I had concerns about which side of Willa Gill we were talking about. So thanks again, Commissioner McKiernan, for your depictions. To the west of the Willa Gill segment, I noticed that parking takes place there for recipients of the services of Willa Gill, so we are not talking about that. So I'm of the opinion right now, please correct me if I'm wrong, if Mr. Chair will allow me either Mr. Smith or Ms. Elbert to address this. There is no parking again currently being used in the green space to the north by your—okay. Alright. But parking is still being used at least for the time being, to the west of what's depicted there as the Willa Gill Center. So that was a concern I had. Again, I do agree that as a tenant there of the Willa Gill Center, it would be appropriate to know what's going on. But as has been mentioned before, the Lanier project contemplated years ago that green space as a field. The use has changed now, but I'm not understanding that this would interfere with the delivery of your services. The alley? Is that the space between the end of the green field and Willa Gill?

**Chairman Burroughs** said Dr. Mosier, you have something to add? I'm sorry, Commissioner Townsend, were you done with your questions?

**Commissioner Townsend** said that would be a concern for delivery of St. Mary's to continue to provide any service and how might that be addressed if the sale went forward? Is that a right of way that's still in the city's control or how does that work?

**Mr. Mosier** said if I may and also I want to provide some clarity to some of the feedback that has been provided. KCKCC and the Unified Government, Mt. Carmel, representatives from St. Mary's, and Wyandotte Behavioral Health Network, who also operates the Frank Williams Center on the other side of the street has sat down in conversation. All entities mentioned have sat down in conversations during the past couple years. I also have some more meetings scheduled on this topic with Mt. Carmel. I will make sure that St. Mary's is also on that list because I do have their contact information from when we met prior. When we have sat down and talked, we talked about that alleyway. That is the place where they have their loading dock that they receive their food. So the college has made a commitment that during the construction process of the new building, which is a $60 million dollar investment in downtown Kansas City, Kansas, which is economic development and for the good of the community, that we will not block their access to this loading dock and that we will not do anything that will disrupt services to the people that receive the important services and receive food from that location. The items that have been brought up tonight have been discussed and are in conversation. The college, and the Unified Government, and the Mayor's Office, we've all been talking about these things, so it's not brand new.

**Commissioner Townsend** said would it be appropriate, based on Dr. Mosier’s comments, counselor, to somehow document that as part of this sale or at what time or in what paperwork. Because if you're dealing with real estate, it doesn't exist if it's not in writing. I'm encouraged to hear that you've been speaking with these different services, including St. Mary's, about not blocking access then.

**Mr. Waters** said I could certainly add a provision in there to clarify that. I think also that's would probably come through their building permits. I imagine that when they're doing that there would be stipulations put on. So I think there's multiple checkpoints where we could do that, but I'd be happy to do that. **Commissioner Townsend** said so could that be part of what's done tonight with regard to the sale? **Mr. Waters** said I could add that. If it advances to full commission, I can put that language in there prior to full commission. **Mr. Mosier** said if I may, there'll be a point where we are working in that area, but we'll be very cognizant and making sure that the food is able to be delivered, etc. So that is high on our priority list.

**Chairman Burroughs** said and I do want to remind this committee that this is Item #4 and it is a resolution authorizing the Unified Government to enter into two real estate purchase agreements with the Kansas City Kansas Community College. Seeing no other comments, it’s an actionable item, I’d entertain a motion.

**Action:** **Commissioner Townsend made a motion to approve the resolution as proposed with the addition of language that would make it clear that St. Mary's would continue despite the sale, to have access through that alley so their delivery of services could continue.**

**Chairman Burroughs** said is that just—during construction, I think is what I heard. **Commissioner Townsend** said well, at anytime, that's the intent. **Mr. Mosier** said that would be correct yes. **Commissioner Townsend** said at any time, because the sale will transfer the title. But at no time, if I'm understanding Dr. Mosier's position, would there be blockage of the alley so St. Mary's could continue your delivery of services. **Commissioner Davis** said Commissioner, can you restate that one more time?

**Action:** **Commissioner Townsend made a motion to adopt the resolution with the addition of language that would document that access to the alley between the western part of the Willa Gill Center and the property that we are to sell to the college would not be blocked at any time and that they would have perpetual and continuous access to that alley.**

**Mr. Mosier** said I'm sorry, this may not be appropriate, but there may be some intermittent times, but we will make all accommodations to get the food to the site because they're going to have to work on that alley at some point in time. So I can't say it would absolutely never be blocked, that would be false, but we would be making the appropriate accommodations to ensure that the Willa Gill Center, Mt. Carmel, St. Mary's is able to receive their food shipments and provide their services to their constituents.

**Chairman Burroughs** said if I may, I guess, Commissioner Townsend, maybe unobstructed delivery have continued—unencumbered access to the delivery access point of Willa Gill during construction time. I don't want to put words in your mouth. I want you—it was getting quite lengthy there. I think it can be a succinct thing. I'm just trying to find an avenue. I understand. I think there's a perception as to what you want to do. **Commissioner Townsend** said that's what I was really going for as opposed to trying to exactly wordsmith right now, counsel was nodding his head. **Mr. Waters** said I think I can draft some language and you can look at it. If you have suggestions please tell me, but I think I can come up with something based on the language you gave in the motion. **Commissioner Davis** said I will second that if that is the intent. I understand the spirit of what we're trying to do. Yes, I second that.

**Roll call** was taken and there were five “Ayes,” Haley, Davis, Townsend, McKiernan, Burroughs; and one “no” Stites.

**Commissioner Stites** said this Item has already closed. I'd like for us to explore the options of what we may be able to do with getting them out of just an occupancy status into some sort of a long-term lease so that their future is certain and the rug can't be jerked out from under them at any time.

**Item No. 5 – 212429…RESOLUTION: A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND SUPPLEMENTAL INDENTURE WITH REGARD TO THE TAXABLE INDUSTRIAL REVENUE BONDS (DAIRY FARMERS OF AMERICA, INC. PROJECT – BUILDING)**

**Synopsis:** A resolution authorizing the execution of a second supplemental indenture with regard to the Taxable Industrial Revenue Bonds (Dairy Farmers of America, Inc. Project – Building), Series 2017A, previously issued by the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Patrick Waters, Interim Chief Counsel.

**Chairman Burroughs** said I'll recognize Patrick Waters at this time. **Mr. Waters** said Mr. Chairman, I am going to turn it over to Bond Council Kevin Wempe to discuss this item.

**Kevin Wempe, with Gilmore and Bell, Unified Government's Bond Council,** said before I give a brief overview, I just want to state that Dairy Farmers of America, the beneficiary of this Industrial Revenue Bond, has a representative here, Steve Sparks, should there be any questions that should be directed to him.

There's a resolution in front of you to be approved, a Second Supplemental Indenture, for these IRBs. It does two things, number one, it extends the term of the bond documents through the abatement period of 2027 which had been contemplated all along. Second, it installs a backup index of Secured Overnight Financing Rate or SOFR, which replaces the benchmark, the interest rate on the bonds that was originally LIBOR, the London Interbank Offered Rate. A little bit of background about why those two things are necessary, I'll be concise here, but if you recall in 2017 these bonds were issued near completion of construction and that commenced the 10-year Pilot, Property Tax Pilot, again, not the utility PILOT as mentioned earlier tonight. Unlike most of the IRBs in the Unified Government, this was not a buy your own bond. The company was purchasing its own bond and instead was a real financing where Wells Fargo purchased this IRB. In alignment with their credit restrictions, they only extended for five years on their loan for these bonds in the facility. Again, the benchmark for the interest rate was LIBOR at the time. So again, with a five-year term, initially, we always contemplated supplements. If you recall, in 2021, the Unified Government approved the first supplement to those IRB documents and again extended it five years, which unfortunately brought us one year short of the full 10-year term fee abatement, which is part of the reason we're here again tonight. Also at that time, installed a backup interest rate index because if you remember a couple years ago, that's when LIBOR was beginning to—the end date for that index was targeted. Now, in fact, we know LIBOR is ending here in the next couple of months. So that brings us to tonight for the Second Supplemental Indenture, to again clarify the benchmark interest rate index of SOFR, extend the bond documents through 2027 in the full abatement term. It should be noted that the Payment In Lieu Of Taxes were agreed to at issuance of 2017. Those remain. So the business deal and property taxes coming through to the Unified Government remain unchanged with this settlement. With that overview, happy to answer any questions you might have.

**Chairman Burroughs** said if I may, just a point of clarity, counsel, you said the abatement will end in 2027 or is it going to go beyond 2027? **Mr. Wempe** said that's the final year. In Kansas we get a maximum of 10 years. So with the abatement commencing in 2018, 2027 will be the final year of property tax abatement.

**Chairman Burroughs** said okay. I just wanted to make sure I understood correctly because I do know that it's a 10 year limit and I just wanted to ensure that we weren't exceeding the 10 year limit.

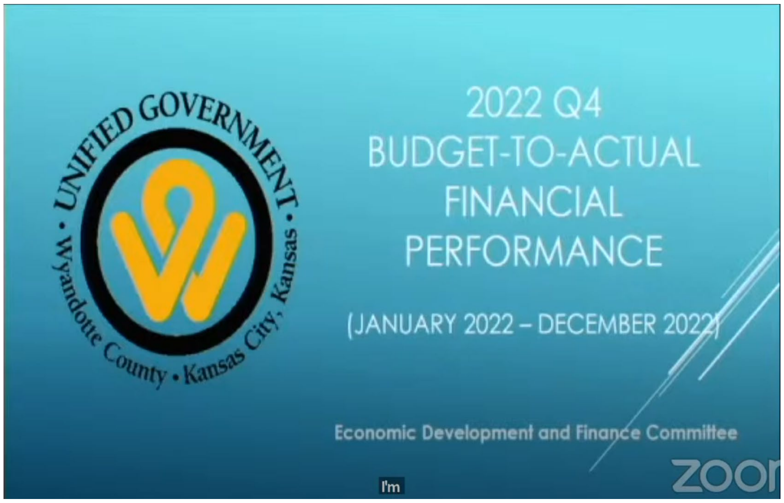
Questions, committee? Seeing none, are there any questions from the public? **Ms. Sparks** said no comments received. **Chairman Burroughs** said now I'll recognize members of the public who wish to address the committee. Are there any hands raised? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said anyone in the audience who wishes to speak on this issue? Let the record show no one stepped forward. Committee, this is an actionable item, I'll entertain a motion.

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Davis, to approve.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

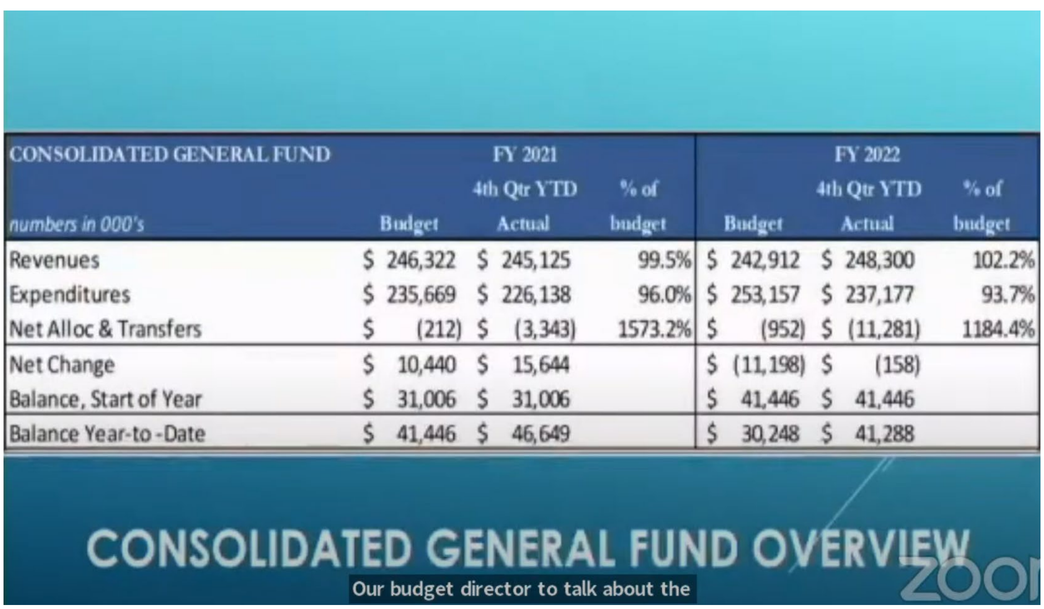
**Item No. 6 – 212438…FOURTH QUARTER 2022 BUDGET TO ACTUALS REPORT**

**Synopsis:** Fourth Quarter 2022 Budget to Actuals Report, submitted by Reginald Lindsey, Budget Director, and Deborah Jonscher, Interim CFO.

**Chairman Burroughs** said that takes us to our last item of the evening, which is not an action item. It's an information only item. I do know that we have Reginald Lindsey, Budget Director, and Deborah Jonscher, Interim CFO.



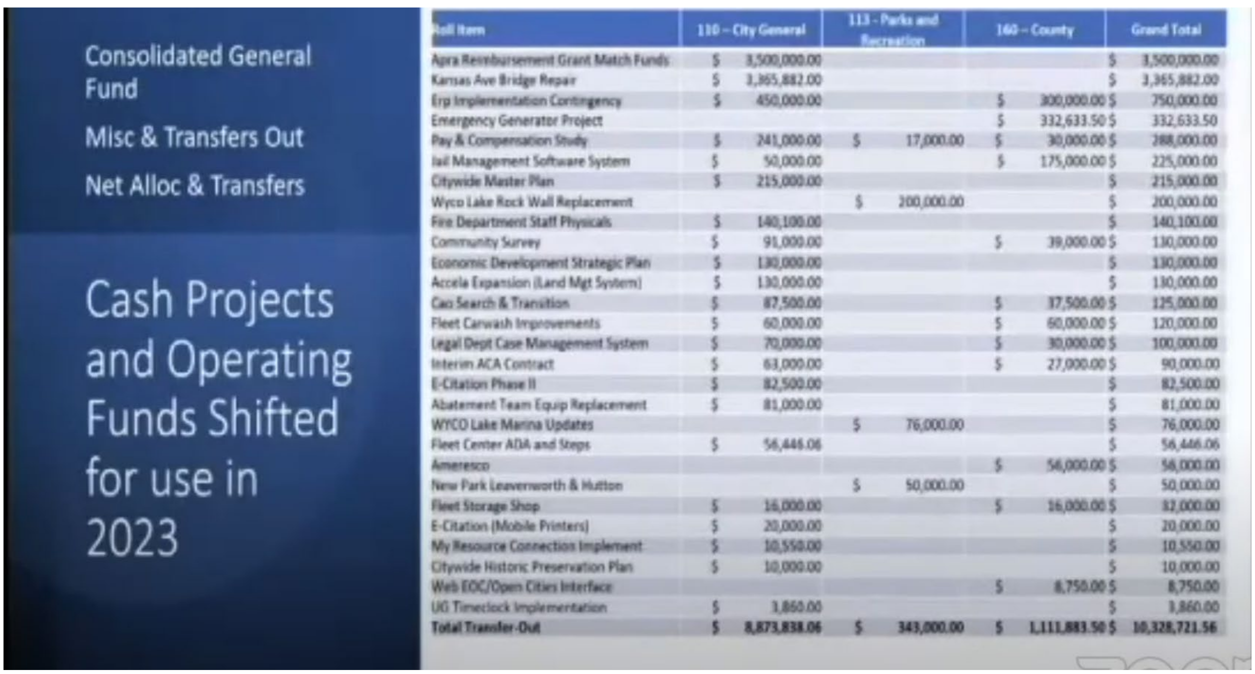

**Debbie Jonscher, Interim CFO,** said we are here to report on the Fourth Quarter Budget to Actuals for the fiscal year ending 2022. I'm going to go ahead and start with the report and talk about the revenues and then I'll turn it over to Reginald Lindsey, our Budget Director, to talk about the expenses.



| CONSOLIDATED GENERAL FUND | FY 2021 | | | FY 2022 | | |
|---|---|---|---|---|---|---|
| | | 4th Qtr YTD | % of | | 4th Qtr YTD | % of |
| *numbers in 000's* | Budget | Actual | budget | Budget | Actual | budget |
| Revenues | $ 246,322 | $ 245,125 | 99.5% | $ 242,912 | $ 248,300 | 102.2% |
| Expenditures | $ 235,669 | $ 226,138 | 96.0% | $ 253,157 | $ 237,177 | 93.7% |
| Net Alloc & Transfers | $ (212) | $ (3,343) | 1573.2% | $ (952) | $ (11,281) | 1184.4% |
| Net Change | $ 10,440 | $ 15,644 | | $ (11,198) | $ (158) | |
| Balance, Start of Year | $ 31,006 | $ 31,006 | | $ 41,446 | $ 41,446 | |
| Balance Year-to-Date | $ 41,446 | $ 46,649 | | $ 30,248 | $ 41,288 | |

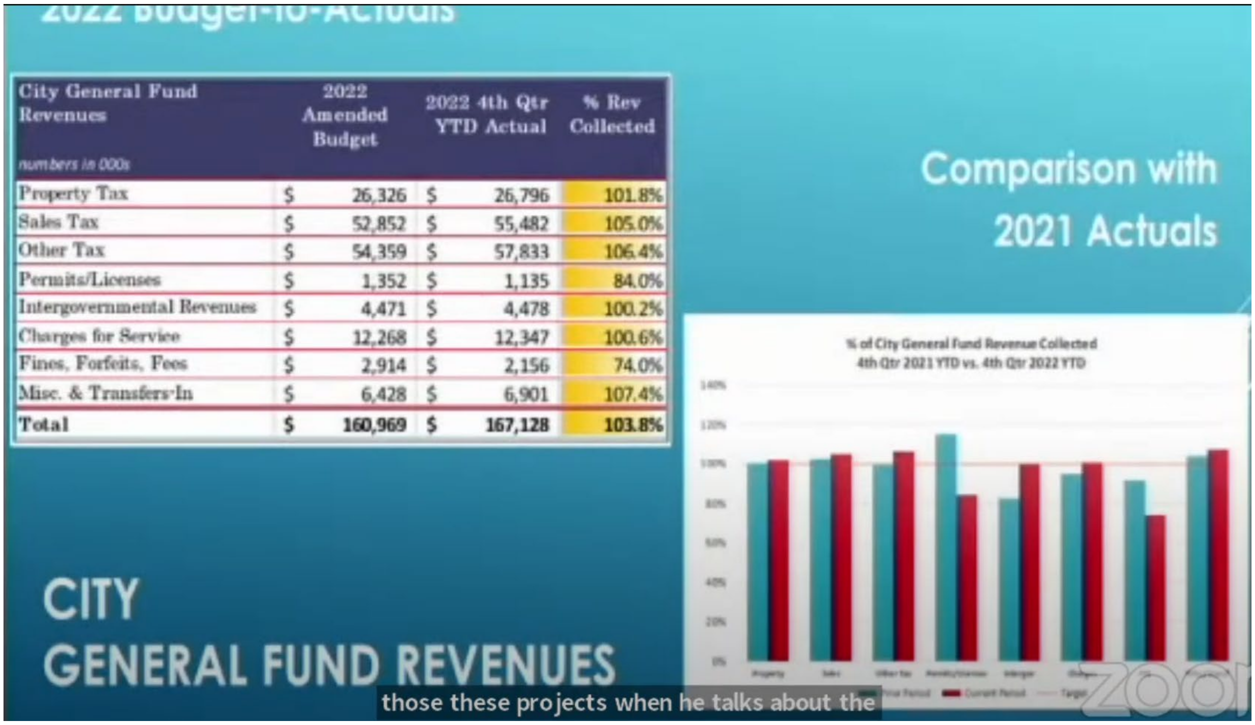


We'll start out with the Consolidated General Fund. As you know, this consists of the City, County, and Parks General Funds. This first slide is just a comparison of fiscal year 2021. As you can see, revenues collected for 2022 were 102.2% of budget. Expenditures were 93.7%. Well, I guess I'll go back to the revenues, 102.2% of the budget, compared with 99.5% that was collected in 2021. On the expenditures 93.7% was collected in 2022, compared with 96% in 2021. The net allocations and transfers, that's your transfers and transfers out, those get netted together. That's why the percentages are a little—they're not a true representation because the transfers in are netted against the transfers out. But I did want to highlight in 2022 you'll notice that that number is $11.2 million. I am going to cover a little bit of what some of those transfers were on the next slide because that number was so large we wanted to kind of point out what we had going on there. I did also want to note too, on 2022 the ending balance year-to-date should be $46.4 million. I think we might need to take a look at that beginning start of year for 2022. I think that we may have had an incorrect formula there.



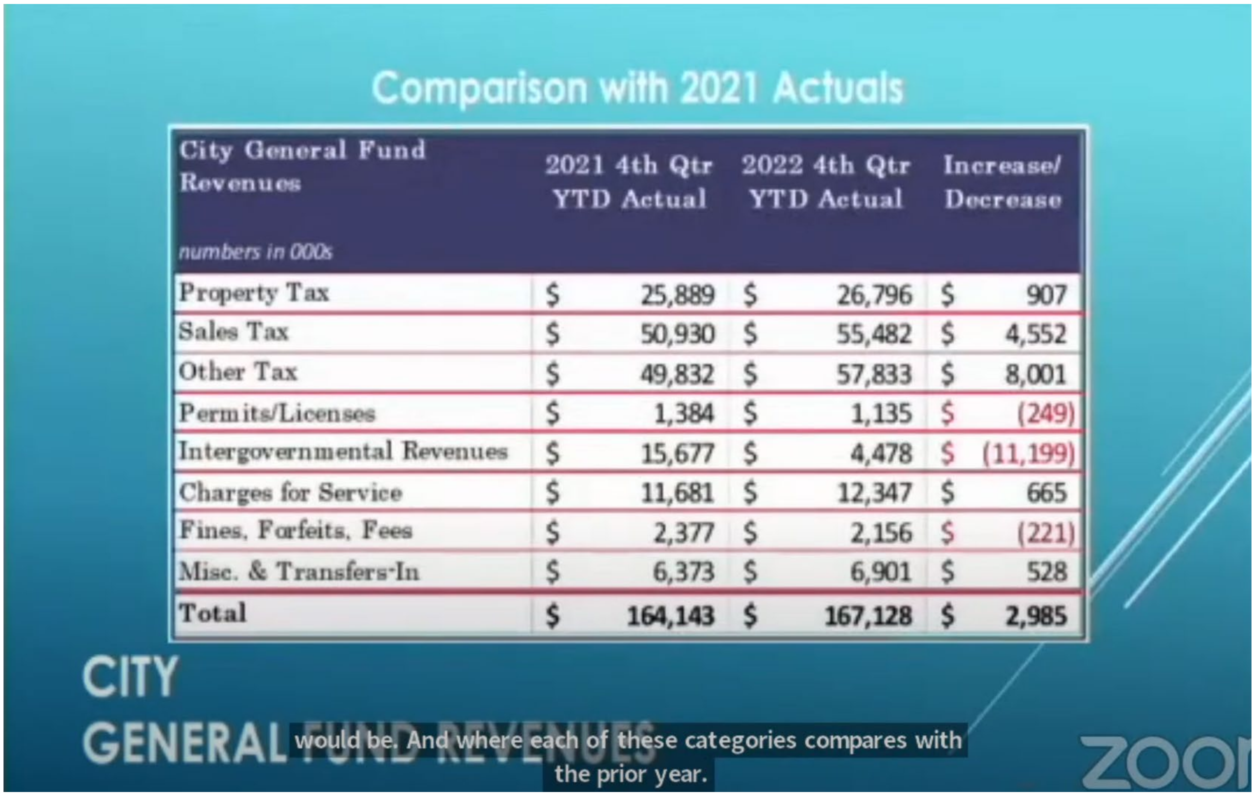

| Roll Item | 110 – City General | 113 - Parks and Recreation | 160 – County | Grand Total |
|---|---|---|---|---|
| Apra Reimbursement Grant Match Funds | $ 3,500,000.00 | | | $ 3,500,000.00 |
| Kansas Ave Bridge Repair | $ 3,365,882.00 | | | $ 3,365,882.00 |
| Erp Implementation Contingency | $ 450,000.00 | | $ 300,000.00 | $ 750,000.00 |
| Emergency Generator Project | | | $ 332,633.50 | $ 332,633.50 |
| Pay & Compensation Study | $ 241,000.00 | $ 17,000.00 | $ 30,000.00 | $ 288,000.00 |
| Jail Management Software System | $ 50,000.00 | | $ 175,000.00 | $ 225,000.00 |
| Citywide Master Plan | $ 215,000.00 | | | $ 215,000.00 |
| Wyco Lake Rock Wall Replacement | | $ 200,000.00 | | $ 200,000.00 |
| Fire Department Staff Physicals | $ 140,100.00 | | | $ 140,100.00 |
| Community Survey | $ 91,000.00 | | $ 39,000.00 | $ 130,000.00 |
| Economic Development Strategic Plan | $ 130,000.00 | | | $ 130,000.00 |
| Accela Expansion (Land Mgt System) | $ 130,000.00 | | | $ 130,000.00 |
| Cao Search & Transition | $ 87,500.00 | | $ 37,500.00 | $ 125,000.00 |
| Fleet Carwash Improvements | $ 60,000.00 | | $ 60,000.00 | $ 120,000.00 |
| Legal Dept Case Management System | $ 70,000.00 | | $ 30,000.00 | $ 100,000.00 |
| Interim ACA Contract | $ 63,000.00 | | $ 27,000.00 | $ 90,000.00 |
| E-Citation Phase II | $ 82,500.00 | | | $ 82,500.00 |
| Abatement Team Equip Replacement | $ 81,000.00 | | | $ 81,000.00 |
| WYCO Lake Marina Updates | | $ 76,000.00 | | $ 76,000.00 |
| Fleet Center ADA and Steps | $ 56,446.06 | | | $ 56,446.06 |
| Ameresco | | | $ 56,000.00 | $ 56,000.00 |
| New Park Leavenworth & Hutton | | $ 50,000.00 | | $ 50,000.00 |
| Fleet Storage Shop | $ 16,000.00 | | $ 16,000.00 | $ 32,000.00 |
| E-Citation (Mobile Printers) | $ 20,000.00 | | | $ 20,000.00 |
| My Resource Connection Implement | $ 10,550.00 | | | $ 10,550.00 |
| Citywide Historic Preservation Plan | $ 10,000.00 | | | $ 10,000.00 |
| Web EOC/Open Cities Interface | | | $ 8,750.00 | $ 8,750.00 |
| UG Timeclock Implementation | $ 3,860.00 | | | $ 3,860.00 |
| **Total Transfer-Out** | **$ 8,873,838.06** | **$ 343,000.00** | **$ 1,111,883.50** | **$ 10,328,721.56** |

Going on to the next slide, this is the capital projects and operating transfers that were done in 2022. I want to note, I won't go over each individual project, I'll just note that each of these projects were budgeted in 2022. Most of these projects were in some form of progression and so to continue they may not have had funding in 2023. So, to continue that project moving forward, we've transferred those funds to a capital project. The total was $10.3 million. I did want to just point out, the first two items on the list are the ARPA funds, the Revenue Replacement Funds, which is the majority of this money, it's about $7 million. $3.5 million was set aside for the grant match on ARPA. Then the other $3.3 million was the Kansas Ave Bridge Repair. Since we had those funds had been allocated, we wanted to ensure that we had those funds moving forward so they were moved along with some of the other projects. Reginald Lindsay is also going to cover some of these projects when he talks about the expenditures.



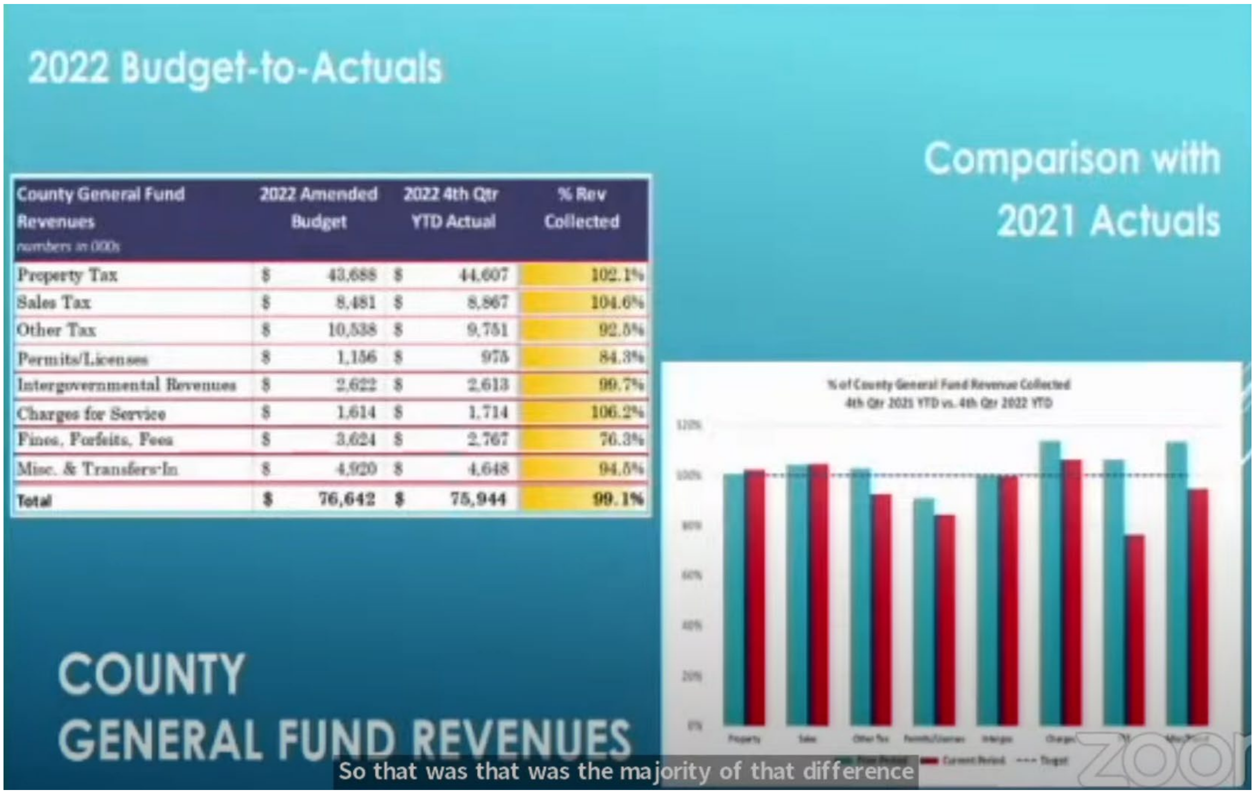

| City General Fund Revenues *numbers in 000s* | 2022 Amended Budget | 2022 4th Qtr YTD Actual | % Rev Collected |
|---|---|---|---|
| Property Tax | $ 26,326 | $ 26,796 | 101.8% |
| Sales Tax | $ 52,852 | $ 55,482 | 105.0% |
| Other Tax | $ 54,359 | $ 57,833 | 106.4% |
| Permits/Licenses | $ 1,352 | $ 1,135 | 84.0% |
| Intergovernmental Revenues | $ 4,471 | $ 4,478 | 100.2% |
| Charges for Service | $ 12,268 | $ 12,347 | 100.6% |
| Fines, Forfeits, Fees | $ 2,914 | $ 2,156 | 74.0% |
| Misc. & Transfers-In | $ 6,428 | $ 6,901 | 107.4% |
| **Total** | **$ 160,969** | **$ 167,128** | **103.8%** |

Moving on to the next slide, we'll talk about the City General Fund. They'll just note that the revenue percent collected was 103.8%. The budget number was $160.9 million and we collected $167.1 million. A couple of things to note, Property Tax was at 101.8%. So that would indicate—that when we set the budget we build in a delinquency factor. So that would indicate—because that number does not include any delinquent collections. So that would indicate that we collected maybe a little bit more than what we anticipated. Sales Tax is at 105%. I did just want to note there that for the current year it was about $2.6 million over budget. Total sales tax was about $4.5 million over the prior year, so we did have an increase in sales tax there. Other taxes, which include the PILOT, motor vehicle, and other franchise taxes, as well as the casino revenues 106.4%. Then we've got Intergovernmental Revenues at 100%, Charges for Service at 100%. Permits and Licenses were down, there only about 84%, I think that was about $250,000. Then on the Fines and Forfeitures, we were also down there. I believe that the amount of the largest amount there was the Municipal Court revenues, which are down about $350,000. The next graph down there is just a comparison, also showing the—we compare where the 100% line would be and where each of these categories compares with the prior year. This graph kind of just goes along with the percentages that were on the other graph.



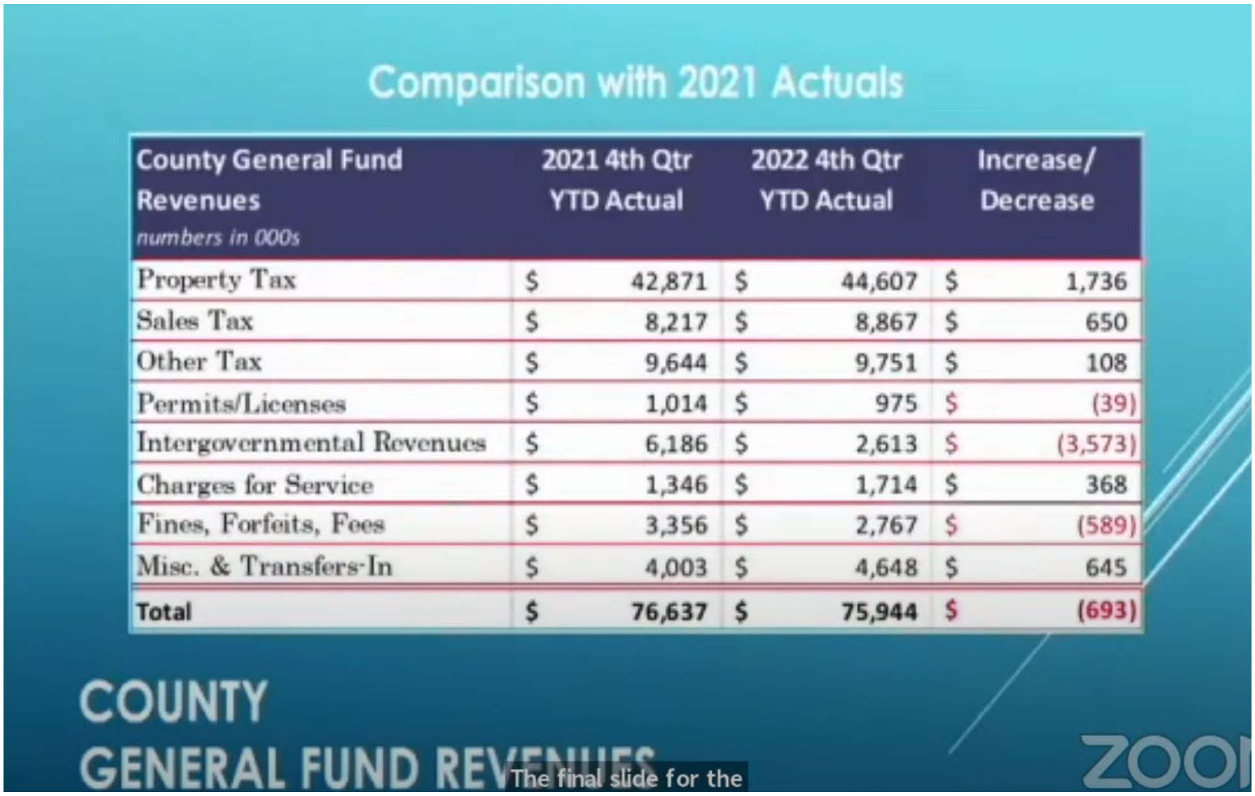

| City General Fund Revenues<br>numbers in 000s | 2021 4th Qtr YTD Actual | 2022 4th Qtr YTD Actual | Increase/ Decrease |
|---|---|---|---|
| Property Tax | $ 25,889 | $ 26,796 | $ 907 |
| Sales Tax | $ 50,930 | $ 55,482 | $ 4,552 |
| Other Tax | $ 49,832 | $ 57,833 | $ 8,001 |
| Permits/Licenses | $ 1,384 | $ 1,135 | $ (249) |
| Intergovernmental Revenues | $ 15,677 | $ 4,478 | $ (11,199) |
| Charges for Service | $ 11,681 | $ 12,347 | $ 665 |
| Fines, Forfeits, Fees | $ 2,377 | $ 2,156 | $ (221) |
| Misc. & Transfers-In | $ 6,373 | $ 6,901 | $ 528 |
| **Total** | **$ 164,143** | **$ 167,128** | **$ 2,985** |

This next one, last slide on the City General Fund, just kind of showing the same information. This is fourth quarter 2022 year-to-date actual compared with 2021 and just showing the increases or decreases total overall. In 2021, we had $164.1 million, in 2022 $167.1 million for a total of $2.9 million. Probably the largest difference there is the Intergovernmental Revenues. As you can see ARPA funds are in this category in 2021. We had revenue replacement dollars of about $12.9 to the City General Fund, and in 2022, it was only $3.6 million, so that was the majority of that difference.



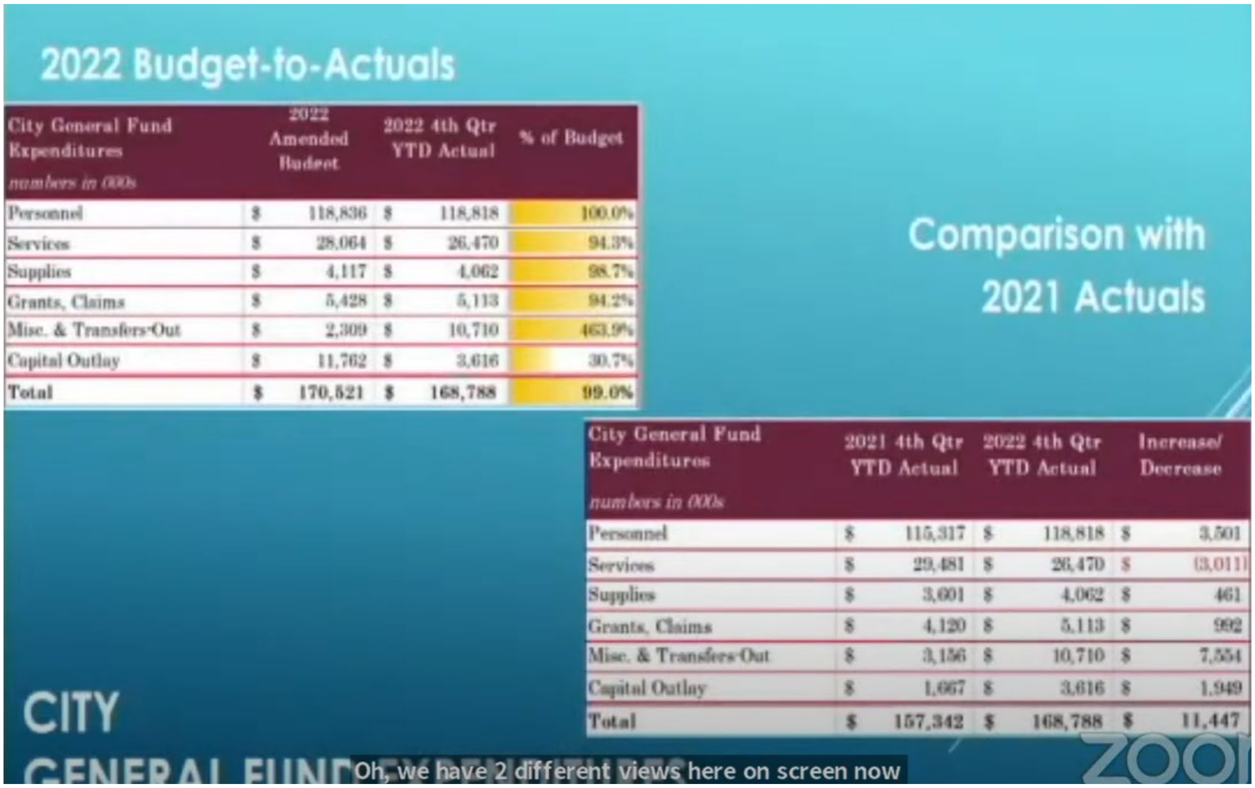

| County General Fund Revenues numbers in 000s | 2022 Amended Budget | | 2022 4th Qtr YTD Actual | | % Rev Collected |
|---|---|---|---|---|---|
| Property Tax | $ | 43,688 | $ | 44,607 | 102.1% |
| Sales Tax | $ | 8,481 | $ | 8,867 | 104.6% |
| Other Tax | $ | 10,538 | $ | 9,751 | 92.5% |
| Permits/Licenses | $ | 1,156 | $ | 975 | 84.3% |
| Intergovernmental Revenues | $ | 2,622 | $ | 2,613 | 99.7% |
| Charges for Service | $ | 1,614 | $ | 1,714 | 106.2% |
| Fines, Forfeits, Fees | $ | 3,624 | $ | 2,767 | 76.3% |
| Misc. & Transfers-In | $ | 4,920 | $ | 4,648 | 94.5% |
| **Total** | **$** | **76,642** | **$** | **75,944** | **99.1%** |

Next, we'll go on to the County General Fund. For the County General Fund we collected a total of 99.1% of the revenues that were budgeted. We budgeted $76.6 million and we collected $75.9 million. Property Tax, again, was 102.1%. Sales Tax at 104.6%. We'll just note that Sales Tax was $400,000 over budget for the current year and about $650,000 over the prior year actual. Then Charges for Service 106%. Fines and Forfeits are only at 76%. I did notice that some of the fees for the tech funds were down, so I think that's accounting for some of that. Then in Miscellaneous and Transfers has interest revenue, interest on delinquent tax, as well as some other fees. The interest revenue was up about $600,000 for that. So just the same graph over here on the side, just kind of shows where, if we collected 100% of budget, where those lines would be, they kind of coordinate with the percentages in the other graph.




| County General Fund Revenues *numbers in 000s* | 2021 4th Qtr YTD Actual | 2022 4th Qtr YTD Actual | Increase/ Decrease |
|---|---|---|---|
| Property Tax | $ 42,871 | $ 44,607 | $ 1,736 |
| Sales Tax | $ 8,217 | $ 8,867 | $ 650 |
| Other Tax | $ 9,644 | $ 9,751 | $ 108 |
| Permits/Licenses | $ 1,014 | $ 975 | $ (39) |
| Intergovernmental Revenues | $ 6,186 | $ 2,613 | $ (3,573) |
| Charges for Service | $ 1,346 | $ 1,714 | $ 368 |
| Fines, Forfeits, Fees | $ 3,356 | $ 2,767 | $ (589) |
| Misc. & Transfers-In | $ 4,003 | $ 4,648 | $ 645 |
| **Total** | **$ 76,637** | **$ 75,944** | **$ (693)** |

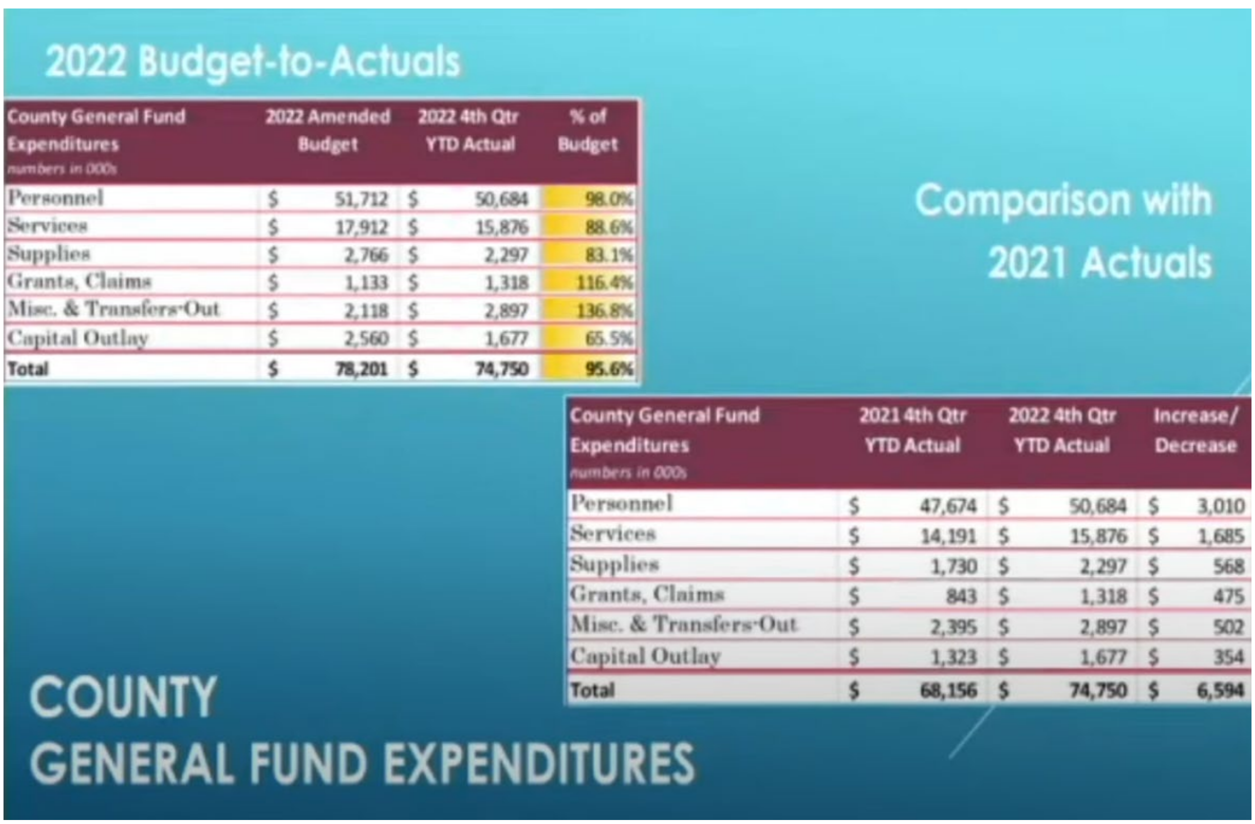
The final slide for the County General Fund giving all the information comparing with 2021 Fourth Quarter Year to Date Actuals. As I said, Property Tax was about $1.7 million over compared with 2021. Probably the biggest difference was the Intergovernmental, which again is the ARPA revenues. For 2021 in the County General Fund, there were $6.1 million in revenue replacement funds and in 2022 there were only $2.6 million. That's the biggest difference there. We were actually down about $693,000 in revenue compared with 2021. That concludes the revenue, so I'll turn this over to Reginald Lindsey, our Budget Director, to talk about expenditures.




| City General Fund Expenditures *numbers in 000s* | 2022 Amended Budget | 2022 4th Qtr YTD Actual | % of Budget |
|---|---|---|---|
| Personnel | $ 118,836 | $ 118,818 | 100.0% |
| Services | $ 28,064 | $ 26,470 | 94.3% |
| Supplies | $ 4,117 | $ 4,062 | 98.7% |
| Grants, Claims | $ 5,428 | $ 5,113 | 94.2% |
| Misc. & Transfers-Out | $ 2,309 | $ 10,710 | 463.9% |
| Capital Outlay | $ 11,762 | $ 3,616 | 30.7% |
| **Total** | **$ 170,521** | **$ 168,788** | **99.0%** |

| City General Fund Expenditures *numbers in 000s* | 2021 4th Qtr YTD Actual | 2022 4th Qtr YTD Actual | Increase/ Decrease |
|---|---|---|---|
| Personnel | $ 115,317 | $ 118,818 | $ 3,501 |
| Services | $ 29,481 | $ 26,470 | $ (3,011) |
| Supplies | $ 3,601 | $ 4,062 | $ 461 |
| Grants, Claims | $ 4,120 | $ 5,113 | $ 992 |
| Misc. & Transfers-Out | $ 3,156 | $ 10,710 | $ 7,554 |
| Capital Outlay | $ 1,667 | $ 3,616 | $ 1,949 |
| **Total** | **$ 157,342** | **$ 168,788** | **$ 11,447** |

**Reginald Lindsey, Budget Director,** said we have two different views here on the screen now. We have Budget-to-Actuals for 2022 at the top of the screen and at the bottom of the screen we're comparing the budget expenditures for 2021 to 2022. I'll start off with the top chart where we have six categories that were compared for expenditures. We can see we spent 99% of the budget for 2022. Our six categories are Personnel Services, Supplies, Grants, Claims, Miscellaneous Transfers Out, and Capital Outlay. Some of the bigger departments within the City General Fund are, obviously, Police and Fire, but also we have Public Works and then we also have transit and NRC that kind of round out the top five in the City General Fund. As we look at Personnel, we can see we were spot on as far as we spent 100% of that budget, which includes salaries, our payouts, our overtime, and pension costs. Then in Services, we were about 94%. Just to kind of give you an example of some of the contracts paid from services, Transit contracts are paid from there. Also, our Trash contract is paid from there. 2022 will be the last year that their Trash contract is paid from there. We started an Enterprise Fund for it in 2023. Also, we have software maintenance that is paid from there about $2.2 million. Then we come down to Grants and Claims. We can see we're about 94% of our expenditures and that's where we had some legal claims paid from. Also, the next category Miscellaneous Transfers Out. This is an item that Debbie covered a little earlier where we were transferring projects and some calls from 2022s budget to 2023s budget. The amount in City General Fund was about $8.8 million or about 25 items that were moved. Some of this was related to when we had the cyber incident at the early part of 2022. Then also some are projects. Some vendors are being selective in accepting projects. We weren't able to get some of our projects priced out, so we have to move them to the next year. As we compare 2021 Actuals to 2022 Actuals for the fourth quarter, we can see that Personnel is up about 3% from the prior year. Then Services are down about 10%, which is about $3 million. One of the numbers that we had there last year that we don't have there this year is we have $4.7 million in ARPA money for the Health Department that was in 2021, that was not in 2022. Supplies were up 13%, Grants and Claims were up 24%, and then Miscellaneous Transfers were up 239%. That's the number I talked about when we transferred the $8.8 million dollars. There are two big projects here that Debbie talked about earlier. One is the ARPA funding for grant matches, then also Central Avenue or Kansas Avenue Bridge, the repair on it that is there also, which makes up $7 million.




| County General Fund Expenditures numbers in 000s | 2022 Amended Budget | 2022 4th Qtr YTD Actual | % of Budget |
|---|---|---|---|
| Personnel | $ 51,712 | $ 50,684 | 98.0% |
| Services | $ 17,912 | $ 15,876 | 88.6% |
| Supplies | $ 2,766 | $ 2,297 | 83.1% |
| Grants, Claims | $ 1,133 | $ 1,318 | 116.4% |
| Misc. & Transfers-Out | $ 2,118 | $ 2,897 | 136.8% |
| Capital Outlay | $ 2,560 | $ 1,677 | 65.5% |
| **Total** | **$ 78,201** | **$ 74,750** | **95.6%** |

| County General Fund Expenditures numbers in 000s | 2021 4th Qtr YTD Actual | 2022 4th Qtr YTD Actual | Increase/ Decrease |
|---|---|---|---|
| Personnel | $ 47,674 | $ 50,684 | $ 3,010 |
| Services | $ 14,191 | $ 15,876 | $ 1,685 |
| Supplies | $ 1,730 | $ 2,297 | $ 568 |
| Grants, Claims | $ 843 | $ 1,318 | $ 475 |
| Misc. & Transfers-Out | $ 2,395 | $ 2,897 | $ 502 |
| Capital Outlay | $ 1,323 | $ 1,677 | $ 354 |
| **Total** | **$ 68,156** | **$ 74,750** | **$ 6,594** |

The next slide comparing the County General Fund. The top chart compares the actuals for 2022 to the budget and the bottom chart compares 2021s budget to 2022s budget and its actual expenditures. We can see with the 2022 Actuals, we spent almost 96% of the budget. Some of the larger departments within the County General Fund includes Sheriff, Dispatch Services, our District Attorney, and also Finance. Again, looking at Personnel, we see we spent 98% of the budget. The bigger items there being spent out there were salaries, pensions, payouts, benefits, and overtime. Services that we have over in the County General Fund, the larger ones consist of items that are paid for Sheriff's Department including inmate costs, jail costs, jail insurance for inmates. Then also we had Supplies. Supplies consist of utilities, fuel, and parts and maintenance. We spent about 83% of their budget. Grants and Claims, we did spend about 16% more in that budget, going over the budget. Then Miscellaneous Transfers Out, we did transfer about $1.1 million of projects and budget items from 2022 to 2023. That's, again, related to just projects that we needed to move that we were in the middle of, kind of related to getting a late start on because of the cyber incident and also just contractors being a choice in with what they accept to work on these days. Then looking at the County General Fund, how we compare it to 2021 into 2022. We can see on Personnel our spending was up 16%, Services were up 12%, Supplies, we're now spending 33% more than we did last year. Our Miscellaneous Transfers Out, we spent 21% more and that's again because of $1.1 million that we transferred from 2022 to 2023. Capital was up 27%.

| | REVENUES numbers in 000's | | | EXPENDITURES numbers in 000's | | |
|---|---|---|---|---|---|---|
| Tax Levy Funds | 2022 Amended Budget | 2022 YTD Actual | % of Budget | 2022 Amended Budget | 2022 YTD Actual | % of Budget |
| City General Fund | $ 160,969 | $ 167,128 | 103.8% | $ 170,521 | $ 168,788 | 99.0% |
| City Bond & Interest | $ 38,575 | $ 38,564 | 100.0% | $ 39,775 | $ 38,748 | 97.4% |
| County General Fund | $ 76,692 | $ 75,993 | 99.1% | $ 78,201 | $ 74,750 | 95.6% |
| Cons. Parks General Fund | $ 7,507 | $ 7,436 | 99.1% | $ 7,644 | $ 7,175 | 93.9% |
| County Bond & Interest | $ 5,714 | $ 5,756 | 100.7% | $ 6,107 | $ 5,801 | 95.0% |
| Aging | $ 2,058 | $ 2,034 | 98.8% | $ 2,069 | $ 1,503 | 72.6% |
| Developmental Disabilities | $ 656 | $ 640 | 97.5% | $ 589 | $ 487 | 82.7% |
| Elections | $ 1,543 | $ 1,515 | 98.2% | $ 1,646 | $ 1,440 | 87.4% |
| Health | $ 3,852 | $ 3,790 | 98.4% | $ 4,451 | $ 4,130 | 92.8% |
| Mental Health | $ 708 | $ 705 | 99.6% | $ 718 | $ 708 | 98.6% |
| **Total UG Tax Levy Funds** | **$ 298,272** | **$ 303,559** | **101.8%** | **$ 311,722** | **$ 303,531** | **97.4%** |

ALL UNIFIED GOVERNMENT TAX LEVY FUNDS

This current slide is a view of our 10 Tax Levy Funds, which includes the City General Fund and the County General Fund that I did go over, but it includes our other Tax Levy Funds. What we have on the left side of the page, we have Revenues. Then on the right side of the page, we have Expenditures. Rule of thumb at this point in time of the year where we've ended the year what we're looking for is revenues to be at around 100%. So we see most of our revenues are at around 100% or above 100%. We can see all the Tax Levy Funds together brought in almost 102% of their revenues. As we look over at the expenditures, we can see that we've got about 97% of the money that was spent. What we look for to have here, we don't want any funds having more than 100% spent. We definitely met that goal. We had a few funds that did not spend all their money. Some of those are Aging and Developmental Disabilities. Most of the money left there had to do with having vacancies in personnel items that were not spent. Then also those funds, they do have reserves and the reserves did not need to be spent.

| Other Funds | 2022 Amended Budget | 2022 YTD Actual | % of Budget | 2022 Amended Budget | 2022 YTD Actual | % of Budget |
|---|---|---|---|---|---|---|
| Alcohol | $ 575 | $ 647 | 112.4% | $ 967 | $ 681 | 70.5% |
| Clerk Technology | $ 60 | $ 48 | 80.7% | $ 83 | $ 52 | 62.6% |
| Court Trustee | $ 450 | $ 378 | 84.1% | $ 694 | $ 498 | 71.7% |
| Dedicated Sales Tax | $ 12,170 | $ 13,731 | 112.8% | $ 16,314 | $ 15,439 | 94.6% |
| Emergency Medical Services | $ 12,420 | $ 13,482 | 108.6% | $ 14,194 | $ 14,187 | 99.9% |
| Environmental Trust | $ 1,242 | $ 1,197 | 96.3% | $ 1,255 | $ 718 | 57.2% |
| Jail Commissary | $ 60 | $ 169 | 281.4% | $ 100 | $ 27 | 27.0% |
| Parks & Recreation | $ 698 | $ 769 | 110.2% | $ 848 | $ 693 | 81.7% |
| Public Levee | $ 342 | $ 340 | 99.6% | $ 428 | $ 370 | 86.3% |
| Register of Deeds Technology | $ 250 | $ 194 | 77.4% | $ 160 | $ 125 | 78.0% |
| Sewer System | $ 49,615 | $ 49,282 | 99.3% | $ 48,565 | $ 41,392 | 85.2% |
| Special Assets | $ - | $ - | | $ 850 | $ 155 | 18.2% |
| Stadium | $ 372 | $ 407 | 109.4% | $ 884 | $ 410 | 46.4% |
| Stormwater | $ 5,469 | $ 5,477 | 100.2% | $ 5,842 | $ 5,336 | 91.3% |
| Street & Highway | $ 8,274 | $ 7,629 | 92.2% | $ 8,799 | $ 6,932 | 78.8% |
| Sunflower Hills Golf Course | $ 1,195 | $ 1,105 | 92.4% | $ 1,180 | $ 1,037 | 88.0% |
| Travel & Tourism | $ 3,764 | $ 4,181 | 111.1% | $ 5,295 | $ 3,440 | 65.0% |
| Treasury Technology | $ 60 | $ 48 | 80.7% | $ 96 | $ 33 | 34.6% |
| Wyandotte County 911 | $ 961 | $ 971 | 101.0% | $ 864 | $ 802 | 92.8% |
| **Total Other Funds** | **$ 97,976** | **$ 100,057** | **102.1%** | **$ 107,416** | **$ 92,326** | **86.0%** |

ALL OTHER & TOTAL UG FUNDS

Here's a view of our Other Funds outside our Tax Levy Fund. These include our Special Sales Tax Funds and our Enterprise Funds. On the left side of the page, we do have the revenues. On the right side of the page, we do have expenditures on the revenue side. A rule of thumb is that we definitely want to collect around 90% of the revenue—or 100% of the revenue. We can see where we do have some funds that did not collect 100% of the revenue. We have the Clerk Technology fund, Court Trustees, and Treasury Technology fund that did not collect 100% of their budget. We're a little below and as we get over into expenditures, we did have some funds. The rule of thumb here is we want to spend 100% of the budget or at least try to and we do have some funds where we did not spend 100% of the budget. Some of those starting out was the Alcohol fund, Clerk Technology fund, Court Trustee, Special Asset fund, and Travel and Tourism fund, we do not spend all the money there. That is the presentation that Debbie and I had. Are there any questions?

**Chairman Burroughs** said committee, questions? Seeing none, Reggie, I do have a question. On this chart that you show here we're 16% below our expenses of what was versus our revenue stream, correct? **Mr. Lindsey** said that is what we set aside in the budget for those. We came 16% below the budget, not the revenue stream, but 16% below the expenditure budget.

**Chairman Burroughs** said next question, I'm glad to see that these—I want to go back a page or two, it looks like the funds are evened out after we went through and readjusted the mill levies a couple of years back on the individual, I think it's 9 or 11 funds that we had. Right there, those funds have pretty much leveled out compared to what they've been in the past because they've had a tremendous amount—they've jumped around over the years. But, it looks like overall the revenue projections exceeded all projections in most cases. You guys, if somebody has controlled the expenditures well, but the ARPA funding kind of skews this, we're going to get away from that soon and I think it'll paint a more solid picture for us because when you exclude and include the ARPA funding in here, it kind of skews the bottom numbers. **Ms. Jonscher** said right, we had the ARPA revenue replacement in 2021 and 2022. There is nothing budgeted for revenue replacement in 2023, so we shouldn't see that going forward. **Chairman Burroughs** said great. Thank you. I sincerely appreciate it. Committee, any other questions?

**Mr. Howze** said Mr. Chairman, if I might just join in on that too. There were some other one-time bumps on the revenue side that might be worth bringing to the committee's attention. The KC Current played their season in the Sporting KC stadium this past year, that increased to—**Mr. Lindsey** said $1.2 million dollars. **Mr. Howze** said so when they show up in their new stadium on the riverfront, that $1.2 million isn't going to go away. So there are a couple of those that are transitory in a sense that as we think about what our future revenue picture looks like, that we should just kind of keep those in mind. I don't know if there's some others.

**Mr. Lindsey** said in the City General Fund, it was about $7 million dollars more in revenue that came in. Some of that revenue did include around possibly $4 million in ARPA. So there's just some of them that would not be in the budget next year. Then also sales tax was up $3 million, PILOT revenue was up about $1.5 million, and those are some things that we could look at. Because, I mean, there's a possibility that those will roll into our next budget. The property taxes, as Debbie said, were up $400,000. Revenues were $7 million above, but we do have some expenses that won't show up, as Alan said, in the next budget or revenues that would not show up in the next budget.

**Chairman Burroughs** said the stadium parking was one that we were having to supplement. I believe that contract has been remedied and we are now—being the stadium parking situation, we were having to supplement that, if I remember correctly, because it wasn't performing the way it should. So I'm sure that revenue, when it talks about the revisional revenue coming in, that's because of its cost avoidance, if I remember correctly. Alan, you might go back and look at that. I think that's an accurate statement. **Ms. Jonscher** said we did increase the ticket tax for the stadium out there and that was to cover the debt that we issued on the parking. I think we're kind of reviewing that every year, but I think in addition to that we did collect the additional funds for the women's soccer games that were played out at Sporting.

**Chairman Burroughs** said well, that helps us retire that debt. But I know that's not an expense we're having to spend moving forward, that's that cost avoidance I was talking about. The next one I wanted to talk about was the—sorry, Debbie. I was listening to you and it just left me. The emergency response for the—I want to call it—I had it marked here, bear with me just one second. I'll find it and then I'll come back and talk to you all about it specifically. But I know that we were supplementing that program for about a million dollars a year. **Mr. Lindsey** said are you talking about our EMS fund? **Chairman Burroughs** said yes, thank you. That's exactly what it was. And I don't know what action we're going to take on that, committee, but we may need to be mindful that foregoing fees and penalties during a COVID time impacts our revenue stream. However, it helps our constituents, but moving forward be mindful that anytime we forgive a fee or revenue stream, we're actually cutting our budget. We're appropriating dollars through a different process. With that, any other questions? Any other comments?

**Mr. Haley** said thank you for the review. This is most interesting to see how it breaks out. You referenced there's going to be a shift for the trash collection, you know, that's one of the line items that the BPU collects. And what is that again? You're saying that there'll be another—**Mr. Lindsey** said we started what we call an Enterprise Fund for it. It used to be paid out of our City General Fund. We created an Enterprise Fund for it. So that cost will be moved, so about $9 million won't show up in our City General Fund anymore on the revenue side and on the expenditure side, it will be moved to this new Enterprise Fund we have. **Mr. Haley** said the collection will be the same as something that's billed throughout utility bills.

**Ms. Jonscher** said right, we'll still be collecting the fee and paying the paying the vendor, but we've simply just moved it out of the General Fund and put it into a separate Enterprise Fund by itself so that we can track all of the expenses related to the revenues that we're collecting. **Mr. Haley** said they'll still be the same line item amount though, roughly? There won't be any decrease in the amount billed perhaps. It's still going to be roughly the same? **Ms. Jonscher** said you mean for the next year, for the coming year? No, well, we're still reviewing that. We would probably—as we get into the budget will determine if there has to be any increase there. **Mr. Haley** said let me ask, there was an article recently just on that line. This isn't it totally, they were talking about the recycling and exactly where that went. I didn't know if we recoup or we recoup what will be for that fund through recycling that comes back in. You may not have that information available. But I'm just kind of—**Ms. Jonscher** said the contract with Waste Management includes both trash collection and recycling, so, it's billed as one amount together. It's all part of the same contract. **Mr. Haley** said alright. Thank you. **Mr. Lindsey** said for information purposes, the Enterprise Fund that we started and all our Enterprise Funds that I deal with, they're self-supporting, the revenues that come in and take care of the expenditures also.

**Chairman Burroughs** said Debbie, Reggie, thank you so very much. It was important that we have that fourth quarter. It was getting a little late to forego until next month and we made the decision to go ahead and have it this evening. Thank you for your patience with us this evening. This was not an actionable item. It was for information only.

**Action:** **For information only.**

**Public Agenda**

No items of business.

**Adjourn**

**Chairman Burroughs** said that takes us to the end of our agenda. The next motion I would like to have the committee make is a motion to adjourn so that we can go into our next meeting.

**Action:** **Commissioner Davis made a motion, seconded by Commissioner McKiernan, to adjourn.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

The meeting was adjourned at 8:02 p.m.

RM

**ECONOMIC DEVELOPMENT AND FINANCE**
**STANDING COMMITTEE MINUTES**
**Monday, June 5, 2023**

The meeting of the Economic Development and Finance Standing Committee was held on Monday, June 5, 2023, at 5:00 p.m. The following members were present: Commissioner Burroughs, Chairman; Commissioners Davis, Townsend, Stites, McKiernan, and BPU Board Member Haley. The following officials were also in attendance: Andrea Vinyard, Deputy Treasurer; Angela Lawson, Interim Chief Legal Counsel; Debbie Jonscher, Deputy Chief Financial Officer; and Monica Sparks, Deputy UG Clerk.

**Chairman Burroughs** said before I call the meeting to order, I want to announce that some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. When speaking, please speak directly into the microphone to ensure everyone listening is able to hear your comments and to ensure a clear record is made. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of this meeting. The public may also indicate their intent to provide remote public comments by contacting the Clerk's Office by 5:00 p.m. the Thursday before the meeting. The public also will have an opportunity to provide brief comments either by telephone or via Zoom from the 5th Floor Conference Room of the Municipal Office building.

**Chairman Burroughs** called the meeting to order. Roll call was taken and all members were present as shown above.

**Chairman Burroughs** said I'll ask the Clerk if there were any revisions to tonight's agenda. **Monica Sparks, Deputy UG Clerk,** said there are no revisions.

**Chairman Burroughs** said the next item would normally be the approval of minutes, but we have no minutes to approve this month.

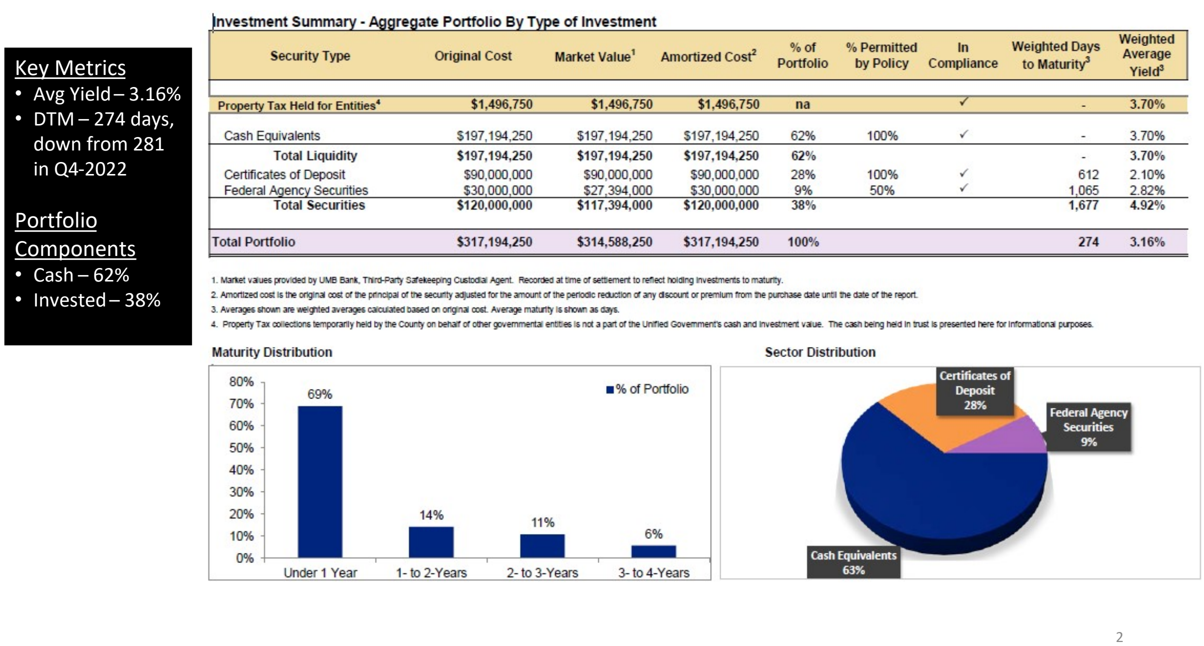
With that, we do have eight items tonight for discussion. Only seven of them will be action items, one of them will be for information only. The item for information only is the first item up this evening, and we have a presentation of the First Quarter 2023 Investment Report. I'll recognize Andrea Vinyard, our Deputy Treasurer, for remarks.

## COMMITTEE AGENDA

**Item No. 1 – 212385…REPORT: FIRST QUARTER 2023 INVESTMENT**

**Synopsis**: Presentation of the First Quarter 2023 Investment Report, submitted by Andrea Vinyard, Deputy Treasurer.

**Andrea Vinyard, Deputy Treasurer,** said I'm going over the Quarter One 2023 Cash Investment Report.

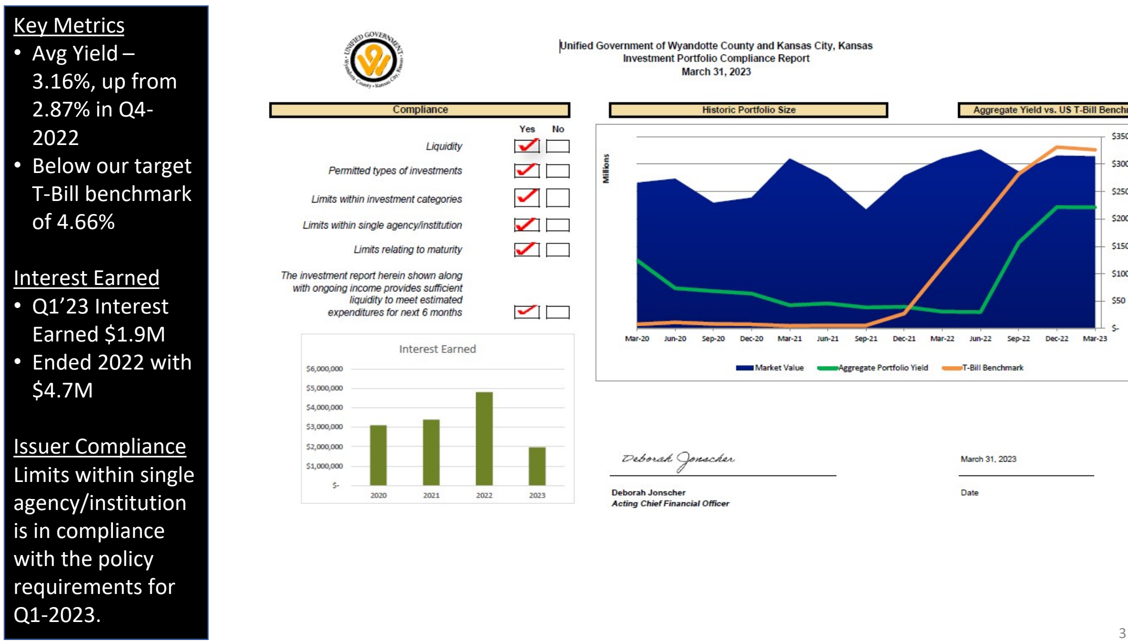



Investment Summary - Aggregate Portfolio By Type of Investment

| Security Type | Original Cost | Market Value[1] | Amortized Cost[2] | % of Portfolio | % Permitted by Policy | In Compliance | Weighted Days to Maturity[3] | Weighted Average Yield[3] |
|---|---|---|---|---|---|---|---|---|
| Property Tax Held for Entities[4] | $1,496,750 | $1,496,750 | $1,496,750 | na | | ✓ | - | 3.70% |
| Cash Equivalents | $197,194,250 | $197,194,250 | $197,194,250 | 62% | 100% | ✓ | - | 3.70% |
| Total Liquidity | $197,194,250 | $197,194,250 | $197,194,250 | 62% | | | - | 3.70% |
| Certificates of Deposit | $90,000,000 | $90,000,000 | $90,000,000 | 28% | 100% | ✓ | 612 | 2.10% |
| Federal Agency Securities | $30,000,000 | $27,394,000 | $30,000,000 | 9% | 50% | ✓ | 1,065 | 2.82% |
| Total Securities | $120,000,000 | $117,394,000 | $120,000,000 | 38% | | | 1,677 | 4.92% |
| Total Portfolio | $317,194,250 | $314,588,250 | $317,194,250 | 100% | | | 274 | 3.16% |

1. Market values provided by UMB Bank, Third-Party Safekeeping Custodial Agent. Recorded at time of settlement to reflect holding investments to maturity.
2. Amortized cost is the original cost of the principal of the security adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report.
3. Averages shown are weighted averages calculated based on original cost. Average maturity is shown as days.
4. Property Tax collections temporarily held by the County on behalf of other governmental entities is not a part of the Unified Government's cash and investment value. The cash being held in trust is presented here for informational purposes.

A few key metrics point out, average yield 3.16%, that's the weighted average yield for quarter one. Then the weighted distance—excuse me, days to maturity was at 274 days, which should go down a little bit from the year end from 2022. Full portfolio cost is about $317 million with cash at 62% and then we have 38% of that in investments.




A few other metrics I like to point out, as I said in a prior slide, we were at 3.16% average weighted yield, which also did go up from quarter four of 2022 which was at 2.87%. That would be better explained in future slides as we did some more investing in quarter one. We still remain under the target T-bill rate, which for quarter one will be 4.66%, which is great. I wanted to start pointing out as we go through these presentations kind of what we're earning in interest, so I added this piece of the slide. For quarter one of '23, we were at $1.9 million in interest earned. As I was here a few months ago to state that is end of '22. To put it in perspective, we were 4.7 for the whole year. There's also the context of where we are as far as certain pieces of our policy, we have our institutions all available, they're meeting minimum needs based on our policy. We're speaking with the Cash Management Committee about kind of some change to the language on some of that by requesting discussion of the Chair Burroughs, so we are going through that conversation to try to better describe these things in a way that are more understandable, but not all them need to be labeled the way that they are today. So we are working to change that language.

## Types of securities in our investment portfolio?

Of the $317 M total, $90 M or 29%- CDs fully collateralized per investment policy and State Statute & $30 M or 9% US Agencies Securities.

**Unified Government of Wyandotte County and Kansas City, Kansas**
**Investment Portfolio Compliance Report**
**March 31, 2023**

**Issuer Detail - Aggregate Portfolio by Issuer**

| Issuer | Original Cost | Market Value[1] | % of Portfolio[3] | % Permitted by Issuer | In Compliance[3] | Weighted Average Maturity Days[2] | Weighted Average Yield[2] |
|---|---|---|---|---|---|---|---|
| **Property Tax Held for Entities[3]** | **1,496,750** | **1,496,750** | **na** | **See note 3** | ✓ | **0** | **3.70%** |
| UMB, Wyandotte Operating | 191,132,250 | 191,132,250 | 61% | 25% | ✓ | 0 | 3.59% |
| UMB, Wyandotte Health | 6,062,000 | 6,062,000 | 2% | 25% | ✓ | 0 | 0.11% |
| **Cash Equivalents** | **197,194,250** | **197,194,250** | **63%** | | ✓ | **0** | **3.70%** |
| Commerce Bank | 70,000,000 | 70,000,000 | 22% | 25% | ✓ | 482 | 1.15% |
| UMB Bank | 20,000,000 | 20,000,000 | 6% | 25% | ✓ | 130 | 0.95% |
| **Certificates of Deposit** | **90,000,000** | **90,000,000** | **29%** | | ✓ | **612** | **2.10%** |
| US Treasury | 30,000,000 | 27,394,000 | 9% | *50% of total portfolio* | ✓ | 0 | 0.00% |
| **Federal Agency Securities** | **30,000,000** | **27,394,000** | **9%** | | ✓ | **1065** | **2.82%** |
| **Grand Total** | **317,194,250** | **314,588,250** | **100%** | | | **274** | **3.16%** |

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Where the portfolio sits as far as standpoint, as I said, we're at $317 million. 90 of that is sitting in two different institutions, being Commerce Bank and now an additional bank, which is UMB Bank, which is going to be our Certificate of Deposit. Then we also have $30 million or 9% that is going to be the US Treasury Agency label.

What transactions occurred in Q1 2023?

**Unified Government of Wyandotte County and Kansas City, Kansas**
**Investment Portfolio Compliance Report**
**1st Quarter 2032 - January 1, 2023 - March 31, 2023**

**Quarterly Transactions Detail - Aggregate Portfolio**

| Settlement Date | CUSIP | Issuer | Coupon | Maturity Date | Par | Original Cost |
|---|---|---|---|---|---|---|
| Thru Q1 | NA | UMB, Wyandotte Operating | 3.700% | 3/31/2023 | 84,477,250 | 84,477,250 |
| Thru Q1 | NA | UMB, Wyandotte Health Reserve | 3.700% | 3/31/2023 | 2,047,000 | 2,047,000 |
| **Cash Equivalents** | | | | | **86,524,250** | **86,524,250** |
| **Purchases** | | | | | - | - |
| 3/22/2023 | 24350711020 | UMB Bank | 4.600% | 3/22/2024 | 5,000,000 | 5,000,000 |
| 3/22/2023 | 24350981020 | UMB Bank | 4.350% | 9/22/2024 | 5,000,000 | 5,000,000 |
| 3/22/2023 | 24351011020 | UMB Bank | 4.110% | 3/22/2025 | 5,000,000 | 5,000,000 |
| 3/22/2023 | 24351281020 | UMB Bank | 4.110% | 3/22/2025 | 5,000,000 | 5,000,000 |
| **Calls/Maturities** | | | | | **20,000,000** | **20,000,000** |
| **Total** | | | | | **106,524,250** | **106,524,250** |

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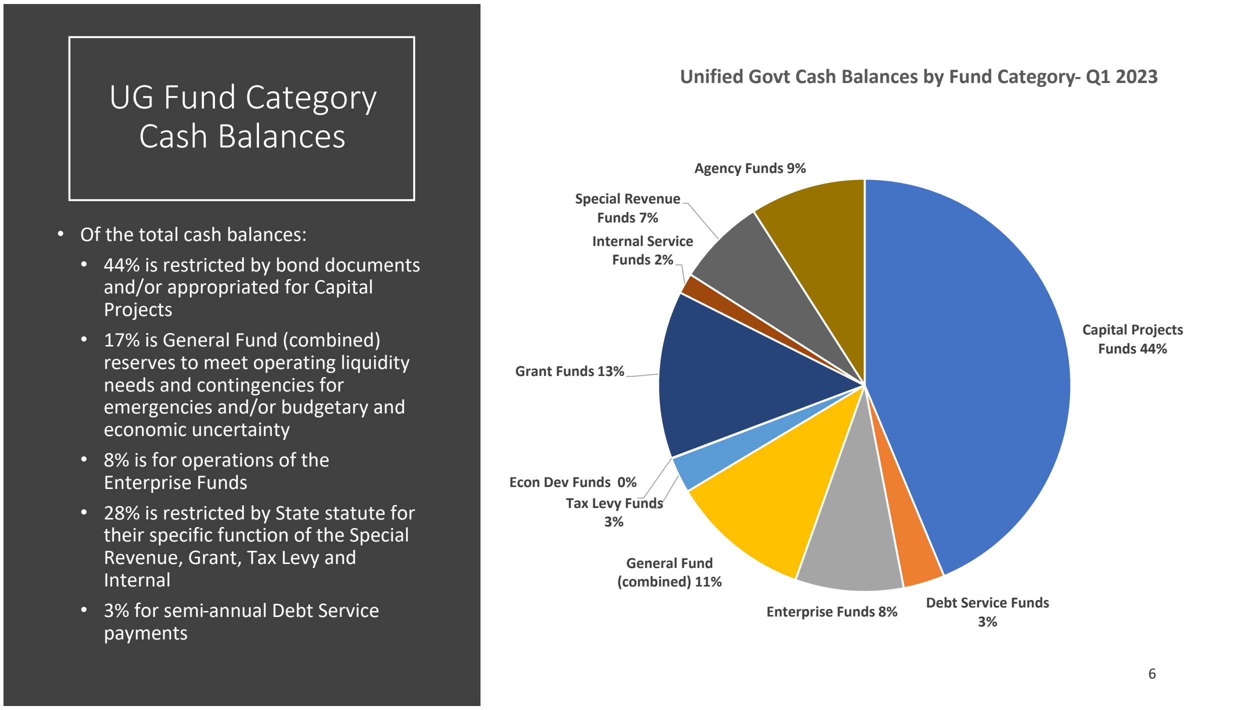
Then as I stated in quarter one, we did go out for bid finalizing four blocks at $5 million a piece. A 12-month, an 18-month, and two 24-month investments all won by UMB Bank, totaling for $20 million. So that did increase our portfolio and diversified it quite a bit both by institution and also by maturity.




At the end, we like to go over where are fund cash balances are. I will state upfront, I was a little ahead of myself this morning when I printed this before saving it. There are two changes to it, my apologies. The math on the left does not equal the math on the right. The 17% General fund is actually supposed to be 11%, my apologies. Then where it says 28% is restricted by state statute actually is 34%. So that would be 100% matching the information on the right to the left to the right where I typed wrong. In general, our bond documents Capital Projects are at 44% and then to be corrected it’s 11% sitting in our General Fund at 8% of our cash in the Enterprise Fund. Then to be corrected, it's 34% holding for funds like the revenues, grants, tax levies, and internal funds. Then we have 3% in our Debt Service Payment Fund. That's what I have for this evening.

**Chairman Burroughs** said committee any questions? Andrea, I have one question, I want to make sure I followed the change here. Did you say the 17% is the General Fund combined reserves? **Ms. Vinyard** said correct. **Chairman Burroughs** said it should be 11%? **Ms. Vinyard** said yes, sir.

**Chairman Burroughs** said aren't we supposed to have 17% in there? **Ms. Vinyard** said I will say this is going to be the first time we've done this with the new Workday reporting and it's not solidified 100%. We're still working on a quarterly change from the carryover from Cayenta to Workday so we wanted to get you some preliminary numbers to at least report on with the understanding that next quarter we're going to have everything tied completely and get you the proper numbers.

**Debbie Jonscher, Interim CFO,** said I just want to note, I think this is 11% of the entire cash balance. But the 17% that we look at on the General Funds is 17% reserve of the General Fund expenses, so that fund balance, but this is actually 11% of the entire cash balance of all funds, not just the certified funds. **Chairman Burroughs** said is there an industry standard on that? Do you know what a reserve should be? I know you say it's 11% by state, Andrea, is that what I heard you state or was it 34% restricted by state statute? **Ms. Jonscher** said I think all she was just noting here was that the graph numbers, percentages, didn't match up with what she had totaled over on the side. **Ms. Vinyard** said I just carried the numbers from the prior quarter and didn't save my changes accidentally.

**Chairman Burroughs** said any other questions, comments, committee? Nice report. I like to see the interest rates climbing on our investments, it's nice to see that. I'll ask the Clerk, are there any comments from the public? **Ms. Sparks** said no comments received. **Chairman Burroughs** said I'll recognize the members of the public who wish to address the committee, I'll see if there are any hands raised in which to speak? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said is there anyone in the audience who wishes to speak to this item? Let the record show no one came forward. With that, committee, that is Item One. That was for information only.

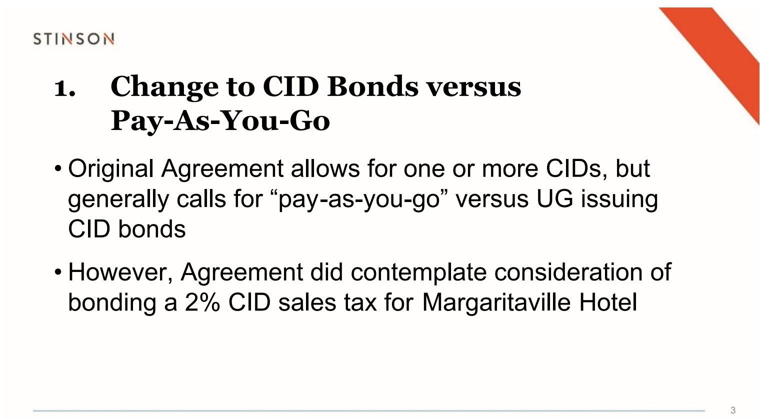
**Action:** For information only.

**Item No. 2 – 212433…APPROVAL: FIRST AMENDMENT TO ASSIGNMENT, ASSUMPTION, AND AMENDED AND RESTATED AGREEMENT (HOMEFILED CID)**

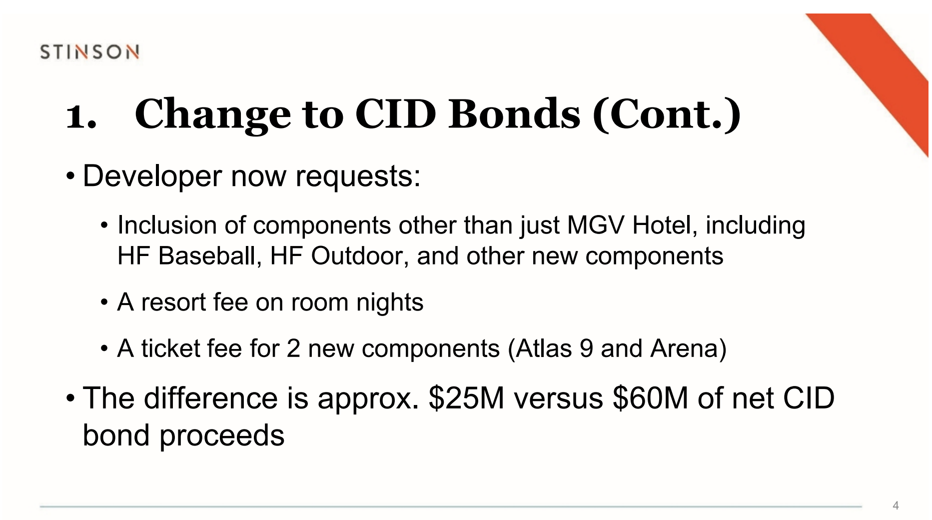
**Synopsis:** Approval of First Amendment to Assignment, Assumption, and Amended and Restated Agreement (Homefield CID), submitted by Patrick Waters, Acting Chief Legal Counsel.

**Angela Lawson, Interim Chief Counsel,** said I will pass this in its entirety to outside counsel, Todd LaSala.

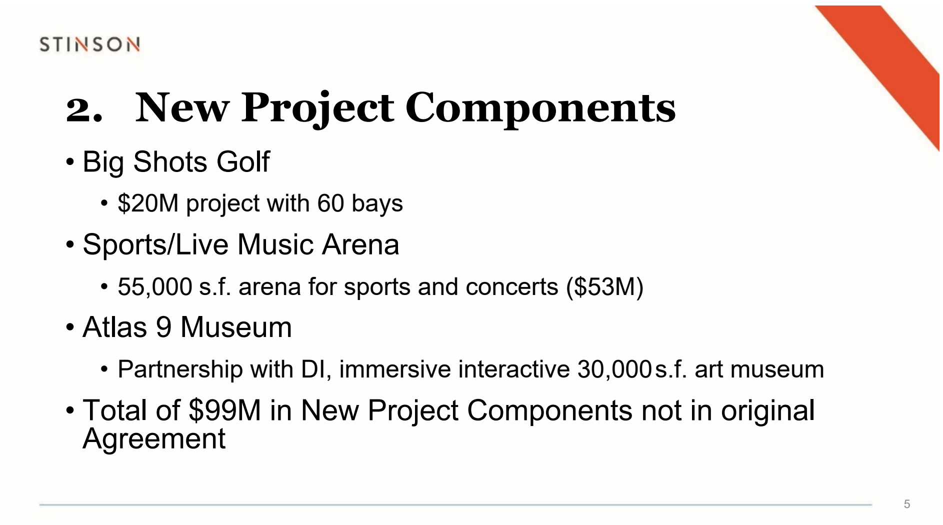
**Todd LaSala, Outside Counsel,** said we have been through this project once before. I will give you a very, very brief overview of what we did before and then we're going to go address specifically the questions from the Mayor's memo in some detail. Again, from a very high level, this amendment only does four things. Changes Pay-As-You-Go CID to a Bonded CID, it articulates new component projects that are coming in, there's changes to the Homefield Baseball component, and changes to the Industrial Revenue Bond structure.



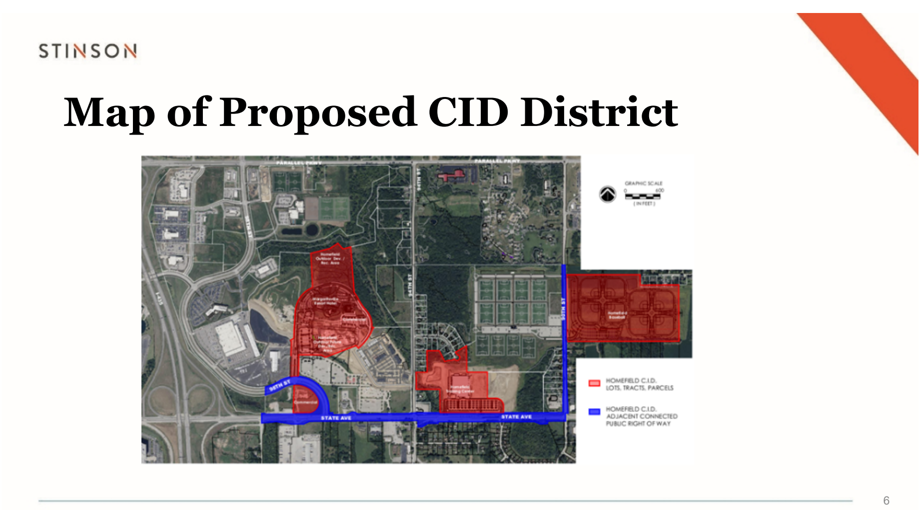

Again, the original agreement was more pay-as-you-go, really articulating the Margaritaville Hotel as the lone exception.



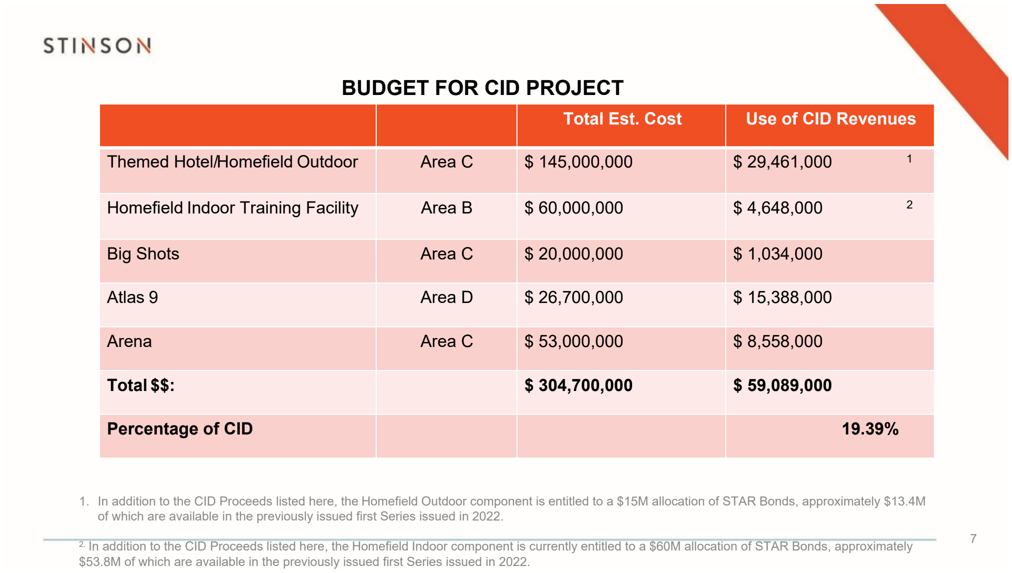
This is a larger CID that would include multiple components including resort fees on room nights for the hotels and a ticket fee for the two new components, Atlas Nine and the arena that we'll talk about.




Again, these are the new project components, Big Shots Golf $20 million project with 60 bays. Live music and multi-sport arena, 55,000 square feet, and it's $53 million project. Then the Atlas 9 Museum, which has been compared to the Meow Wolf concept. This is a partnership with Dimensional Innovations here, a great Kansas City company and our developer, it's a 30,000 foot art museum. That's a total of $99 million of new component projects that would be included in this first amendment, if you were to approve.




That shows the CID District as contemplated.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BUDGET FOR CID PROJECT

| | | Total Est. Cost | Use of CID Revenues |
|---|---|---|---|
| Themed Hotel/Homefield Outdoor | Area C | $ 145,000,000 | $ 29,461,000 [1] |
| Homefield Indoor Training Facility | Area B | $ 60,000,000 | $ 4,648,000 [2] |
| Big Shots | Area C | $ 20,000,000 | $ 1,034,000 |
| Atlas 9 | Area D | $ 26,700,000 | $ 15,388,000 |
| Arena | Area C | $ 53,000,000 | $ 8,558,000 |
| **Total $$:** | | **$ 304,700,000** | **$ 59,089,000** |
| **Percentage of CID** | | | **19.39%** |

1. In addition to the CID Proceeds listed here, the Homefield Outdoor component is entitled to a $15M allocation of STAR Bonds, approximately $13.4M of which are available in the previously issued first Series issued in 2022.

[2] In addition to the CID Proceeds listed here, the Homefield Indoor component is currently entitled to a $60M allocation of STAR Bonds, approximately $53.8M of which are available in the previously issued first Series issued in 2022.

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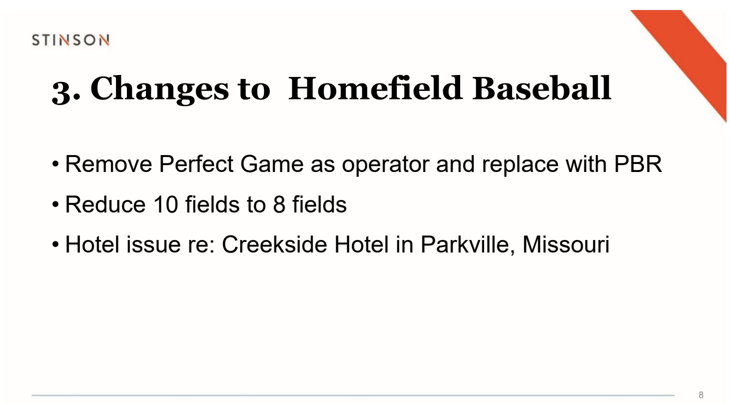
There is the budget for the CID, including use of $60 million of CID bond revenue if we're able to achieve that in the marketplace.




The changes to Baseball that we talked about last time, essentially we're going from ten ballfields down to eight and we are changing our operator from Perfect Game to PBR. There was one issue we highlighted about a hotel in Parkville. It's a little bit of a limitation on the promotion of room nights, but that is articulated in the amendment as well.

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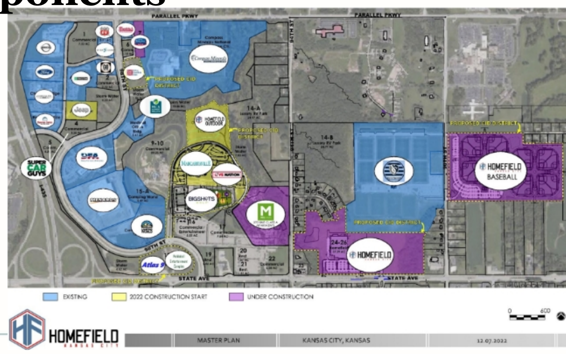
## Map of Baseball/Other Project Components

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## 4. IRB Financing

- Our Agreement Contemplates Certainty IRBs in your discretion
- Reduction for baseball (20%)
- New Agreement re: MGV Hotel
  - $800,000 PILOT, increasing annually up to $876,589 (1%) increases)

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Then IRB financing changes here. Really it's about—we had previously agreed to IRB financing for Baseball, because we're reducing by two fields were doing a commensurate 20% reduction. Part of this that's new is the agreement about Margaritaville Hotel and Homefield Outdoor, these are agreed upon PILOT payments that I will show you specifically.

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### Homefield/MGV Hotel PILOT Schedule

| | Homefield Building | Homefield Baseball | Homefield Outdoor/Themed Hotel |
|---|---|---|---|
| Year 1** | $ 241,253 | $ 85,362 | $ 801,500 |
| Year 2 | $ 243,666 | $ 86,216 | $ 809,515 |
| Year 3 | $ 246,102 | $ 87,078 | $ 817,610 |
| Year 4 | $ 248,563 | $ 87,949 | $ 825,786 |
| Year 5 | $ 251,049 | $ 88,828 | $ 834,044 |
| Year 6 | $ 253,559 | $ 89,717 | $ 842,385 |
| Year 7 | $ 256,095 | $ 90,614 | $ 850,808 |
| Year 8 | $ 258,656 | $ 91,520 | $ 859,316 |
| Year 9 | $ 261,242 | $ 92,435 | $ 867,910 |
| Year 10 | $ 263,855 | $ 93,360 | $ 876,589 |

*Excludes capital outlay mills not subject to IRB property tax abatement.
**For Homefield Building and Homefiled Baseball, begins first calendar year after the date when IRBs are issues for either Homefield Building or Homefield Baseball [See Section 4.12(b)()].

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Nothing has changed here about the Homefield building whatsoever. This was previously agreed to last year and is not changing. The Homefield Baseball numbers that you see there, that's a PILOT payment, those are 20% less than the numbers that we agreed to last summer. Then the PILOT payments for the Outdoor and themed hotel are really the only brand-new component of the PILOT. Again, just to stop, pause, and say this, I'll hit this again when we get to the memo. The way these industrial revenue bonds work is they're not—it’s not 100% tax abatement, okay? As a technical matter, doing industrial revenue bonds does remove the property from tax rolls, but what we do is use the Payment In Lieu Of Tax, the PILOT, to right size either an abatement or in this case what we're really after are certainty IRBs where theoretically we're after 100% PILOTs to articulate and be identical to what we think the property taxes should be, but what it does is provide certainty to the developer for the 10-year life of these fairly unique assets. We'll touch on this some more, but I want to pause here for a minute.

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## Conclusions from Cost/Benefit Analysis

Margaritaville

| Taxing Entity | Benefit to Cost Ratio | Average Return on Investment |
|---|---|---|
| City of Kansas City | 1.61 | 6% |
| Wyandotte County | 2.82 | 18% |
| Kansas City USD 500 | 14.80 | 138% |
| KC Community College | 11.59 | 106% |
| State of Kansas | 1.94 | 9% |

Homefield Baseball

| Taxing Entity | Benefit to Cost Ratio | Average Return on Investment |
|---|---|---|
| City of Kansas City | 8.54 | 75% |
| Wyandotte County | 4.16 | 32% |
| Kansas City USD 500 | 11.03 | 100% |
| KC Community College | 5.21 | 42% |
| State of Kansas | 2.82 | 18% |

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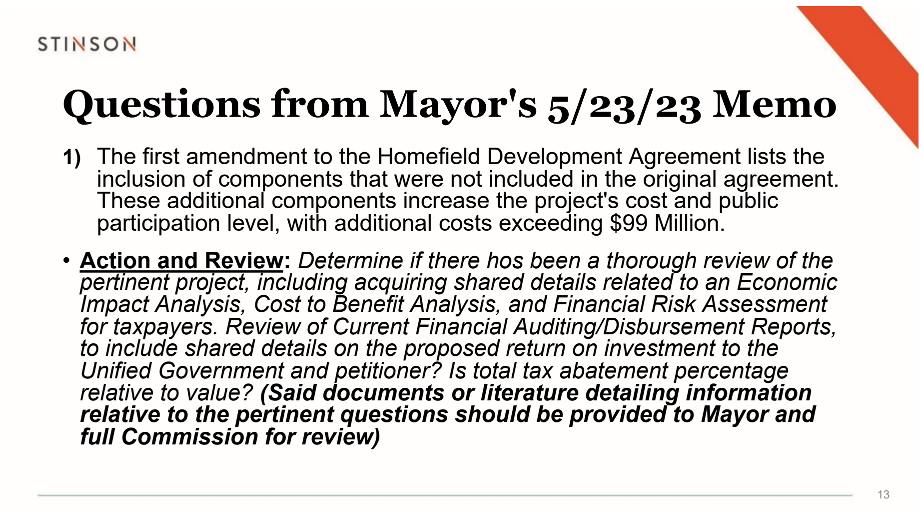
Also, this slide was not in the presentation you saw last time. We talked very briefly about the cost-benefit analysis that unfortunately landed, really, just before the last committee meeting. What these show you are the cost to benefit ratio for the various taxing jurisdictions and the average return on investment for the city, the county, the school districts, and the community college. So we generally look at these thinking 1.3 cost benefit ratio is pretty good. Every single number on here is higher than that and, in some cases, well above. So this you could look at and decide is a very healthy cost benefit ratio for the industrial revenue bonds.



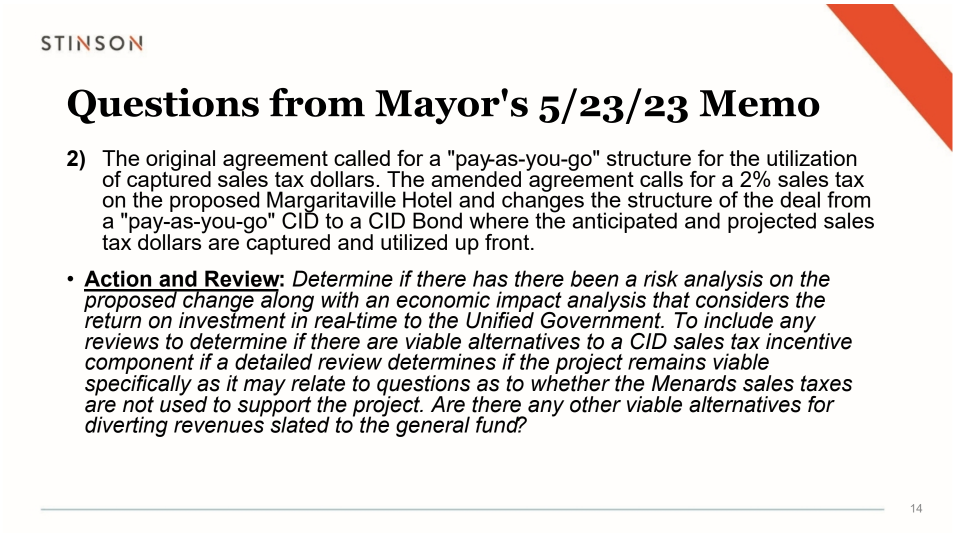

Without further ado, I really do want to take each question in the Mayor's memo and put it up here on the screen and talk through these things in some length. The first of these is about the Homefield Development Agreement. It says it lists the inclusion of components that were not included in the original agreement and these additional components increase the project cost and public participation level with additional costs exceeding $99 million. Again, the $99 million cost is really capital investment for those new projects. His action and review item is to determine if there's been a thorough enough review of the pertinent project including any details from economic impact analysis, cost to benefit, risk assessment to taxpayers, look at current auditing/disbursement reports include details on the proposed return on investment to the Unified Government and petitioner. Is the total tax abatement percentage relative to value?

Here's what I would say about this, if we're talking about—if this question is about the Homefield components we previously agreed to, then the answer to that question is really right here. This is the CBA for all of those components including Margaritaville and it really articulates those percentages and these numbers. The answer to this question is, yes, there has been analysis about it, and yes, it is positive. There's also a CBA on the other components. So if we’re talking about what was already there, that has been analyzed and you have some hard data from a third-party consultant about those things.

If by contrast, we're talking about the new components, the $99 million, that is Atlas 9, Live Nation Arena, and those other components, well, there has not been a cost-benefit analysis run about those things. However, what I will tell you about them is that for each of those, right now we're only considering Community Improvement District, CID. CID by its nature is additive, it is not an abatement of any tax that you already have. It is not a pledge, as is the case with TIF or some other things. It’s not a pledge of revenue you otherwise get if the project comes and you don't give the incentive, it is purely an addition. It's an additional sales tax and it's an additional special assessment. So what is the cost of that? Well, zero, right? It's not anything new. If you ran a cost-benefit analysis, that would be the cost as compared to the jobs, and the capital investment, and so forth. Now, I'm not saying it'll be zero costs, right, there would be a bunch of new jobs. You have additional Police, Fire, and students in schools. That's clearly true. If you ran a detailed cost-benefit analysis when you're only talking about CID, it'll come back overwhelmingly positive.

The only thing I'll say about this, and I’ll ask Mr. Petersen and Mr. Napper if there’s anything they want to contribute, there's an additional benefit to the UG that wouldn't show up in cost-benefit analysis, and that is that these new projects are going to come and sit in project areas for our STAR bonds, and the bonds weren't issued with these projects contemplated. So they will contribute to those existing bonds, make those bonds more secure, more successful, and we sincerely hope pay out faster. I'll pause there and ask Mr. Petersen if he has anything he wants to add.

**Curt Petersen, Polsinelli,** said alright, I'll say just, really Todd, is I get fired up because I know the reality, you know the reality, what I call the ripple effects. So just on that last point, you put these huge users in with all their visitation and out-of-state and tourism, and you feed all the restaurants and the hotels in the area, I think that's huge. By the way, a lot of times cost-benefit analyses don't even—cause it’s a ripple, they have to stop somewhere, and they don't even take into account, so I just—I'm putting a point on that matter.




**Mr. LaSala** said the next one really talked about changing from pay-as-you-go to a bonded structure. His action review item is to determine if there's been risk analysis on the proposed change with an economic, impact analysis that covers return on investment real-time to the UG, include any reviews or whether they're viable alternatives to a CID sales tax incentive component. If a detailed review determines if the project remains viable specifically as it may relate to questions on whether the Menards' sales taxes are not used to support the project, are there other viable alternatives for diverting revenues slated to the General Fund.

A couple of things here. One, the committee will remember, we did have a pretty robust discussion about the risks related to this. Commissioner Townsend, I specifically remember you asking probing questions about this. We did speak to those risks, they're reputational, we talked about risks related to bond ratings, we talked about the money going out the door versus pay-as-you-go where you're managing it over time. So we did have that discussion in some detail. We also said that, and I'll just reiterate, if you go forward and decide to go bonded CID versus pay-as-you-go, we have a lot of structuring to do and there are things we can do, and will do, and intend to do in the way we structure those bonds to mitigate the risks that we're talking about.

The final thing I'll say about this is when it comes to the Menards' revenue, I'm not sure that that's a huge factor in what we're doing right now. The Menards' revenue would not be included in the CID. The CID is not drawn to include Menards. Those revenues, we did pledge—the sales taxes from Menards were previously pledged to STAR bonds that were issued last year. In fairness, there's just no way to get that pledge back. Bondholders bought those bonds reliance on those Menards' revenues. They are spoken for. I'm not sure it has an impact on what we're doing tonight, but I did want to speak to that and make sure that it's clear that those revenues are fully pledged already.

Other viable alternatives to diverting sales from General Fund, again, these are really not General Fund revenues, they're additive additional. I think really the alternative before you tonight is bonded or pay-as-you-go, it's a little bit binary in that way.

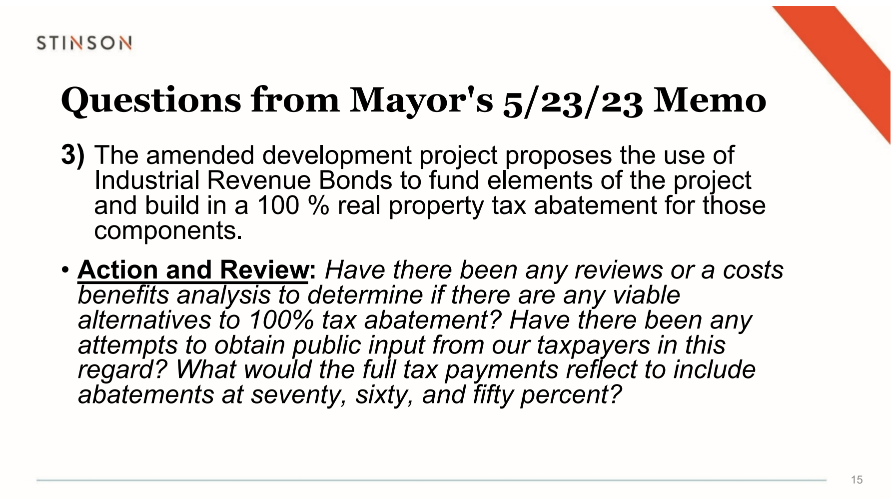
Mr. Petersen, Mr. Napper, any questions?

**Chairman Burroughs** said I have one if they do not on the 2% CIDs for Margaritaville, I mean I hear Margaritaville yet in the presentation, I think I talked to Richard about this, we keep hearing themed hotel, Homefield themed hotel, and not Margaritaville. We get different documents, part of it mentions Margaritaville, part of it mentions Homefield themed hotel. I just want to make sure that the public is not confused that it is a Margaritaville Hotel and that the cost of that hotel is the $150 million, I believe, that's been proposed, I'm trying to go back and review this, but am I accurate in that statement. **Mr. Napper** said 100%.

**Chairman Burroughs** said the only other question I would have is, this something that I don't ever recall us ever doing, issuing CIDs in advance for property tax or sales tax to be used for a development by a developer. **Mr. LaSala** said we have done it before. **Chairman Burroughs** said can you tell me which project, Todd? **Mr. LaSala** said yes, there's a shopping center—I know we have done this—well we did this at Legends on the West Lawn project, and I know there were CID revenues that we bonded there. There's also a shopping center project that is escaping me right now that we did with Red Development where we did issue bonds. I can think of at least two examples where we have done this before. You're right, Commissioner. It is not our standard we don't do it a lot, but we have.

**Chairman Burroughs** said do we know how much money we're talking about on that CID? Is there a number associated to it for our information? **Mr. LaSala** said yeah, if it all goes the way the developer hopes, we're talking about $59 million, almost $60 million. **Chairman Burroughs** said on that 2% CID? **Mr. LaSala** said it's multiple components. In fact, I can break it down for you. The CID, the 2%, the sales tax component would yield about $25.7 million. That's the 2% sales tax portion of this. The other $33.3 million would really come from the resort fee charged at the Margaritaville Hotel and the ticket fee that would be charged at the arena and Atlas

9. **Chairman Burroughs** said we have three moving targets that the bond buyers, basically on the CIDs, will have to be—really, five. Sales tax, resort fee, the ticket fee for the arena, the museum, and baseball component. Is that part of it? **Mr. LaSala** said baseball is included. It would just be sales, I think this is correct, just sales tax on sales within the baseball part of the project. **Chairman Burroughs** said just to be accurate, we're not getting any more Menards' sales tax to any new incentive STAR bond projects? **Mr. LaSala** said no, we are not.




**Mr. LaSala** said okay, number three, the amended project proposes the use of IRBs to fund elements of the project and build in a 100% real property tax abatement for those components. Have there been any reviews or a cost-benefit analysis to determine that if there are viable alternatives to a 100% tax abatement? Has there been any attempt to obtain public input? What would the full tax payments reflect to include abatements at 70, 60, and 50%? This is probably my fault, maybe the way that I've described this either in executive summaries or here at this meeting, but I think the premise here is just a little off. As a technical matter, the way the vehicle works is that you use industrial revenue bonds to take the property all the way off the rolls. Is the property tax 100% abated from that perspective? On a technical matter, yes, but what we always do with these is we come back in with a Payment-In-Lieu-Of-Tax, a PILOT, to right-size the abatement. In a world where the UG is trying to give a 50% abatement, well, yes the property comes all the way off the rolls, but the way you yield a 50% abatement is you have the developer pay a 50% PILOT. Similarly, if you were trying to give 25% abatement. Yes, you take it all the way off the rolls, but then you have the developer pay a 75% PILOT and that yields your 25%. So, to be very clear, this is not 100% tax abatement we're after here. In fact, to the contrary, we're really trying to have PILOTs that represent 100% of the property tax that we anticipate. We're just agreeing in advance what that number should be. It is a pre-agreed to Certainty Industrial Revenue Bond where we are agreeing—these components are all unusual and so the developer really has a strong desire to have certainty about what those property taxes look like for ten years. It is not intended to be an abatement at all, but rather an agreement about what property taxes look like on these three components for the next ten years. Guys, I'll pause there and let you chime in.

**Chairman Burroughs** said well, the only comment I would make, in most STAR bond projects that I've worked on, there are not property tax breaks along the brick and mortar is taxed at going rate for the community because they're foregoing the sales tax for the infrastructure investment, as is the state. I want to go back, if I remember from the last meeting there was a 20% reduction because we took two fields off of the development and there was 20% reduction in the Homefield PILOT schedule if I remember. **Mr. LaSala** said that's right, for baseball, that's exactly right. **Chairman Burroughs** said and that's for the base—okay. We're on the hotel, I apologize. I'll wait until—**Mr. LaSala** said it's all there, Commissioner. You have the hotel in the far column, the column in the middle is the revised baseball numbers which are smaller now than they were. **Chairman Burroughs** said so even though it's going to cost us more to build the stadiums we've reduced the PILOT by 20%? I mean is that what I'm to understand? **Mr. LaSala** said no, I think that what's going on here is we're building two less baseball fields than we started with and so we reduced the PILOT to right size it to eight fields instead of ten. **Chairman Burroughs** said that's the simplistic way, okay. Eight fields are going to cost me the same amount of money as ten. Why would I want to lower the PILOT—**Mr. LaSala** said you're asking is the overall cost of constructing those fields in the first place, is it the same? I'd have to defer to Mr. Napper. **Mr. Napper** said it is not. The cost is less for the eight fields than it would be for the ten. **Chairman Burroughs** said is it a 20% reduction? Is it a fair, straight across the board reduction? **Mr. Napper** said extremely close. Whether you have eight or you have ten, you do have some cost buried such as the concession stands and things like that, but I can’t tell you if it’s an exact 20%, but again, eight fields cost significantly less than ten fields.

**Chairman Burroughs** said sure. Well, and I remember the presentation that you're going from eight to ten, we were going to do a 20% reduction, is after we left with some discussion, if the eight fields are still going to cost as much as ten why would we lower and take a 20% cut in the PILOT when we're already giving quote, a property tax break in a STAR bonds district, which it’s really a novel idea, but well—**Mr. LaSala** said and we've never done it that way. **Chairman Burroughs** said that's it, we've never done it. **Mr. LaSala** said we have never done it. Like we have never, as long as I've been around these—which is a long time now. It's really been a policy issue for the UG that you're not abating the property taxes. It's the only thing you keep, right? Well, you have to give away sales taxes to do STAR bonds. Your policy direction to us has always been that we are not giving away tax abatements in STAR bond districts. What we have done in other places is agreed upfront about specific—we have specifically agreed to PILOT schedules where we approximate what we think the value should be for 10 years and give them certainty. We have done that from Milhaus in this district and other things, we have done that. But we have never given a 50% tax abatement or a 70% or a 25%. We've never done that in any of the STAR bond districts ever, and that's not what this is either.

**Chairman Burroughs** said I think there's a perception out there because in the Business Journal World they talked about 100% property tax abatement and I think that's really stirred up the community when we're talking about a STAR bonds project with great tax incentives. Then, it's been quoted that we’re giving away 100% tax abatement to the project. I'm asking these questions because I've been asked to ask these questions by members of the public and those interested in this development. I do hope that as we go along we have some clarity, some transparency here that, hopefully, will clarify some of the misinformation, if it's misinformation, but that we have a full understanding of the incentives that we're giving as a Unified Government to this project to ensure its very viability and success as we move forward.

**Mr. Petersen** said one other quick point because you made two points and I know we spent a lot of time on the one point. The other is that reduction and focusing on 20% and veering off into only talking about cost, which is I think, adequately answered, but I wanted to throw out there that when we talk about appraised values, at the end of the day the County Appraisers job is to appraise an arm's length fair market value, right. With commercial property, you can ask anybody that owns commercial property, it's all about net operating income, how much can they get in and operating that property and I can assure you, we could go into great detail, I don't think you'll probably want me to right now, but when you go from ten fields to eight fields, kind of rhetorical question, but how much do you think reduction from ten to eight is in terms of what we can generate in terms of income from those fields when it comes to leasing those fields out to our operator and the answer is about 20%. So that's really the big driver. The cost is relevant and it's real, but I wanted to put that on the record since you brought that topic up.

**Chairman Burroughs** said I can appreciate that. I just wanted to make sure when we talked about 20%, that we're going to 20% across the board. But if the project is still this much, why are we reducing our opportunity at 20% more taxes or PILOT if the cost is still the same? I just wanted to ensure that the public understood that that's not the case, if presented as you stated. **Mr. LaSala** said those are all really fair points I think.

**Commissioner Townsend** could you go back counselor to that—the PILOT, what year is year one? When will these numbers actually begin to come into the coffers of the Unified Government? As I hear the discussion about tax abatement versus PILOT, the taxes, as counselors just said, are supposed to be based on appraised value. So while these are being paid, these amounts according to these schedules, the buildings aren't even complete, correct? What is year one? What year will this begin? **Mr. LaSala** said year one will always be the year after these facilities open. We'll issue these bonds in the year that each of these components open. Your first year will be the tax year after they open. **Commissioner Townsend** said assuming this goes forward as proposed, what year would that be? What are we in '23 now? What are we talking about?

**Mr. Petersen** said I can speak to that one, Todd, because actually Mr. Wempe, UG's Bond Counsel, who's behind us here actually had correspondence from our office today about targeting. We would get ready, targeting that we would close the bonds in the autumn of this year. So that year one, to answer your question, would be 2024. Now, we always have to watch exactly kind of what Todd is saying on timing, but that should be our operating assumption right now. The latest it would ever be is doing that same thing in 2024 with 2025 the being year one, but you should assume and it's highly probable that year one will become 2024. **Commissioner Townsend** said and that's across the board for each of those projects? **Mr. Petersen** said that is actually only for Homefield building and Homefield Baseball and then because of the construction lag, I think you're tracking that the, I shouldn't call it themed hotel, you don't like that one, Margaritaville 100%. Margaritaville and Homefield Outdoor would lag that. So no, it would not be on the same timetable, but that's by design. That's how it always was.

**Commissioner Townsend** said so with Homefield Outdoor themed hotel Margaritaville, let’s just get it all, what are we looking at as year one, as a rough estimate for that? **Mr. Petersen** said most likely—I'm giving you the most likely. Most likely year one would be 2026. We would close the bonds in 2025. **Commissioner Townsend** said in '25. **Mr. Petersen** said we would close the bonds in '25, which by law that makes the first year of predictable taxes, meaning year one is 2026. **Mr. Napper** said Margaritaville will not be open until 2025. **Mr. Petersen** said we're going to kind of go with Todd's explanation, which is if we finish in ’25, we close the bonds when we finish, and then we have our year one becomes 2026 by law, that's the way the statute works.

**Commissioner Townsend** said and into UG coffers, which are those years. **Mr. Napper** said it all goes into the UG coffers, right—**Commissioner Townsend** said what year then? We're closing the bonds, what are you saying? **Mr. Petersen** said year one 2026, would mean half would be owed by December 20th of 2026, so depending on how fast it trickles down into the account, it'd be at the end of ‘26.

**Chairman Burroughs** said I believe if my math serves me correctly, I think we're looking at about $10,788,341 totaled over the 10-year period that we'll take in in revenue. That's roughly right around a million a year once all these three components are built. Todd, before we move on to the next question, what happens if one of these developments does not come to fruition? Hypothetically, Margaritaville. I know as we looked through the contract, we talked about the arena as well as the music facility, which is the arena, the museum, and the golf, what happens if one of those three items pull out? I know that are not part of the CID at this time, but I know the contract also says you may be coming back on that. Can you help us, where does this play in if one of these items doesn't move forward?

**Mr. LaSala** said yeah, they'd be in default. We would have—our development agreement will require those components to be delivered and on a schedule and if they don't, they're in default. Now for places where we've issued bonds, you can't get the bond money back, but we won't do anything further. These guys have a lot at stake in future phases for STAR bonds and CID bonds, there's a lot in the future that they want that they would lose the opportunity. Frankly, if we're in default, and we're no longer happy with this PILOT schedule, we can unravel this too. So they'd be in default and we would start exercising remedies. **Chairman Burroughs** said do we have the opportunity—they're requesting an amendment to the contract. **Mr. LaSala** said yes. **Chairman**

**Burroughs** said do we have an opportunity, moving forward, to amend the contract as the UG? **Mr. LaSala** said with their consent and agreement, any amendment to the contract both parties have to agree to. **Chairman Burroughs** said just making that public so that the people are hearing this. I appreciate that. Any other questions?

**David Haley, BPU Board Member,** said I guess some of the questions that you've covered, certainly far more astutely than I. This is not in my realm, whatsoever, but there are some people who are very concerned about the shift who reached out to me and asked me to be, as always, someone who asked the questions. Is there someplace where the original— what the original request was by Homefield? What was the original—wondering what the original was in this chart and then what the second update was. I'm trying to get an idea of where our current total is on the project and where it came from, what it started from. Would that be reflected in any of your slides or any of the presentations? **Mr. LaSala** said are you asking about the original deal on CID or the original deal on these industrial revenue bond PILOTs? **Mr. Haley** said on either or both. What I'm trying to find or what I want to weigh in is, what the variance has been from where we began with Tom. I was involved way back with Schlitterbahn, when Schlitterbahn just went in with the STAR bonds and how that was very interesting, and so I'm just wondering if there was, on either one or both.

**Mr. LaSala** said so for CID, the original deal really talked about pay-as-you-go CID. It always contemplated that we'd be likely to have Community Improvement Districts out here, one or more of them. The development agreement expressed a preference for pay-as-you-go versus bonding. The one exception to that was the developer always from the beginning said we think we're going to need CID for the hotel, always. At the time, they were talking about a 2% CID for the hotel. That's the same. What's different is that in addition to the 2% for the hotel, they also want to add a resort fee that wasn't contemplated before. It's also for the hotel, but it was the resort fee component, $30 a night, that special assessment is new. The other things that were not contemplated were, including in the CID, Homefield Baseball, Homefield Outdoor, and these other new components. The other new components weren't contemplated at all, right, so Big Shots, nobody was thinking about Big Shots at the time, but those are now included in the 2% sales tax CID. So the difference between Margaritaville—or the original CID as contemplated versus what's on the board now is the difference between $25 million and approximately $60 million.

**Mr. Petersen** said if I can put a cherry on top, you gave the whole picture, but then we ended by focusing on one part of it, which was the question of the numbers, but I want to say along with that, while we anticipated a 2% for the hotel—and I will say for Margaritaville it also said, more or less, and don't be surprised if we come and ask for bonds for the Margaritaville. This was always—it's a tough, tough asset to finance. What I wanted to end with was when we came back with the expanding the CID, we came back with over $100 million of additional projects. It wasn't just, hey now we want to expand the CID, it's, what do you guys think about expanding the CID, but also adding a Big Shots, which is owned by Club Corp, massive, multibillion dollar, private equity that all across the country they wanted these. We're one of only, what, three or four, Richard, that're going to get it. We beat out dozens of other cities across the country. So we nab that, we nab the arena, it's the only deal with Live Nation. Then, the Atlas 9, this cutting edge sort of experiential hotel—not hotel, museum. I just wanted to say it's true that we came back and said let's rethink and expand the CID, but we also said, but let's not do in a vacuum, let's talk about these huge expansions for making investment in the county. I just wanted to make that clear.

**Mr. Haley** said certainly I appreciate that, and I appreciate the explanation that you shared earlier, these are all drivers that—their destination driven, that this is where the revenue comes from, from those who are coming to that and disaffect anyone who's not actually coming to pay the additional room tax, a resort fee, or to pay those. They are by those who opt to do that. The concerns that I have been expressed is what the current total is that has us or that leaves those who are supplementing or going without—usually it's probably going to be that go without the property tax where that is. But where is the—with the current total on the project, how much of that, I think, takes revenue from the tax base or is supplemented by the tax base? These are the concerns for those that have called and ask what is the current project total? What they're really asking is, what can be the anticipated cost, I guess, or the drivers from those that are taxpayer supported?

**Mr. Petersen** said Todd, if I can jump in, just one metric because there's a lot of ways it's like a diamond, there's a lot of facets here. Here's one that sticks in my mind, piggybacking off what Mr. LaSala said earlier about the CID fees and the CID sales tax are additive, right, they don't cost—they otherwise aren't coming to the UG, they're just additive, put on just these components of the project. By comparison, this was a number I threw out at the last EDF, y'all were there so this is going to be repetitive, but at the same time I think it's really important because like you're saying, constituents want to know where's the bang for the buck, so this additive CID fees, sales tax, and the bonds that would go along with it, we're talking about just for—and this is I've shared this with—I've shared this math, this is an approximation but close, just by taking—we're talking property taxes now, what gets back to the taxpayers. Homefield Baseball, we had the slide up there that had the three columns that Mr. Burroughs was focusing on, Homefield Baseball, Homefield training facility, Homefield Outdoor Margaritaville, all which will be known, this is not an estimate, we know what those amounts will be. Then you add in, this is the nerdy part, but it's real money, 8 mils, that's not captured there that still has to be paid on top of all that. That's another about 5% or something like that. Then I'm going to add one more thing in, which is Big Shots. We don't know exactly what Big Shots will go on the books for, but there's also not a predictable PILOT, it's going to be what the Appraiser's Office puts it on the books for. We went and looked at Johnson County at Top Golf and borrowed that. You put all that together. When all that's open, we're talking approximately $1.5 million annually of property tax. I'm not counting all the stuff that Homefields already brought, I'm not counting the arena, I'm not counting the museum, I'm not counting all the other things that are coming down the pike they'll be built out there, just those alone, about a million and a half dollars a year against a CID sales tax and fee that doesn't affect the UG residents in terms of the coffers here at the UG. It's an opinion, but pretty good value proposition I think for taxpayers.

**Mr. Napper** said I'd like to make one point, you were asking about where we were and where we are, at one point I think needs to be clarified or brought back to attention. The current development agreement budget has the Margaritaville Hotel at a cost of $85 million. I will be lucky if we build that for $150 million. The amount of private investment that the ownership group continues to put into this project, and I landed from New York at one o'clock in the morning, this morning, from dinner with our lender and the investment we continue to pour into this project, very exposed, is substantial. So again, when you look, at your question was where are we today, what are we asking for, I think these gentlemen have explained that, but I do want to point out that where we were was an $85 million hotel. Inflation and time has taken its toll on us and that, again, if I can pull it off at $150 million, I feel very lucky. So we are making substantial private assessments in this project.

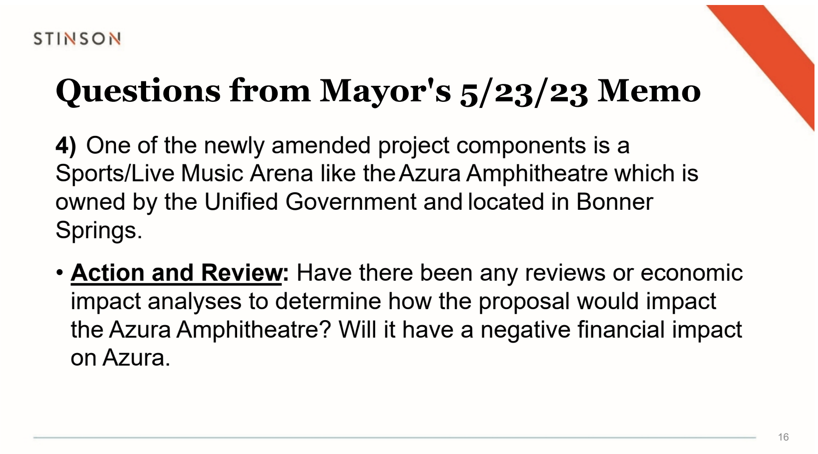
**Mr. LaSala** said the only other thing that we didn't hit that I'll touch for you as well, all that was CID. When it comes to industrial revenue bonds, everything in that Homefield building column, I have the old agreements in front of me here. That column that starts with $241,000 in year one for the Homefield building and ends at 263, it's identical to the agreement from last year. So, zero change there, exactly the same. Homefield Baseball, the number in last year's agreement, what would be the change, in year one, it was $106,703, so about $20,000 less. Again, 20% less in each of these columns. The number in the last year of Homefield Baseball in the original agreement was $116,699. So, it's the 20% reduction throughout that column. Then the only other piece, Homefield, that's on this sheet for IRBs, Margaritaville Hotel and Outdoor, we didn't have an agreement on that when the original agreement was done. It was contemplated, but it wasn't here. This piece of it is new and you're seeing it for the first time, but that really articulates what the changes are from where we were to where we are now on the schedule. I hope that helps.

**Mr. Haley** said it does a bit and I appreciate throwing this up as a review. Wasn't there something about a museum at one point? Wasn't there some museum in this, I haven't seen that listed. Was that something—**Mr. LaSala** said are you talking about Atlas 9, the new project that they're bringing, the Dimensional Innovations, Atlas 9 Museum? **Mr. Haley** said there was some sort of museum. I don't know, I thought that there was some kind of museum piece that was in it. So at any rate, I do probably have another question, but I have to formulate it. Thank you so much at this point.

**Chairman Burroughs** said Mr. Napper, how many rooms will the Margaritaville have? **Mr. Napper** said 229. It could be demised into additional rooms, but because of the suite count that Margaritaville would like to have, we're at 229. **Chairman Burroughs** said we're talking $3,500 a door basically, for the PILOT, if my math serves me correctly. **Mr. LaSala** said I think that's close, right? I think you're right. **Chairman Burroughs** said I'm just kind of trying to see if that was in line with what the other PILOTs have been for developments that have gone in for a PILOT. Just want to ensure that we're trying to be as uniform as we can. I mean, I'm pleased to see we have developers here that I know there's going to be some listening too. As they come forward, I just want to ensure that our policies and procedures are uniform as we move down the line. So, committee, are there any other questions for item number three or question number three? Is that was that number three, Todd? **Mr. LaSala** said it was number three, we have two more to go.

**Chairman Burroughs** said well, you asked about the music arena. STAR bonds talks about competition, creating competition by, I know we can't relocate one business into a STAR bonds district that's not in a STAR bonds district within a certain amount of miles. So we have a proposed music venue that's going to go in, we have a proposed music venue called the Azura Theater.

**Mr. LaSala** said yeah, that exactly fits perfectly into question number four from the Mayor's memo.

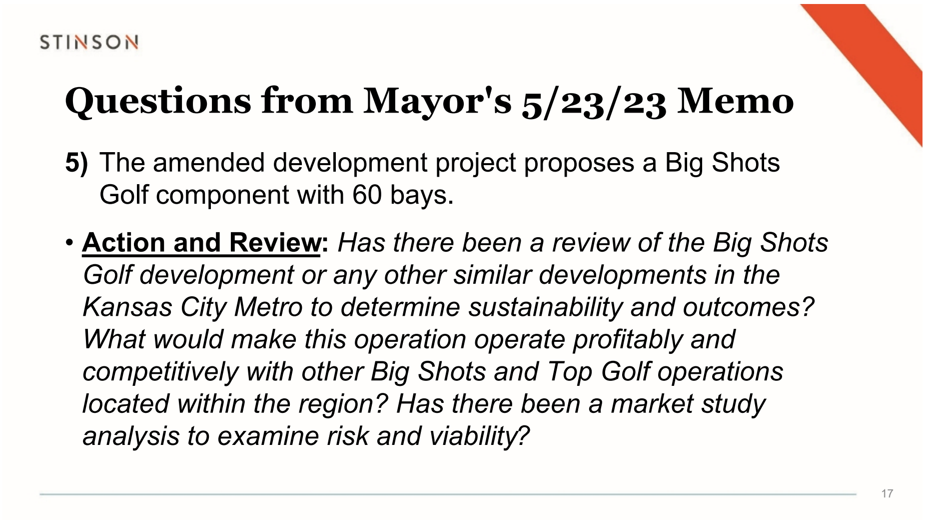



One of the newly amended project components is a sports live music arena, like the Azura Amphitheater, which is owned by the Unified Government and located in Bonner Springs. Have there been any reviews or economic impact analysis to determine how the proposal would impact Azura? Will it have a negative financial impact on Azura?

I'll say two quick things and then turn this over to the developer, well, three. One, there has not yet been any economic impact analysis or feasibility analysis regarding competition with Azura. There are three interesting and I think important distinguishing factors between this and Azura. One is that, Azura is an outdoor venue, whereas this arena is contemplated to be an indoor venue. Secondly, Azura's capacity is over 18,000 people. Now there are seats, but there's also the hill and so their advertised capacity is over 18,000 people, this arena is capacity is about 3,500 people. They're pretty different sizes. Then the only other thing I'll say here is that Live Nation is a big promoter within this industry. They like AEG and some others have relationships with artists that are going to go out on tour of the United States in any given concert season. There's information that's publicly available about those relationships. There are a lot of them for a company like Live Nation and those artists are typically going to play Live Nation's venues when they come to a market. If Live Nation does not wind up in Wyandotte County and goes to another area, those artists that have that connection with Live Nations are not going to appear here at Azura, they're going to appear at wherever the Live Nation's arena is. When it comes to the question about economic impact analysis, I do appreciate that question. The truth is we have to do some economic study when we go issue these bonds about revenues, what will the impact be, and so forth. That sort of feasibility analysis and revenue projections here will be available in the bonding process, we just haven't done anything like that yet.

**Mr. Petersen** said Chairman, I also don't want to downplay that this is a sports venue too. This is a very real part of it. Sometimes we get tied into talking about Live Nation and the amazing content that they'll bring that otherwise just skips, frankly, our area because they control the access that Todd was talking about. But we have great plans for the ability to use this venue for multiple different types of sports and it's great that Homefield is the developer because how perfect given the sports content that they have, that they can bring. Even e-gaming, which some people turn their nose up at and you can turn, it's a subjective thing. But it is a multi, multibillion dollar global industry. The esports are also another area that we're looking at really having be a part of this facility. Frankly, I don't think I'm going out on a limb in terms of conversations with an operator. The operators are coming with an arena to the Kansas City area, I just hope it's in Wyandotte County. I mean, when you see us get all excited and start waving our arms around about the arena, we see that it's coming and we really, really want the economic activity, and back to those ripple effects that it would have here in this part of the state's best tourist destination. So that's why we get really excited about it.

**Chairman Burroughs** said I appreciate that. It's something we should be concerned about if we're going to impact another business already in our community by giving tax dollars to a private enterprise versus a facility that we have ownership in also. We have Memorial Hall here also, which is an indoor music venue. It's got a great history, it's not utilized like it used to be years ago. It's gotten a little outdated, I guess I should say, but if I remember in the previous presentation, this arena design can be both indoor and outdoor. I think you talked to possibly two stages. **Mr. Napper** said at one point, they have looked at having the back of the building open up to the Margaritaville pool, it no longer does that. It's a 100% indoor arena. **Chairman Burroughs** said Wow. Okay, I thought that was—alright. Well, thank you for that. Committee, any other questions? Okay, please continue.




**Mr. LaSala** said we have one more. The Amended Development Agreement project proposes a Big Shots Golf with 60 bays. Has there been review of the Big Shots Golf development or other similar developments in the metro to determine sustainability and outcomes? What would make this operation operate profitably and competitively with other Big Shots and Top Golf operations located in the region? Has there been a market study analysis to determine risk and viability?

This is another one where we have not done our revenue study yet. If the committee and ultimately the Commission vote to go down a bonding path, we are required to go commission a third-party study that would study revenue and competition in the market. Anecdotally, what I can tell you is we have done a bunch of diligence about Big Shots and similar concepts. What Mr. Petersen said earlier is right, there are four new Big Shots Golf operations that are slated to open in 2024. We are one of only four. The others are in Dallas, Panama City Beach, and Pooler, Georgia. The nearest one to Kansas City is in Springfield, Missouri. We've looked at Top Golf, which is probably the best in class in this industry at the moment. They have a lot more stores than Big Shots currently. The average Top Golf does about $17 million in sales revenue annually. We've looked at other competitors, not so much in our marketplace, but out there. They do numbers that are similar, not quite as good as Top Golf. This one is projected to do better than $10 million in revenue here in Kansas City, Kansas. So, we have been doing some diligence about it, but what I would tell you is there would be much deeper third-party professional analysis about revenue and the impacts it would have as it relates to Top Golf and other similar golf entertainment concepts in our market. Gentlemen?

**Mr. Napper** said if I could, I think we hit on this when we were last in front of you three weeks ago. Big Shots is on by Club Corp, the largest owner of golf courses in the country. They also own the Nicklaus Golf Club in Overland Park and they own the National Golf Club in Parkville. Club Corp, in turn, is owned by Apollo, one of the largest private equity firms in the entire world. When it comes to having a user or tenant that has financial wherewithal, we're pretty comfortable with who they are. Although there may be more Top Golf facilities in the country, when you look at the map of the United States and look at the dots, which were in our presentation three weeks ago, of everywhere, where Club Corp has a golf or related facility in the country, the map is pretty speckled full of Club Corp related golf facilities in the entire country. So they're a major player.

**Mr. LaSala** said Mr. Chairman, the only other thing that I would say as we close is, there are three agenda items related to this tonight. The first is about the amendment of the development agreement. If you were to choose to approve that and send that to Commission tonight, you could fast track that to the June 8th Commission, I think that is the developer's request. When it comes to the other two items that follow, those would both be resolutions of intent related to the industrial revenue bonds. Those really cannot be fast tracked because of our notice requirements. In order to send those back to Commission, we really have to publish notices again. That one, you couldn't hear at full commission on the 8th, we'd have to push that to June 29th. So just some logistics about the action items that follow. Those are the dates and procedural steps related to those. **Chairman Burroughs** said so just to be clear, I haven't been asked to fast track anything yet this evening, but you're telling me if we were to pass this Item Two, it would come up this Thursday night? **Mr. LaSala** said that's correct. That will be the development. I'm sorry if I'm the person telling you that, the developer would be happy to tell you why that's of paramount importance to them and their timing about the bond issue, but there will be a request for fast tracking, I know that. **Mr. Napper** said we would request fast tracking if you would choose to approve this this evening.

**Chairman Burroughs** said I guess bottom line is we’re at this item number one, which is to agree to the CIDs, the amended—redoing the pay-as-you-go, the 2% CID, the 20% reduction from ten fields to eight. Just to be transparent and go back, we're talking about 10.788341 in property taxes during the ten-year cycle, that's in lieu, that's the PILOT. That's not the BPU PILOT. I really want the public to know that that is not the BPU PILOT that we're talking about. I really wish our Economic Development group would come up with a different name for that. But so in that PILOT for the Margaritaville averages to be $3,500 a door, if it's 230 rooms, which I need to find out just for the public's purview to ensure that that's what we've been finding as the norm across the board on economic development projects. Maybe you know, because you received a PILOT on the construction of the apartments in the Homefield development. Do you remember what those PILOT costs were by any chance? **Mr. Napper** said we are not the developer of the apartment project. That was a land sale from us to the apartment developer. I would love to give you a number, but I have no idea.

**Chairman Burroughs** said that raises another question. Anywhere in this contract does it state that these properties can be sold onto the market within the timeframe so that these incentives don't move forward with the new owner?

**Mr. LaSala** said our development agreement does include provisions about assignment and transfer. What we do—we have agreements with the developer about assignment and transfer the things that they're involved in. I think if Big Shots, for instance, versus just a land sale goes to sell to the next person, we're not going to have an approval right over that. What we do is our development agreement in the provisions about the operation of that and complying with law, ensuring, and so forth, those carry with that sale to the next person that would buy Big Shots, for example. When it comes to the things that we have control of relative to this relationship with the developer, the answer is yes. For land sales where somebody else owns it privately, we do not have the ability to stop a transfer afterwards.

**Chairman Burroughs** said with that in mind, Big Shots is not receiving any benefit tonight. They are within the CID though, right? **Mr. LaSala** said they are within the CID and they would receive some benefit from the CID, we are not doing IRB tax abatement or—PILOT IRB for certainty. We're not doing that for Big Shots. They are the recipient of some CID revenue. **Chairman Burroughs** said I think it's important for us to know that there have been developments that have received a tremendous amount of public incentive from this community. They have been built and then sold and those benefits have gone with the new owner, and we have no relationship whatsoever. Very little comment, very little commitment from them to be engaged in this community as partners. I think the community has grown to where they would like to have some kind of guarantee that if we're going to be foregoing sales tax and property tax, that we have a commitment that we have good partners at the table that are not going to just sell a piece of ground, get the incentive, and then sell that entire package, take the cream and go home and we're left with a bill. We know that's happened and we just want to limit that happening again. **Mr. LaSala** said we understand.

**Mr. Haley** said what did you say? If it is sold, where does that go? Where will it go? **Chairman Burroughs** said David, it's very hard to understand got this thing right behind me here. **Mr. Haley** said I need my miracle ear too, Mr. Chair. So, when it is sold, where will that go, if it is? Just to answer your question again, I didn't quite get the answer to that.

**Mr. LaSala** said if you're talking about the CID proceeds. Those are going into the projects that we build. If we go in this direction, we'll sell bonds, and that money will go into the project. So, for example, Atlas 9 would receive about $15 million of CID proceeds, those would go into the development, the building of that museum, the artifacts, and so forth that create that museum, it will create that asset. If that asset is subsequently sold, it can be—and this asset is an example of one where you would have some approval rights over it because you do have a relationship with this developer. But I would say that when it comes to the CID, those monies are invested into the asset and the ground and the project, and they will go with the project when it's sold.

The IRBs I believe—I'm going to look to Kevin Wempe here, with the IRBs I believe a sale creates an event where we if, for example, Margaritaville were to sell, there will be separate assignment and transfer provisions related to that. I don't think the IRB deal that we have with the hotel will necessarily transfer without approval. I'm going to look at Mr. Wempe who does those documents for us. Mr. Wempe, your Bond Counsel, is confirming that the assignment and transfer provisions in those documents will mirror what we do in the development agreement. So there would be approval rights there.

**Mr. Haley** said I have another question, but not related to this aspect, it did come up though. We don't have anything in the agreement, Mr. Chair, there's nothing in the agreement regarding—you fully assume all your utilities. I have not seen that all, the utility costs. There's no abatement for that. I know you're looking a little confused. In the past, we've abated, we've seen abatement agreements for utilities in that part of our county, but we do have full connections, your electric, water usage? **Mr. Napper** said yes. **Mr. Haley** said I know he's looking at me like, of course, but trust me it's been a sticking point in previous agreements. **Mr. Napper** said we're open to suggestions, but we are paying the full utility costs. **Mr. LaSala** said our agreement says the opposite of that. That they're going to have their own utility with you and pay.

**Commissioner Townsend** said Counsel, is there anything in the current agreement or past, I thought we talked about this last time, that would keep Margaritaville under that brand and name for a certain amount of time? That seems to be part of the last discussion here. **Mr. LaSala** said have we have a 15-year operating covenant with Margaritaville where we know it's going to stay open for 15 years. **Commissioner Townsend** said as Margaritaville? **Mr. LaSala** said bear with me, Commissioner. I think the answer is yes, but let me make sure. Let me double back and make sure. **Commissioner Townsend** said that gets to some of the concerns that were just voiced, I thought we talked about that last time, but it doesn't hurt to bring it up again for clarity.

**Mr. Napper** said wonderful question. I will just repeat what I said earlier, it is about $150 million and so we're investing an incredible amount of money in that name, and that brand, and that flag, and we believe will be ultimately successful, but whatever the terms are in the development agreement is what the Homefield group has lived by and will live by.

**Mr. LaSala** said Commissioner, I would just say part of the reaction Commissioner Burroughs is having to themed hotel, that is the defined term we used the agreement. So I don't—I do not think we have the ability to insist on Margaritaville five years in if they want to change the theme. I do not—I mean, Mr. Nappers point is right, they're investing a lot, and they're going to have a franchise—or they're going to have a right to use that name and brand with that name. But our agreement is really about a themed hotel, so they could change the theme to something else.

**Commissioner Stites** said I was going to be relatively quiet through this, but I think that it's important to point out that, let's just say the hot new brand in 13 years from now isn't Margaritaville and it's, you name it. Whatever the new themed hotel is, we wouldn't want to say no, you can't change your name to the new, up and coming hot new thing on the market because you're tied to this name, right, but we want to make sure that it remains a themed hotel. I think it's important to point out that the ask is more, obviously, but the project's larger, right? I mean, I would quite frankly be disappointed if the ask was more and there's no other, no Atlas 9, no Big Shots, no Live

Nation, that makes absolutely no sense. The ask is more because the project has grown and I look for the project to continue to grow. The amount of money that this developer has privately put into this project is amazing and to revive an area that we all know what has happened at Schlitterbahn, that remained stagnant and stale, to have a developer to come in and invest this type of money, I appreciate it. Thank you guys very much.

**Chairman Burroughs** said I appreciate those comments. If we haven't learned anything, it's that things happen. We went through that and we had to do some creative financing to ensure that the bonds were continued to be paid moving forward because of the bonds that were issued couldn't perform. We're doing something different here, we're giving a property tax break, basically, in the STAR bonds project that hasn't been done that I'm aware of, and that's new. It's not that it's not creative, it's just that, I think that the prudent thing to do is be as transparent as we can in light of an article that came out and in light of the changes that are coming forward. I mean, new development partners coming in, I'm excited to see the project grow. At the same time, we have a fiscal responsibility here as a Unified Government to be uniform across the board with as many of these contracts as we can. To STAR bonds, I don't know how this will affect the state side and what they want to do. But hypothetically, if we give this incentive for Margaritaville and seven years down the road you choose to sell Margaritaville, that property tax, then we have a value on that hotel, that will have a market rate. So I could see where the PILOT would no longer be an acceptable form of property tax because now we have a different value that comes forward from a market commodity and that would allow us to go back and revisit what that tax structure would be. The challenge would be why would you want to sell it within 10 years and forego those additional revenues? I mean, that's not for me to answer, that would be for you in the portfolio to determine as to how you want to move forward.

**Mr. LaSala** said Chairman, I'm really sorry, I have to apologize to Commissioner Townsend and the rest of this committee. I have finally laid my hands on a piece of this that I was looking for, this is not my finest moment so I'm sorry. It does say that the themed hotel will be operated by Davidson Hotel Company Delaware Limited Liability Company operating as Margaritaville or a similar first-class operator or as another first-class brand provided that the UG will have the right to review and give prior consent and reasonable approval to any subsequent operator or brand. So I'm really sorry, I missed that the first time.

**Commissioner Burroughs** said thank you, Mr. LaSala. I am sure the commissioner and others are very appreciative. Are there any other questions or comments?

**Commissioner Stites** said I'll just make one last comment. I think that the questions that you guys were posed with from the Mayor's office, I'm glad that you guys looked into them and really put some time and effort into, what I feel, has answered them thoroughly. Todd, I think that it was a great job. I think it's important to point out that if there were questions, we want to make sure everybody's comfortable. This is a large project. It needs to make sense for everyone. I think it does. I appreciate the time and the effort that you guys have put into this and answering these questions and I look forward to seeing this project move forward. The only thing I will say is whenever you carried those books in and I said, man, look at the thickness of those books, you did tell me you knew everything in those and you had to go back. **Mr. LaSala** said I know. **Commissioner Stites** said I appreciate it. Thank you.

**Mr. Haley** said I'm going to be a pass on this. I know time is of the essence. I am grateful for the thoroughness in the review that you did bring after the questions were brought that this came back from the committee to come back. I think you handled each of them exceptionally well in the questions that were posed. I guess my lingering concern is only that there's going to be a little turn around for those that will live with the decisions on this Commission, as this will become for the full commission. There's no doubt in my mind, frankly, prophetically, that this motion when it's made will pass this evening, and it will go to the full commission, with my pass. I'm concerned about the future for the Commission that will be bound by the decision by some who will not be here to live it through. There'll be some turn around, I guess and that will be binding for those who will succeed members of the Commission. With that transition being the case, I am concerned along that particular line, even though they will be voting in full commission on this. If it's fast tracked, it may be as soon as 48 hours from now, oh, 72 hours from now.

**Commissioner McKiernan** said I just want to—and I appreciate where you're coming from Senator Haley, but I just want to make the point that we bind future Commissions with almost every decision we make, which is why we are very deliberate, very thorough, very interactive in terms of bringing all the questions and all the possible answers to the table. Having said that, I feel confident that I am going to make the decision that I believe is in the best interests of the largest number of people, which is my barometer for every decision. I understand that future Commission will be bound by our collective decision, but I do believe it will be a good one. I believe all the decisions we make are good to the extent that we know the facts at the time that we take action. I am comfortable moving forward because I am confident that this project will in fact be very successful and will bring benefit to the entirety of our community, not just the geography in which it's located.

**Commissioner Davis** said just some questions here. What was the original tax revenue prior to this development? Do we have those numbers for an estimate? **Commissioner Burroughs** said Commissioner Davis, I think counsel might—**Angela Lawson, Interim Chief Counsel,** said I have a comment after, I don't have an answer to your question. **Commissioner Davis** said yeah, and I know Schlitterbahn has and if—**Mr. LaSala** said I'm not sure if we know. Mr. Petersen might be able to help you there. Are we talking about before the Schlitterbahn project was out there or after? I mean, it was a field, it was agricultural before that.

**Commissioner Davis** said I was just trying to get some comparison. I know within kind of going from one kind of STAR bond district to the next, that makes it fairly difficult to ascertain and that's perfectly fine. If I remember this correctly because we did vote on this, and this was brought to the Commission in this particular committee last year, there were some community benefits attached to this particular project. Mr. LaSala, can you just refresh our memory on what those were and just so the public is aware, this is in addition to everything we are currently talking about.

**Mr. LaSala** said yes, sir. Commissioner, if you're talking about the community benefit provisions that we have about actively participating in the civic and charitable—part of our community caused the admission to the Homefield building outdoor and baseball to be discounted by no less than 20% for Wyandotte County residents. Having arrangements with the school districts, 500 tickets for Parks and Rec. We also added something. Oh, yeah, at your request at the last committee meeting, you talked about the new components. The developer has agreed to discount tickets for the Atlas 9 museum. So that is new, was not here before, but the version that will go to full commission includes discounts for Wyandotte County residents for Atlas 9, 25%. So a larger discount than the other components here. **Commissioner Davis** said awesome. And then were the tickets involved as well, from Parks and Rec, as I recall? **Mr. LaSala** said yeah, that's right, 500 tickets annually for Parks and Rec for Homefield Outdoor.

**Commissioner Davis** said then the school district. Did you also mention the kind of off-peak time as well? **Mr. LaSala** said yeah, that's right. The developer is working on agreements with all of our school districts that have to be in place before we go issue bonds, they may be able to touch base with you about what's going on there. But they are actively working on that. **Mr. Napper** said as of last week, every agreement with the districts, but for District 500, I believe had been signed and that one may have been signed since last week, but we were actively pursuing those and I believe they've been executed. **Commissioner Davis** said in those particular contracts would be signed for the use of which facility, which part of the project? **Mr. Napper** said it was Homefield training facility, the large indoor youth sports facility. **Commissioner Davis** said anything else as far as community benefits goes? **Mr. Napper** said we hit on this last time, but outside the scope of what was required in the development agreement, Homefield did arrange for approximately $250,000 in textbooks to be donated to the school districts. Again, we have tried to go above and beyond what was required in the agreement. **Commissioner Stites** said something inaudible. **Mr. Napper** said yes, they were, I believe, was December of last year. November or December of last year. **Commissioner Stites** said I didn't mean to interrupt.

**Commissioner Davis** said you're good. If my memory serves me correctly, the investment east of 635, is that also still within the contract? The investment east of 635? Can you talk to us a little bit about that as well? **Mr. LaSala** said oh, yeah. Yeah, that's right. Those are investments that the developer has agreed to make. Let me make sure I find this because I don't want to misspeak again. Here we go. The developer has agreed to make investments in new economic development projects in downtown and historically urban areas of KCK, all of which investments will be reasonably approved by the UG's Commission. The developer agrees that such investments will be at least $4.3 million within three years of the effective date of the original agreement. So, they have three years to invest $4.3 million in your community.

**Commissioner Davis** said thank you so much you all. I just for me, I had a constituent come up and, I don't know, somebody needs to talk to the Kansas Business Journal World. They were concerned and I was confused. Because, normally even when we give away these incentives, nowhere near do we see this level of investment and commitment from a developer, it's almost historic. Someone tell me if somebody has done anything near this in Wyandotte County, but to me, given everything that was just mentioned, the 500 free tickets to Parks and Rec, we've talked about over $10 million over 10 years in our tax coffers in the Payment in Lieu of Taxes. After those 10 years, we will get the full evaluation going back into UG coffers, we talked about approximately $1.5 million annually in new property taxes from Atlas 9, Big Shots and Live Nation concerts, 20% discount Wyandotte County residents to Atlas 9. Already contribution of a quarter million dollars in books, education is very important to our school districts. $4.3 million investment east of 635, as well as working with our school districts, so they're able to use portions of this facility. To me, it's very difficult to find where we are losing here. I don't know where we're losing. If anything, I think we need to be very, very careful about scaring off future developers where you can do everything. I have been advocating and ran on community benefits because I think we need a codified process. You are, my opinion, are the poster child for that. You are the examples that we want to hold up to say to other developers, when you make investments in Wyandotte County, I want you to do what Homefield has done or better. So I have no issue with supporting and endorsing this project. I think it will do wonders for us. Godspeed on interest rates and inflation because it is not easy.

**Ms. Lawson** said I just wanted to clarify the procedure for the committee that the committee members can vote for or against. This may be just a matter of terminology, but to abstain or pass, the only time you can do that is if it's cleared at the beginning by the Chair, if there's a conflict, and then you shouldn't participate in the discussions. If you still abstain, then it's considered a for vote. Then we just wanted to—if it's going to be fast tracked, that could be part of the motion as well.

**Mr. Haley** said obviously, that was an interpretation that Ms. Lawson has brought, she has—we have had that discussion. She's our counsel for the Board of Public Utilities as well, that passing on a particular measure, if not approved by the Chair, would have to be where there is a conflict or there's a potential for conflict. I didn't get clarity at the Utility and regretted that I haven't gotten it for here. I think that just to explain my vote. I'm certainly not opposed to what is here. I do think that there's still some unanswered questions or some areas in terms of the taxpayer commitment to a regional part of our city or concern with our city that leaves quasi-represented the other part of—much part of our county. I appreciate, Mr. Chair and members, the litany of commitments to our county in many other ways, as just detailed by Commissioner Davis or outlined by Commissioner Davis, I genuinely do.

I do want to commend what Homefield is doing and what this project is doing and how it does look to be inclusive along that line. That quells a bit of my concern, honestly, with it and I just don't know what the outlier might be. I don't know that if I'm in the capacity or in the position to bind others too far down the line who may be a part of that decision, all due respect to the incumbency, that is true. We often do that, but there has not been a project, as has been stated, of this size that I'm aware of in Wyandotte County, and I am encouraged that we see the detail and the patience that you have in bringing it here. So I would very much like to pass on that. I will defer to the insight of learned counsel, Ms. Lawson, who is also on the Board of Public Utilities, which is the reason that I'm a member for this committee, she is our counsel. That would be a little bit of arm twisting to not challenge the rules, as proffered by our counsel as to whether or not I could pass or abstain from an iron no vote.

**Chairman Burroughs** said just for clarification, a pass or abstain is a vote in the affirmative. **Ms. Lawson** said correct. **Chairman Burroughs** said if we vote on item number two, it's a two-phase vote, one for approval and then if there's a motion to fast track, that will take a separate vote. So we would have two votes unless we combine them into one. **Ms. Lawson** said correct.

**Chairman Burroughs** said in reference to comments in reference to projects that haven't brought this kind of economic development to Wyandotte County, I'm here to tell you that there's been a tremendous amount of community good come from economic development with the STAR bonds projects that occurred in western Wyandotte County. It brought additional dollars, it brought additional tax dollars, and initial development and interest back to a community that was really struggling economically. So it did have a community benefit. I really would like the public to know that we have counsel that negotiates contract, I didn't realize we as commissioners could negotiate what we should have in in our contract. Because if that's the case, I really question how we can approve a project or unapprove a project, if the items we negotiate aren't in the contract. I think we got that way last week in a contract discussion on the floor. I did bring it up to Council at the time that if we're going to approve projects, let's approve them on the face not on what we can get or what we should get. That should be a point of discussion and not individually submitted, but I am excited about the development monies going into downtown KCK. I would assume that money will be coming out of the CID moving forward, not out of the benefactor's pockets, personal pockets. I would imagine it's going to be part of the revenue that has generated from the CID, within three years it's going to be cash flush, so it would either be the IRB or the CID

**Mr. LaSala** said actually, Commissioner, if we're talking about that $4.3 million contract that is out of the developer's pocket. That would not be a CID eligible expense. It's not a part of the industrial revenue package. That is, in fact, coming from their private money. It is not part of the incentive. **Chairman Burroughs** said that's true, but that's $4.3 million they don't have to spend out of the CID money, that private investment. No, I fully understand. No, I sincerely appreciate the questions tonight.

**Commissioner Townsend** said Mr. Chair, I just had one more question about the pass or not on a vote, because this pertains to all of us at any given time. Is there a reason or a conflict of interest that has been brought to the Commission. I don't know what to call you here, committee member Haley, Senator Haley, with all due respect, because this would pertain it all of us. All of us are brought here to make a decision one way or the other. You know, sometimes you're on the yes side, sometimes you're on the no side, but the issue is that you make a decision. So for all of us, is this a matter of conflict of interest if the senator chooses not to vote?

**Mr. Haley** said there's no known conflict of interest and this is just a matter of seeing the merits well expressed, but having a lingering concern as to some of the matters left and to where they pertain to a constituency, but there is no personal conflict of interest that I know of that I would disclose for wanting to pass. **Commissioner Townsend** said I appreciate that, thank you. At one time all of us have been on the yes side or the no side, but yes or no.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner Townsend, to approve the First Amendment to the Homefield Development Agreement as submitted regarding the assignment and assumptions and fast-track to 6/8 Full Commission meeting.**

**Mr. Haley** said I'm always unaware of the procedures. Sometimes you've solicited and asked if there were any members to speak to that. Is this one of those cases where you'd ask for did anyone wish to speak from—you know what you've done previously, so I don't know if this is one of those examples. **Chairman Burroughs** said no, you're absolutely right. We have three items associated with this, but I can ask, counsel. My agenda doesn't show that. It shows the three items together. So we took Item Two and now we've made it a two point issue. Not only to approve it, but to fast track it, then it goes to Item Three, then it goes into the request, as Mr. Haley brought forward if the public has any comments, or any questions. I guess my question would be, should we go to public comment in reference to Item Two before we entertain the motion? **Ms. Lawson** said I would suggest that yes, because they are three separate votes on different aspects.

**Chairman Burroughs** said I would ask that we hold off on the motion and the second until we have a chance for public comment. At this time, are there any members of the public who wish to address the committee? **Ms. Sparks** said there are no hands raised online. **Chairman Burroughs** said is there anyone in the audience that wishes to speak to this project? Were there any letters or communications in reference. **Ms. Sparks** said no comments were received. **Commissioner McKiernan** said I would just point out that we did receive—the members of the committee received this afternoon a letter from Greg Kindle of Wyandotte Economic Development Council, saying that—generally outlining his support for the project and apologizing for the fact that he's not able to be here tonight due to a family obligation. **Chairman Burroughs** said thank you for reminding me of that. You're absolutely correct. Commissioner McKiernan, thank you for that. Okay, now, the motion we have a motion and a second.

**Commissioner Stites** said you're going to accept the motion the way I presented it already? **Chairman Burroughs** said yeah, so we had the motion and—**Commissioner Stites** said the only question that I had, and we can just do it that way is, I think we had the one send back when it gets sent back that it automatically goes to the next full commission meeting, right? It wasn't that it would be in 30 days, 45 days, or six months from now. It automatically goes to the next full commission meeting after being sent back to the respected committee, right? If it got approved, it would automatically revert back to the next full commission meeting.

**Ms. Lawson** said that may very well be true. I don't have that in front of me and I'm not sure. I think the safest way is to proceed with the motion that you made and note that the next two items cannot proceed in that manner because of the notice for the hearings. **Commissioner Stites** said notice of the public hearings. Yep, so I'll just keep my motion as previously submitted.

**Chairman Burroughs** said just for clarification, if I may, and I appreciate you bringing that up. Is the Thursday night commission meeting a full commission meeting or is it a special meeting? Okay, alright. Just wanted to make sure of that because I do know that I think we were called today about it and so, okay, we have a motion and a second. I'd ask the Clerk, please call roll.

**Roll call** was taken and there were five "Ayes," Davis, Townsend, Stites, McKiernan, Burroughs. Haley did not vote.

**Chairman Burroughs** said I do want to state to Mr. Davis that under the Sporting issue, they took all of our tennis carts and put futsal courts across the community for our kids. So that was a benefit throughout the entire community that went in. Plus, I believe there was a surcharge on the tickets and went into Parks and Rec so we do have criteria that has benefited our community.

**Item No. 3 – 212434…RESOLUTION: ADOPTION OF RESOLUTION OF INTENT TO ISSUE INDUSTRIAL REVENUE BONDS (MARGARITAVILLE/HOMEFILED OUTDOOR PROJECT)**

**Synopsis:** Adoption of a Resolution of Intent to issue industrial revenue bonds for the Margaritaville/Homefield Outdoor project, submitted by Patrick Waters, Acting Chief Legal Counsel.

**Mr. LaSala** said I don't have an additional presentation I would make about this, I feel like we've covered this. But again, just a reminder, this one cannot be fast tracked. We need time to give notices, so this we would ask to bring forward at the June 29th commission meeting. **Chairman Burroughs** said I believe IRBs will not—on a STAR bonds project—sales tax on construction goods are already exempt on STAR bonds, correct? **Mr. LaSala** said that's exactly correct. Yes, that's right.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to approve as submitted.**

**Chairman Burroughs** said I need to go back to the public, one more time. I'll ask the Clerk is there any comments received from the public? **Ms. Sparks** said no comments received. **Chairman Burroughs** said does anybody from the Commission have a question? Okay, are there any members of the public online? **Ms. Sparks** said no hands are raised. **Chairman Burroughs** said is there anybody present who would care to speak to this? Let the record show no one has stepped forward. Okay, we have a motion and a second, I'd ask Clerk please call roll.

**Roll call** was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Item No. 4 – 212434…RESOLUTION: ADOPTION OF RESOLUTION OF INTENT TO ISSUE INDUSTRIAL REVENUE BONDS (HOMEFIELD BASEBALL AMENDMENT)**
**Synopsis:** Adoption of a Resolution of Intent to issue industrial revenue bonds for the Homefield Baseball Amendment, submitted by Patrick Waters, Acting Chief Legal Counsel.

**Mr. LaSala** said Mr. Chairman, no additional presentation here. Again, this is another one that would need to go on June 29th.

**Chairman Burroughs** said I'll ask if there's—before we jump for the motion, I'll ask if there were any comments written submitted by letter? **Ms. Sparks** said no comments were received. **Chairman Burroughs** said anybody online? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said anybody present care to speak? Let the record show no one stepped forward. Mr. Haley?

**Mr. Haley** said the material change here is from the ten to the eight. Is this the discussion that was had earlier? **Mr. LaSala** said that's exactly right. It's about 20% reduction in the number. **Mr. Haley** said thank you, Mr. Chair.

**Action:** **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to approve as submitted.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Chairman Burroughs** said okay, committee, thank you. Mr. Napper, Mr. LaSala, Mr. Petersen, thank you for your patience with us tonight and the transparency in which you presented your project tonight. Thank you very much.

**Item No. 5 – 212496…RESOLUTION: AUTHORIZING THE FIRST AMENDMENT TO THE PERFORMANCE AGREEMENT BETWEEN THE UG AND CPC LAND ACQUISITION LLC (CRITERION DEVELOPMENT)**

**Synopsis:** A resolution authorizing the first amendment to the performance agreement between the Unified Government and CPC Land Acquisition LLC (Criterion Development) extending the construction commencement and completion dates, submitted by Patrick Waters, Acting Chief Counsel.

**Chairman Burroughs** said we're going to go ahead and get started. I have Mr. Conway that was to present this evening on this. Is that not accurate? **Ms. Lawson** said this is another one that I will pass off to Kevin Wempe to present, our Bond Counsel.

**Kevin Wempe, Gilmore and Bell, UG's Bond Counsel,** said I've got a very brief introduction and I'll point out that Mr. Petersen and his client, the developer of this project, are on hand tonight in case you have any questions relating to the project itself. This is for the Criterion Development. For a quick refresher, located about State Avenue and 115th, pertains to for rent housing of about 230 units. If you recall, in August of 2022, there was approved a resolution of intent to issue Industrial Revenue Bonds for property tax abatement and installation of a PILOT agreement, which was also executed at that time setting forth the Payment In Lieu Of Tax schedule, again, relating to property taxes and not the BPU PILOT, to be clear.

One simple change that's proposed tonight in the development agreement is simply pushing back the commencement and completion date set forth in that development agreement that was executed last year. For comparison, the commencement date in the original agreement is July of 2023 and the developers asked that that be pushed back to December of this year, approximately six months of extra time allowed to commence construction. Then similarly for the end completion date, the developers are asking that they be moved from August of 2025 to December of 2025 on the back end. So, that's the whole of the substance of the proposed amendment before you tonight. **Chairman Burroughs** said so we're asking for a six month extension on both ends. **Mr. Wempe** said yes, sir. **Chairman Burroughs** said Curt, do we know what the reason is?

**Curt Petersen, Polsinelli,** said sure. I believe that there was a correspondence submitted for the record too, just for reference, but it's all somebody, I can remember who said it, at the dais earlier tonight mentioned interest rates and construction costs and all that. This is a developer by the way, this is Todd Thomas, the principal with Criterion that's here with us. There's been an incredible amount of money that's been put into the project so far in terms of design. We're all the way to the to the permitting stage now, having gone through final development plan, and it's just capital stack. It's incredible. I mean, this is a cutting-edge project even in Kansas City, and we're really excited to have it, but you have to put your capital stack together. It's an absolutely inopportune time to make the move right now. So what we've done is, as mentioned to several of you, pushed out to the end of the year. We still hope, we still have a target of Q3/Q4, but absolutely always act in a transparent way, that if the market doesn't allow it we'll be right back asking you for an extension to spring or what have you. But there's an amazing amount—this isn't an AWOL developer that has an idea that pitches it to you and you agree to a concept or something like that. This is a developer that's put in an amazing amount of architecture and engineering, and all the way up to permitting for this project. So they want to go faster than, probably, anybody even at the dais. But right now, the answer to your question—I wanted you to have that full context, is absolutely the request is approximately six months.

**Chairman Burroughs** said you said possibly coming forward with another opportunity in December? I want to make sure I've heard correctly. **Mr. Petersen** said well, what I was referring to, yes, Chairman, is the references even out of the gate because we don't like to come back. I mean, I can speak for the whole development committee, you don't want to have to come back and take the commissioner's time and say I need more time. So we were originally talking about let's push it out to possibly a spring start, even though the target is still Q3/Q4, let's get it out to after the asphalt plants open and everything in the spring. The informal feedback was, no, let's just get to the end of the year and let's all talk and see how things are going if you haven't already started. So the requests that formally came in front of you is the end of the year, 12/31.

**Chairman Burroughs** said okay, great. Thank you very much. Any comments from the builder? Developer? Gilmore and Bell, Kevin, any comments? Okay, committee, any questions? We seem to have lost one of our colleagues. So we can go ahead and entertain a motion. This is an action item. I will ask if there's anybody—did we receive any written correspondence? **Ms. Sparks** said no comments were received. **Chairman Burroughs** said anybody online? **Ms. Sparks** said no hands are raised. **Chairman Burroughs** said anybody present care to speak to this issue? Okay, let the record show no one stepped forward. With that I'd entertain a motion.

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to approve as submitted.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Chairman Burroughs** said great, thank you. Appreciate it. Appreciate your investment in Wyandotte County, thank you. I look forward to seeing a nice development

**Item No. 6 – 212499…ORDINANCE: AUTHORIZING THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT RELATED TO THE URBAN OUTFITTERS DISTRIBUTION CENTER**

**Synopsis:** An ordinance authorizing the creation of a Community Improvement District related to the Urban Outfitters Distribution Center, submitted by Patrick Waters, Acting Chief Counsel.

**Chairman Burroughs** said this is a creation of a Community Improvement District to Urban Outfitters. Kevin, are you going to present?

**Kevin Wempe, UG Bond Council from Gilmore and Bell,** said I am. I think I have good news that I'm consolidating 6 and 7 and can present them both to you concisely. As you're probably aware, this pertains to the omni-channel distribution facility that's been constructed near the Speedway by Urban Outfitters. If you recall, in October of 2020 a development agreement was executed that really put us on the tracks to the development and the project that is there on site now. That development agreement contemplated a Community Improvement District to provide ongoing operating funds for workforce transit, and the details of that special assessment in the amount of $300,000 a year levied on the site to be paid to the Unified Government to operate and doing the construction of the transit-oriented development. That's what we're doing back here is that under state law to create the CID, we have to consider an ordinance and establish the Community Improvement District. Then, Item No. 7 being levying assessments for that 20-year term to provide you that ongoing revenue stream. I will say, procedurally, we do need these on separate agendas, looking forward to Commission action because we have to create the CID, publish the ordinance, and record it, and then come back at the following meeting to actually levy assessments on the duly created Community Improvement District. But as far as presentation goes, that's the extent of it and I wanted to make sure that procedural note was mentioned here tonight.

**Chairman Burroughs** said if I may, one question. I'm trying to go back and remember the agreement that was made with the state in reference to Urban Outfitters, and that $300,000 was for transportation, if I remember correctly. Is it $300,000 a year or is it $300,000 over the 20-year lifecycle? **Mr. Wempe** said it's annually, that is an annual assessment. There's another component of that of state funds in the agreement, and I believe that amount is $1.5 million for startup capital costs that's owed to the Unified Government. I've checked internally with the Transit team at the UG and Legal. I know that conversation is still underway with Urban Outfitters to make sure the arrangements are amenable to the Urban Outfitters and also Unified Government to put in place that transit system and plan for transporting the workforce.

**Chairman Burroughs** said great, thank you. I know that there was much consideration and reference to daycare as well as transportation for the members of this community to ensure that they were on the route, and especially those east of 635 to be able to acquire the jobs and reach the jobs, that was negotiated on the state side. Okay, thank you. Any other comments or questions?

**Commissioner Townsend** said as I read this, I remember that conversation and what a benefit this was going to be to help get people who want to work at Urban Outfitters out there. The thing that I'm a bit unclear about—there's not going to be an imposition of sales tax out there. The assessment is going to be on Urban Outfitters, so it's no additional hardship on any UG citizen. That's what I just wanted to make sure I understood.

**Mr. Wempe** said that's correct. It'll show up on their property tax bill beginning this fall. That was all purposeful to align with their opening and also putting in force—or putting in place that transit system to get the workforce there as they opened up so that that would begin this fall. **Commissioner Townsend** said thank you, that clarifies it for me and it really shows Urban Outfitters commitment to making this happen.

**Chairman Burroughs** said it's a tremendously large facility and there's going to be a lot of bodies. As we push those projects forward, we want to ensure that our residents have the first opportunity or at least a benefit when it comes time for those kinds of projects to come to fruition. It's all about creating jobs and creating opportunity in Wyandotte County.

Okay, I'll entertain a motion, if there's not any other questions. I could ask if there were any comments from the public. **Ms. Sparks** said no comments were received. **Chairman Burroughs** said anybody online? **Ms. Sparks** said no hands were raised. **Chairman Burroughs** said anybody here in the audience care to speak?

**Commissioner McKiernan** said if you would indulge me, we did get a letter from Greg Kindle, President of Wyandotte Economic Development Council, and if you'd indulge me, I'll just read that into the record. He has stated, he says, commissioners, please accept this letter in support of the item before you this evening related to the creation of a Community Improvement District, CID, tied to Urban Outfitters Urban. To my knowledge, this is the first of its kind of model in the region to fund transit in this way. Urban and the Unified Government are to be commended for working with the client team to find a creative solution to an issue important to everyone involved. The funds to be generated annually, $300,000, will be collected over a 20-year period to provide revenue to fund an express route from the main Indian Springs site to Urban. Having a route connected to the main transit hub in the community helps ensure that those who do not have access to a car or who choose public transportation can get to quality employment. WYEDC is proud to have been a part of this proposal and to see it come to fruition. We look forward to seeing this project move forward and ask that you approve this request. Thank you for your consideration. Greg Kindle.

**Chairman Burroughs** said thank you, Commissioner McKiernan. Okay, I'll entertain a motion. We're going to do these both 6 and 7 collectively. **Ms. Lawson** said I would do them separately. **Chairman Burroughs** said you want to do them separately? Okay. Item 6, authorizing the creation of a community CID related to the Urban Outfitters Distribution Center. Is there a motion?

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to approve as submitted.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Item No. 7 - 212500… ORDININACE: AUTHORIZING THE UG TO LEVY SPECIAL ASSESSMENTS ON THE URBAN OUTFITTER DISTRIBUTION CENTER**
**Synopsis:** An ordinance authorizing the Unified government to levy special assessments on the Urban Outfitter Distribution Center, submitted by Patrick Waters, Acting Chief Counsel.

**Action:** **Commissioner McKiernan made a motion, seconded by Commissioner Townsend, to approve and forward to the 7/13 Full Commission meeting.**

**Ms. Sparks** said Mr. Chair, before I call roll, I'd like one clarification. I believe that Counsel mentioned these should be on two separate meetings. Is that correct? **Mr. Wempe** said yes, that's correct. We need to have the first ordinance establishing the improvement—the Community Improvement District passed, published, and become effective and then we'd have to follow up at a separate later commission meeting for the ordinance levying the assessments. **Ms. Sparks** said thank you, that allows us to schedule it properly. **Chairman Burroughs** said this schedule will come through Clerk's Office with debate with the Mayor and staff, right? **Ms. Sparks** said correct.

**Roll call** was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

**Item No. 8 - 212497…UPDATE: ROCK ISLAND BRIDGE BASE GRANT TRANSFER**
**Synopsis:** Update regarding the Flying Truss transfer of funds to the UG to help pay for the public portions and infrastructure work associated with the Rock Island Bridge project, submitted by Patrick Waters, Acting Chief Counsel.

**Angela Lawson, Interim Chief Counsel,** said we do, you're correct. I will send this one to Todd LaSala who can explain. This is for information only. **Chairman Burroughs** said okay, Mr. LaSala, you're on.

**Todd LaSala, Outside Counsel,** said on the bridge project, there's some good news. They, like other projects, have a bunch of cost increases and so forth. But the developer of the bridge, Flying Truss, applied for base grant funds from the state. They were awarded $4 million of base grant funding from the Department of Commerce. The department has asked us, the UG, as their partner to administer those funds. They figure, we already have a development agreement with this developer, a process infrastructure about reviewing cost and dispersing funds. We are talking to the state and agreeing with the state that we will administer those funds. In exchange for that—the developer, by the way, is agreeing that they're going to pay any costs related to that administration with our third-party cost reviewer, etc. There's also a benefit to us. In exchange for that, the developer is agreeing and the department is agreeing that we can take $480,000 of those base grant funds and apply them towards infrastructure costs that we've got related to the bridge. The UG also put an application in for base grant funding related to the bridge and there was a $480,000 line item regarding utility infrastructure that was not funded. As a result, we're going to administer the funds, but we're also going to get to use $480,000 of that money to pay for some of our costs. So again, information only, but that's what's going on.

**Chairman Burroughs** said wonderful. We're pleased to hear that. That's not in any way, shape, or form associated to the monies that went into raising the bridge. **Mr. LaSala** said no, that's separate and unrelated. **Chairman Burroughs** said I'll ask the Clerk if there's any comments from the public. **Ms. Sparks** said no comments were received. **Chairman Burroughs** anybody online? **Ms. Sparks** said no hands raised. **Chairman Burroughs** said anybody present that would like to make any comments or questions? **Mr. LaSala** said I should have said Mike Laddin from Flying Truss is here in case you had any questions for him, but—**Chairman Burroughs** said well, he asked that I run the meeting a little long, so hopefully he can avoid the weather. **Mike Laddin, Flying Truss,** said you're welcome. **Chairman Burroughs** said we have no comments from the public, let the record show. I'd entertain a motion, this is an actionable item. Oh, this is information only, my apologies. With that, committee, Todd, thank you for your stick-to-itiveness tonight. Counsel, we appreciate you subbing as a DH tonight. Thank you, committee, appreciate the heavy lifting tonight and the comments and questions.

**Action:** **For Information Only.**

**<u>Adjourn</u>**

**Chairman Burroughs** said with that, I'd entertain a motion to adjourn so we can move on to our next meeting.

**Action:** **Commissioner Davis made a motion, seconded by BPU Board Member Haley, to adjourn.** Roll call was taken and there were six "Ayes," Haley, Davis, Townsend, Stites, McKiernan, Burroughs.

The meeting was adjourned at 7:05 p.m.

RM

Tracking ID: 21306

Report to
# Economic Development & Finance

| MEETING DATE | PRESENTER | DEPARTMENT |
| --- | --- | --- |
| SEP 0 9 2024 | Andrea Vinyard, Director of Revenue/County Treasurer<br><br>avinyard@wycokck.org<br>x8226 | Finance |

## AGENDA ITEM #IV.1.

PRESENTATION: 2024 SECOND QUARTER INVESTMENT REPORT

## BACKGROUND

A presentation of the Quarter 2, 2024 investment report for the period April 1, 2024 through June 30, 2024.

*For information only.*

## RECOMMENDATION

For information only

## BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

Cost of the item is zero. The report is for information only.

## IT/POLICY CONSIDERATIONS

- No policy changes are required by this item.
- Per the Unified Government's Cash and Investment Policy- a summary of the investment report will be provided quarterly to the Economic Development and Finance Standing Committee

## PROCUREMENT CONSIDERATIONS

N/A

## LEGAL CONSIDERATIONS

No issues to be aware of.

## ATTACHMENTS

2024 Q2 Invstmt Report Presentation - FOR ED&F, 2024 Q2 Invstmt Report Presentation - FOR ED&F

Approved by Mayor and/or Chair and Administrator to add to agenda. 8/30/2024

Approved:

# Unified Government of WyCo/KCK Quarterly Investment Report Second Quarter 2024 April 1, 2024 – June 30, 2024

Presented by:

Andrea Vinyard

Director of Revenue/County Treasurer

## Key Metrics
- Avg Yield – 3.53%
- DTM – 123 days, down from 162 in Q1-2024

## Portfolio Components
- Cash – 69%
- Invested – 31%

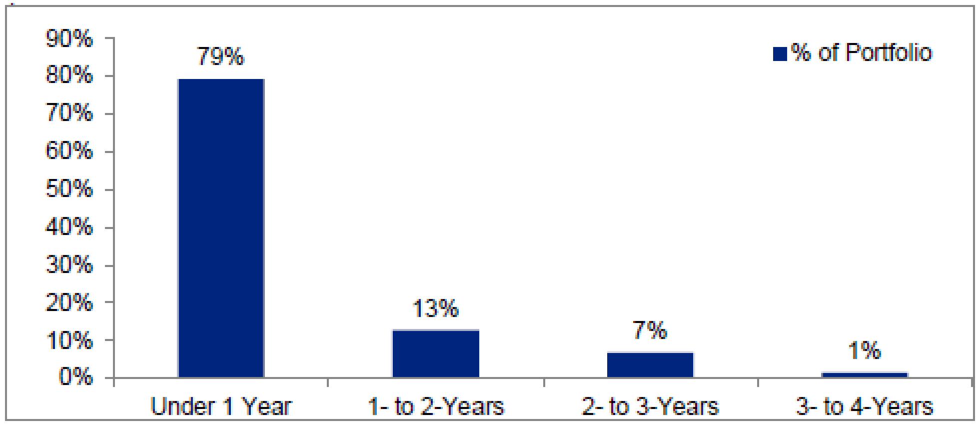
# Unified Government of Wyandotte County and Kansas City, Kansas
## Investment Portfolio Compliance Report
June 30, 2024

### Investment Summary - Aggregate Portfolio By Type of Investment

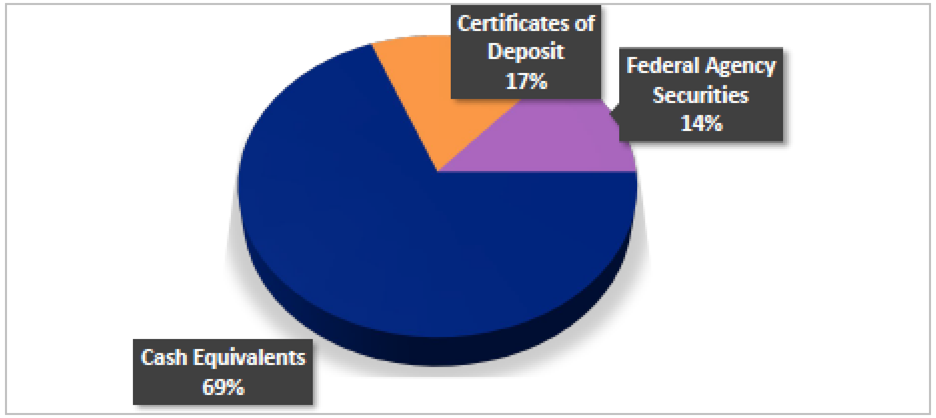
| Security Type | Original Cost | Market Value[1] | Amortized Cost[2] | % of Portfolio | % Permitted by Policy | In Compliance | Weighted Days to Maturity[3] | Weighted Average Yield[3] |
|---|---|---|---|---|---|---|---|---|
| Property Tax Held for Entities[4] | $2,599,533 | $2,599,533 | $2,599,533 | na | | ✓ | - | 4.02% |
| Cash Equivalents | $241,812,467 | $241,812,467 | $241,812,467 | 69% | 100% | ✓ | - | 4.02% |
| **Total Liquidity** | **$241,812,467** | **$241,812,467** | **$241,812,467** | **69%** | | | - | **4.02%** |
| Certificates of Deposit | $60,470,000 | $60,470,000 | $60,470,000 | 17% | 100% | ✓ | 367 | 2.41% |
| Federal Agency Securities | $47,648,253 | $47,756,760 | $47,648,253 | 14% | 50% | ✓ | 437 | 2.46% |
| **Total Securities** | **$108,118,253** | **$108,226,760** | **$108,118,253** | **31%** | | | **804** | **4.87%** |
| **Total Portfolio** | **$349,930,720** | **$350,039,227** | **$349,930,720** | **100%** | | | **123** | **3.53%** |

1. Market values provided by UMB Bank, Third-Party Safekeeping Custodial Agent. Recorded at time of settlement to reflect holding investments to maturity.
2. Amortized cost is the original cost of the principal of the security adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report.
3. Averages shown are weighted averages calculated based on original cost. Average maturity is shown as days.
4. Property Tax collections temporarily held by the County on behalf of other governmental entities is not a part of the Unified Government's cash and investment value. The cash being held in trust is presented here for informational purposes.

### Maturity Distribution




### Sector Distribution



## Key Metrics

- Avg Yield – 3.53%, up from 3.47% in Q1-2024
- Below our target T-Bill benchmark of 4.51%
- Total interest earned for Q2'24 $4.9M w/ $7.3M so far in 2024

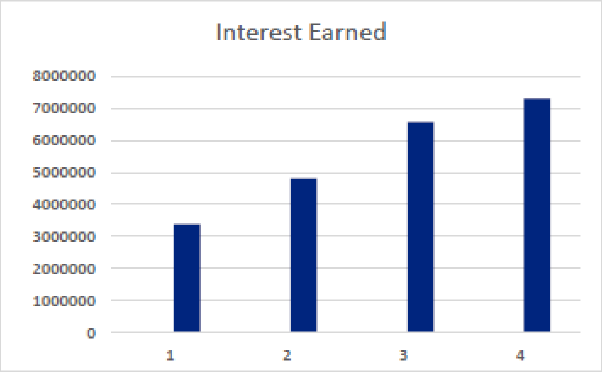
## Issuer Compliance

Limits within single agency/institution is in compliance with the policy requirements for Q2-2024.

**Unified Government of Wyandotte County and Kansas City, Kansas**
**Investment Portfolio Compliance Report**
**June 30, 2024**

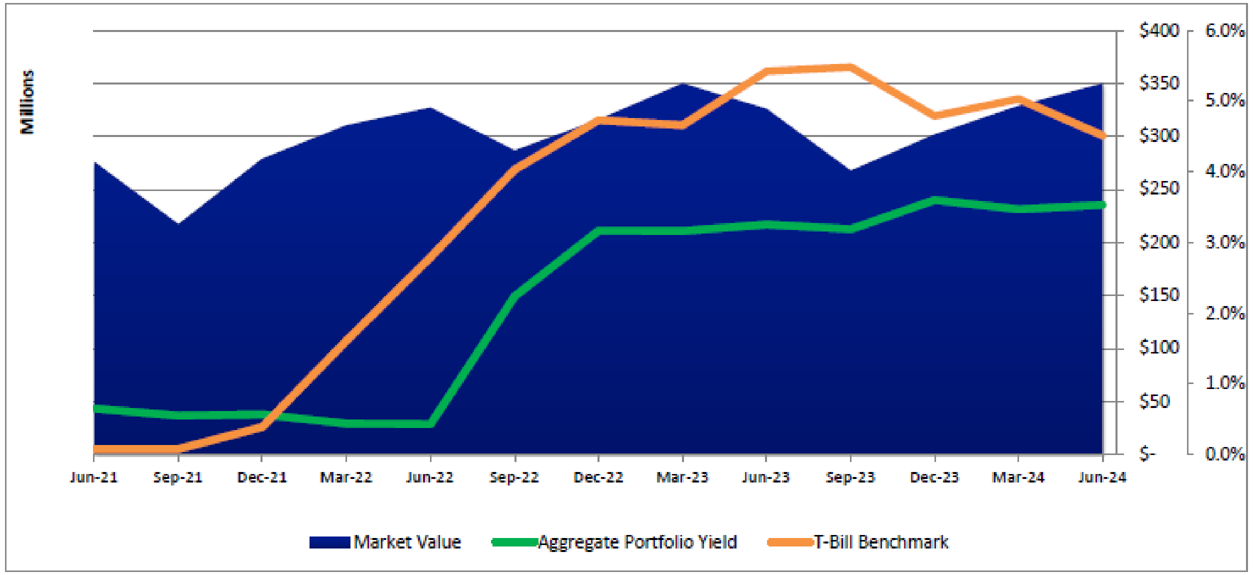
**Compliance**

| | Yes | No |
|---|---|---|
| *Liquidity* | ✔ | |
| *Permitted types of investments* | ✔ | |
| *Limits within investment categories* | ✔ | |
| *Limits within single agency/institution* | ✔ | |
| *Limits relating to maturity* | ✔ | |
| *The investment report herein shown along with ongoing income provides sufficient liquidity to meet estimated expenditures for next 6 months* | ✔ | |




**Historic Portfolio Size**

**Aggregate Yield vs. US T-Bill Benchmark**




Deborah Jonscher

June 30, 2024

Deborah Jonscher
*Deputy Chief Financial Officer*

Date

# Types of securities in our investment portfolio?

Of the $349 M total, $60 M or 17% - CDs fully collateralized per investment policy and State Statute $47 M or 14% - US Agencies Securities.

**Unified Government of Wyandotte County and Kansas City, Kansas**
**Investment Portfolio Compliance Report**
**June 30, 2024**

## Issuer Detail - Aggregate Portfolio by Issuer

| Issuer | Original Cost | Market Value[1] | % of Portfolio[3] | % Permitted by Issuer | In Compliance[3] | Weighted Average Maturity Days[2] | Weighted Average Yield[2] |
|---|---|---|---|---|---|---|---|
| **Property Tax Held for Entities[3]** | **2,599,533** | **2,599,533** | **na** | See note 3 | ✓ | **0** | **4.02%** |
| UMB, Wyandotte Operating | 225,871,467 | 225,871,467 | 65% | 25% | ✓ | 0 | 3.75% |
| UMB, Wyandotte Health | 15,941,000 | 15,941,000 | 5% | 25% | ✓ | 0 | 0.27% |
| **Cash Equivalents** | **241,812,467** | **241,812,467** | **69%** | | ✓ | **0** | **4.02%** |
| Argentine Federal Savings | 235,000 | 235,000 | 0% | 25% | ✓ | 0 | 0.02% |
| Capitol Federal Savings | 10,000,000 | 10,000,000 | 3% | 25% | ✓ | 105 | 0.73% |
| Commerce Bank | 35,000,000 | 35,000,000 | 10% | 25% | ✓ | 211 | 0.60% |
| Community First Bank of Kansas City | 235,000 | 235,000 | 0% | 25% | ✓ | 0 | 0.02% |
| UMB Bank | 15,000,000 | 15,000,000 | 4% | 25% | ✓ | 51 | 1.04% |
| **Certificates of Deposit** | **60,470,000** | **60,470,000** | **17%** | | ✓ | **367** | **2.41%** |
| US Treasury | 47,648,253 | 47,756,760 | 14% | *50% of total portfolio* | ✓ | 704 | 3.73% |
| **Federal Agency Securities** | **47,648,253** | **47,756,760** | **14%** | | ✓ | **437** | **2.46%** |
| **Grand Total** | **349,930,720** | **350,039,227** | **100%** | | | **123** | **3.53%** |

# What transactions occurred in Q2 2024?

**Unified Government of Wyandotte County and Kansas City, Kansas**
**Investment Portfolio Compliance Report**
**2nd Quarter 2024 - April 1, 2024 - June 30, 2024**

## Quarterly Transactions Detail - Aggregate Portfolio

| Settlement Date | CUSIP | Issuer | Coupon | Maturity Date | Par | Original Cost |
|---|---|---|---|---|---|---|
| Thru Q2 | NA | UMB, Wyandotte Operating | 4.020% | 6/30/2024 | 37,876,679 | 37,876,679 |
| Thru Q2 | NA | UMB, Wyandotte Health Reserve | 4.020% | 6/30/2024 | 2,864,000 | 2,864,000 |
| **Cash Equivalents** | | | | | **40,740,679** | **40,740,679** |
| **Purchases** | | | | | - | - |
| 10/5/2023 | 912797GZ4 | US Treasury | 5.549% | 4/4/2024 | (4,865,724) | (4,865,724) |
| 7/6/2022 | 343011851 | US Treasury | 2.870% | 6/28/2024 | (4,999,297) | (4,999,297) |
| 7/6/2022 | 343011852 | US Treasury | 2.870% | 6/28/2024 | (4,999,297) | (4,999,297) |
| 7/6/2022 | 343011853 | US Treasury | 2.870% | 6/28/2024 | (4,999,297) | (4,999,297) |
| **Calls/Maturities** | | | | | **(19,863,616)** | **(19,863,616)** |
| **Total** | | | | | **20,877,063** | **20,877,063** |

Tracking ID: 21308

Report to

# Economic Development & Finance

| MEETING DATE | PRESENTER | DEPARTMENT |
|---|---|---|
| | David Johnston, County Administrator<br>Jeffrey Conway, Assistant Counsel<br><br>djohnston@wycokck.org, jconway@wycokck.org<br>x5027, x5075 | Administrator's Office |

## AGENDA ITEM #IV.2.

RESOLUTION: WAIVING OF CERTAIN APPLICATION AND PERMIT FEES RELATED TO DEVELOPMENT EAST OF 55$^{TH}$ STREET IN KANSAS CITY, KANSAS

## BACKGROUND

Approval of a resolution to waive certain application and permit fees for a period of five years for residences or development projects located east of 55$^{th}$ Street in Kansas City, Kansas, and requiring the tracking of key performance indicators.

## RECOMMENDATION

Approve

To adopt the resolution.

## BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

n/a

## IT/POLICY CONSIDERATIONS

n/a

## PROCUREMENT CONSIDERATIONS

n/a

## LEGAL CONSIDERATIONS

To adopt the resolution.

## ATTACHMENTS

Resolution Approving Waiving of Fees

Approved by Mayor and/or Chair and Administrator to add to agenda.

**RESOLUTION NO. R-_______________**

**A RESOLUTION APPROVING THE WAIVING OF CERTAIN APPLICATION AND PERMIT FEES RELATED TO DEVELOPMENT EAST OF 55TH STREET IN KANSAS CITY, KANSAS**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") believes that it is essential to stimulate the development for the benefit of the community and to raise the tax base; and

WHEREAS, in order to promote new development in Kansas City, Kansas east of 55th Street, the Unified Government believes that it is necessary and desirable to waive certain permits and fees related to that development; and

WHEREAS, the Unified Government recently provided for a waiver of certain fees through the passing of Resolution No. R-27-24, related to infill housing east of 78th Street.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:**

Section 1. In addition to those fees waived pursuant to Resolution No. R-27-24, the County Administrator, in his or her sole discretion, shall be authorized to waive any of the following application and permit fees for new residences or development projects located east of 55th Street in Kansas City, Kansas, for a period of five (5) years after the effective date of this Resolution:

a. Sanitary permit -
b. Land disturbance permit -
c. Right-of-way permit -
d. Change of zone application -
e. Preliminary and final plat application –
f. Plan review fee –
g. Ordinance publication fee –
h. Pole, pylon and monument signs –
i. Wall signs –
j. Development Review Committee plan review fee –
k. Development Review Committee building permit fee –
l. Development Review Committee land disturbance fee –

Section 2. That the provisions of this Resolution shall not apply to new subdivisions and other areas of the City where existing sewer connections have not already been built.

Section 3. That Unified Government staff is directed to track key performance indicators to measure the success of the fee waivers, including: (1) the number of homes built; (2) population count; (3) the number of new commercial developments in the area, and (4) crime rate statistics.

Section 4. That the County Administrator, Director of Planning and Urban Design, Director of the Neighborhood Resource Center, the Director of Public Works and all other employees and agents of the Unified Government are authorized to take all actions and to approve all instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 5. This Resolution will take effect and be in full force from and after its passage by the Board of Commissioners.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _________ DAY OF ___________ 2024.**

_________________________________________

Tyrone A. Garner, Mayor/CEO

Attest:

______________________________

Unified Government Clerk

Approved as to Form:

______________________________

Unified Government Acting Chief Counsel

Tracking ID: 21315

Report to
# Economic Development & Finance

| MEETING DATE | PRESENTER | DEPARTMENT |
|---|---|---|
| SEP 0 9 2024 | Angel Ferrara, Director<br>aferrara@wycokck.org<br>x8354 | Parks & Recreation |

## AGENDA ITEM #IV.4.

RESOLUTION: 2023 RECREATION TRAILS PROJECT GRANT AWARD

## BACKGROUND

Resolution authorizing application and acceptance of a grant from the Kansas Department of Wildlife & Parks Recreational Trails Program in the amount of $105,680 for a 1/3 mile walking trail in Kensington Park. There is a 20% match, which is identified in the department budget.

## RECOMMENDATION

Approve

- Create and approve a motion to allow staff to accept the KDWP's RTP award, in the amount of $105,680.00, which will, in part, support the future Kensington Park Walking trail.

## BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

- If accepted, $105,680.00 can be used to support trail design and construction. The associated budget savings would be repurposed to support other identified improvement initiatives at Kensington Park.

## IT/POLICY CONSIDERATIONS

N/A

## PROCUREMENT CONSIDERATIONS

N/A

## LEGAL CONSIDERATIONS

N/A

## ATTACHMENTS

Reso Approving Trails Grant, Commission Agenda Item Report - 2023 Recreational Trails Program Grant Award updated, KDWP-RTP Grant Award

Approved by Mayor and/or Chair and Administrator to add to agenda. 8/30/2024

**RESOLUTION NO. __________________**

**A RESOLUTION** authorizing the Parks and Recreation Department through the Unified Government of Wyandotte County/Kansas City, Kansas to accept a grant award from the 2023 Recreation Trails Program through the Kansas Department of Wildlife and Parks

**WHEREAS**, the Kansas Department of Wildlife and Parks administers grants through its 2023 Recreational Trails Program; and

**WHEREAS,** an award was made through this program for the Kensington Park Trail Project; and

**WHEREAS,** the value of the grant award is $105,680.00, with 20% matching funds ($26,420.00) required, which will be funded out of existing Kensington Park project budgeted funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:**

Section 1. The Parks and Recreation Department through the Unified Government of Wyandotte County/Kansas City, Kansas is authorized to accept the 2023 Recreational Trails Program grant for the Kensington Park Trail project.

Section 2. The County Administrator and/or his designee is hereby authorized, on behalf of the Unified Government, to take the steps necessary to fulfill the conditions of the grant and execute documents in furtherance of the grant.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS_____DAY OF___________________, 2024.**

________________________________
**Tyrone A. Garner**
**Mayor/Chief Executive Officer**

____________________________
**Unified Government Clerk**

# Commission Agenda Item Report

| | |
|---|---|
| **Title:** | 2023 Recreational Trails Program Grant Award |
| **Proposed Agenda Date:** | September 9, 2024 Economic Development & Finance and Neighborhood & Community Development Standing Committee Meeting |
| **Presented by:** | Angel Ferrara, Director of Parks & Recreation Department, and Matthew Zayas, Fiscal Officer – Parks & Recreation Department |

---

**BACKGROUND:**

- In November 2023, Parks & Recreation staff applied for a grant via the Kansas Department of Wildlife & Parks (KDWP)'s Recreational Trails Program (RTP) to, in part, support the construction of a new 1/3-mile walking trail in Kensington Park.
- On July 19, Parks & Recreation staff was notified that their application had been approved and that an award amount of $105,680.00 may be received to support the aforementioned project.
- The RTP grant requires a 20% match, which the department has identified within the existing project budget.
- Funding from Capital initiatives "Neighborhood Park Improvements" and "Trail Network Development" were originally tabbed to fully support trail construction. The savings would be repurposed to support other planned improvements at Kensington Park.

**BUDGET IMPACTS / FINANCIAL CONSIDERATIONS:**

- If accepted, $105,680.00 can be used to support trail design and construction. The associated budget savings would be repurposed to support other identified improvement initiatives at Kensington Park.

**POLICY CONSIDERATIONS:**

- **N/A**

**PROCUREMENT CONSIDERATIONS:**

- N/A

**LEGAL CONSIDERATIONS:**

- N/A

**RECOMMENDED ACTION:**

- Create and approve a motion to allow staff to accept the KDWP's RTP award, in the amount of $105,680.00, which will, in part, support the future Kensington Park Walking trail.

**COUNTY ADMINISTRATION COMMENTS:**

-

**MAYOR AGENDA DIRECTION:**

- 

Operations Office
512 SE 25th Ave.
Pratt, KS 67124-8174

Kansas
Department of
Wildlife and Parks

Phone: (620) 672-5911
Fax: (620) 672-6020
www.ksoutdoors.com

Christopher Kennedy, Secretary

Laura Kelly, Governor

July 19, 2024

Unified Gov't of Wyandotte Co.
c/o Angel Ferrara
5033 State Avenue
Kansas City, KS 66102

Dear Ms. Ferrara,

We have completed the review process for the selection of the 2023 Recreational Trails Program grant applications. After the projects were scored by the Recreation Trails Advisory Board, we selected our recommendations for funding. **Your Kensington Park Trail project was selected to receive funding in the amount of $105,680.00**. Congratulations on the selection. Attached you will find the revised budget which reflects the approved line items that may be counted towards reimbursement and/or match.

**Do not begin work yet.** We have sent your grant off for SHPO and Environmental Review. Once these are approved, we will send out the project agreement to be signed. **Only costs incurred after you have a fully executed project agreement in hand may be counted towards your grant**. In the meantime, I have enclosed a sheet with helpful links for guidance in completing your project. While not specific to the RTP program the Federal-aid Essentials for Local public Agencies webpage has a wealth of information for Federal Aid programs including a video library on many topics relevant to the RTP program.

Thank you for your patience as we work through this process. We look forward to working with you toward improving access to trails for all Kansans.

Sincerely,

Cherie Riffey

Cherie Riffey
Recreational Trails Grant Coordinator
Kansas State Parks

## Wyandotte Co.

| Item | Cost |
|---|---|
| Concrete Walking Trail w/ Grading | $132,100.00 |
| Total | $132,100.00 |
| **80%** | **$105,680.00** |
| 20% | $26,420.00 |

*Removed Connection to State Ave.

*Removed Concrete Stairs and Handrails (Bid Alt #1)

## Links to laws and guidance regarding the Recreational Trails Program

*****The grantee bears sole responsibility for being aware of and following all laws pertaining to the Recreational Trails program.***

Federal Highway Administration's Federal Aid Essentials for Local Public Agencies

Check out the Federal-Aid Essentials Video Library for additional information on many of the laws and guidance found below

https://www.fhwa.dot.gov/federal-aidessentials/index.cfm

Federal Highway Administration's Recreational Trails Program guidance and information

http://www.fhwa.dot.gov/environment/recreational_trails/guidance/

2 CFR 200 Implementation Guidance

2 CFR 200 Implementation Guidance | Federal Highway Administration (dot.gov)

2 CFR Part 200

eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

Federal Highway Administration Form 1273, required contract provisions for Federal-Aid Construction Contracts

https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf

Buy America Act: applies to all RTP projects

Buy America - Construction Program Guide - Contract Administration - Construction - Federal Highway Administration (dot.gov)

Americans with Disabilities Act (ADA) of 1990

http://www.ada.gov/pubs/ada.htm

Outdoor Developed Areas: A Summary of Accessibility Standards for Federal Outdoor Developed Areas (access-board.gov)

Architectural Barriers Act of 1968

Architectural Barriers Act (access-board.gov)

Section 504, Rehabilitation Act of 1973,

Section 504, Rehabilitation Act of 1973 | U.S. Department of Labor (dol.gov)

Section 106 of the National Historic Preservation Act of 1966 as amended
An Introduction to Section 106 | Advisory Council on Historic Preservation (achp.gov)

Executive Order 12432, "Minority Business Enterprise Development"
http://www.archives.gov/federal-register/codification/executive-order/12432.html

Davis-Bacon Act
Davis-Bacon and Related Acts | U.S. Department of Labor (dol.gov)

Clean Air Act of 1970
Clean Air Act Requirements and History | US EPA

Drug-Free Workplace Act of 1988
Requirements for Drug-Free Workplace | Guidance Portal (hhs.gov)

Title VI and the Civil Rights Act of 1964
Title VI of the Civil Rights Act of 1964 | CRT | Department of Justice

Federal Lobbying Regulations, Section 1352, Title 31, U.S. Code
http://www.law.cornell.edu/uscode/uscode31/usc_sec_31_00001352----000-.html

State of Kansas Contractual Provisions Attachment:
Procurement Forms | Kansas Department of Administration (ks.gov)
download (ks.gov)

Tracking ID: 21307

Report to

# Economic Development & Finance

| MEETING DATE | PRESENTER | DEPARTMENT |
|---|---|---|
| | David Johnston, County Administrator<br>Jeffrey Conway, Assistant Counsel<br><br>djohnston@wycokck.org, jconway@wycokck.org<br>x5027, x5075 | Administrator's Office |

## AGENDA ITEM #IV.4.

ORDINANCE: AMENDING THE POWERS OF THE COUNTY ADMINISTRATOR REGARDING THE LEASE OF UNIFIED GOVERNMENT PROPERTY IN ECONOMIC DEVELOPMENT PROJECTS

## BACKGROUND

Approval of an amendment to section 2-103 of the UG Code, clarifying the powers of the county administrator by requiring written notification to the board of commissioners and its approval by resolution or ordinance whenever a lease of UG real property is required as a material part of a private economic development project.

## RECOMMENDATION

Approve

To approve the ordinance.

## BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

n/a

## IT/POLICY CONSIDERATIONS

n/a

## PROCUREMENT CONSIDERATIONS

n/a

## LEGAL CONSIDERATIONS

To approve the ordinanc.

## ATTACHMENTS

Ordinance on County Administrator powers (4) B

Approved by Mayor and/or Chair and Administrator to add to agenda.

(Published ________________)

**ORDINANCE NO. ______________________**

**AN ORDINANCE AMENDING SECTION 2-103 OF THE CODE OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS RELATING TO THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

**Section 1.** That Section 2-103 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, is amended to read as follows:

**Sec. 2-103. - Powers and duties of the county administrator.**

The county administrator shall be the chief administrative officer of the unified government and shall be responsible to the commission for administration of all unified government affairs placed in his or her charge by or under the authority of the commission. The county administrator shall:

(1) Be directly responsible for the daily functions of the unified government administration;

(2) Organize the unified administration and direct and supervise the organizational structure of all offices and appointive officers and employees of the unified government except as otherwise provided by Kansas law;

(3) Have the responsibility to execute the policies of the unified board of commissioners through the functional divisions and departments of administration;

(4) After appropriate consultation with the commission, prepare and submit a recommended annual budget including all revenue sources to the commission for final adoption and be responsible for the administration of the budget after the effective date;

(5) Report to, confer with, assist and advise the mayor and make recommendations to the commission on all matters concerning the welfare of the unified government;

(6) Insure that all ordinances, resolutions, codes, regulations, rules, policies, directions and actions of the commission are faithfully enforced, administered and executed;

(7) Direct and supervise the administration of all appointive officers and employees of the unified government except as provided by Kansas law, attend all Commission meetings, have

the right to take part in discussion and attend all regular, special and executive meetings except those in which the continued employment of the county administrator is the business under consideration;

(8) Assist the mayor and commission in the preparation of meeting agendas, ordinances, resolutions, rules, regulations and policies and all such other matters as may be requested by the commission;

(9) Submit to the commission and make available to the public periodic and annual reports of the financial administrative affairs of the unified government and keep the commission advised of the financial conditions and needs of the unified government;

(10) Prepare and submit to the commission annually before July 15, recommendations for a capital improvement and financing program for the unified government;

(11) Appoint and dismiss employees designated as key division heads;

(12) Prepare for adoption by the commission a personnel classification and compensation system and policies relating to the selection, discipline, dismissal and all other personnel related matters applicable to all employees of the unified government;

(13) Develop a compensation and qualification system for all personnel of the unified government which systematically and fairly compensates employees of the unified government and also identifies and selects individuals with the proper level of skills, abilities and knowledge associated with each position that is required for the unified government; and

(14) Sign all contracts, deeds, and other ~~documents~~ documents, other than those authorized by the commission to be signed by the ~~mayor~~ mayor, or those which state or other law require the signature of the chief executive/mayor. Notwithstanding any existing policy for the sale or disposal of real property by the Unified Government, the county administrator shall, prior to the lease of any Unified Government property that is a material part of an economic development project involving a private developer, notify in writing the board of commissioners and shall receive its approval by resolution or ordinance prior to executing such lease or other agreement.

The county administrator shall have all other powers and duties conferred upon the position by the Charter, Kansas law, actions of the commission or that may be inherent in the administration of the unified government.

**Section 2.** That said original Section 2-103 be and the same is hereby repealed.

**Section 3.** This Ordinance shall take effect and be in full force immediately upon its adoption and publication in the official newspaper of Wyandotte County.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS ____ DAY OF ________ 20__.**

______________________________
Tyrone Garner, Mayor/CEO

Attest:

______________________________
Unified Government Clerk

Approved as to Form:

______________________________
Chief Counsel

Tracking ID: 21281

Report to
# Economic Development & Finance

| MEETING DATE | PRESENTER | DEPARTMENT |
|---|---|---|
| | Ana Marin, Executive Assistant<br><br>amarin@wycokck.org<br>x5010 | Mayor's Office |

| AGENDA ITEM #IV.5. |
|---|
| RESOLUTION: RESTATING AUTHORITY OF THE UNIFIED BOARD OF COMMISSIONERS TO SET OVERALL POLICY |

| BACKGROUND |
|---|
| Approval of a resolution restating the authority of the Unified Government Board of Commissioners to set overall policy and clarifying the intent that the determination of meaning, and implementation of such policy may be made by the Board.<br><br>*This item was previously heard by the Board of Commission on July 18, 2024, and approval of the resolution was denied.* |

| RECOMMENDATION |
|---|
| Approve |

| BUDGET IMPACTS / FINANCIAL CONSIDERATIONS |
|---|
| |

| IT/POLICY CONSIDERATIONS |
|---|
| |

| PROCUREMENT CONSIDERATIONS |
|---|
| |

| LEGAL CONSIDERATIONS |
|---|
| |

| ATTACHMENTS |
|---|
| Authority of board of commissioners |

Approved by Mayor and/or Chair and Administrator to add to agenda.

Approved: Mayor Tyrone Garner

**RESOLUTION NO. ______________________**

**A RESOLUTION RESTATING THE AUTHORITY OF THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS TO SET OVERALL POLICY AND CLARIFYING THE INTENT THAT THE DETERMINATION OF MEANING AND IMPLEMENTATION OF SUCH POLICY MAY BE MADE BY THE BOARD**

**WHEREAS,** the Unified Government Board of Commissioners, under section 2-56 of the Code of Ordinances, possesses the power to adopt codes, ordinances, and resolutions, and to adopt such codes and rules and regulations as may be necessary; and

**WHEREAS,** the Unified Government Board of Commissioners, pursuant to section 402 of Appendix C of the Code of Ordinances, acts as a policy-making body only, while the County Administrator acts as the administrative head of the Unified Government.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

**Section 1.** To the extent permitted by law, and when brought forward by the Mayor/CEO, the Unified Government Board of Commissioners reserves the right to review and revise overall Unified Government policy with respect to directing the implementation and interpretation of Unified Government policies, resolutions, and ordinances duly adopted by the board. Further, subject to applicable federal, state, and local law, any final determination with respect to the meaning and implementation of such policies, resolutions, and ordinances may be made by the Board of Commissioners.

**Section 2.** This Resolution shall take effect and be in full force immediately upon its adoption.

*[The balance of this page is left intentionally blank. Signature page to follow.]*

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS ____ DAY OF ________ 20__.**

______________________________
Tyrone Garner, Mayor/CEO

Attest:

______________________________
Unified Government Clerk

Approved as to Form:

______________________________
Chief Counsel