

Noland Fashion Square | Financial Safeguards for Council Review

For Councilwoman Jennie Vaught | October 13, 2026

I support redevelopment of Noland Fashion Square. This request is to examine whether the City can strengthen its financial protections and Council oversight while the redevelopment proceeds—not to undo the approved plan or assume a legal violation.

1. Establish the full financial commitment

- The agreement establishes up to \$47 million in reimbursable principal PLUS interest across 11 project areas, with certain other costs outside the principal limit. What is the estimated maximum total public financial commitment, including delayed-payment scenarios?
- Did the City evaluate a firm all-in reimbursement ceiling, a separate enforceable interest cap, or other protections?

2. Identify Council's remaining negotiating authority

- Area 1 is approved; Areas 2–11 remain unapproved. What authority does Council retain to renegotiate or strengthen financial protections before further approvals?
- If the existing agreement limits that authority, which specific provisions impose those limits? What lawful options remain for a mutually negotiated amendment, additional safeguards, or conditions on future approvals? What if the developer declines?

3. Examine interest and reimbursement timing

- Under draft §4.4, approved eligible costs accrue simple interest beginning when the developer paid them. Is there a deadline for submitting reimbursement certificates? Can older expenses be submitted with interest calculated from the earlier payment date?
- What rates currently apply? What principal and interest are outstanding, and what would interest total after two, three, or five years of delayed reimbursement?

4. Identify cash available to pay approved claims

- What legally eligible fund, appropriation, balance, or reserve is available today to pay approved reimbursements and reduce accumulating interest? Please identify fund numbers, current balances, and restrictions.
- If funds are insufficient, what legally permissible payment or renegotiation options have been evaluated?

5. Strengthen reimbursement approvals and Council oversight

- Draft §4.2 gives the City 30 days to respond to reimbursement certificates, with deemed approval if it does not act. Who tracks the deadline, verifies receipts, and authorizes payment? Why not require affirmative written approval?
- Which claims, material changes, and exceptions come before Council? Could Council require periodic itemized financial reports and approval of significant reimbursement packages or exceptions?

6. Verify monthly reports and add financial reporting

- Draft §3.3(b) requires the developer and its project teams to provide monthly written reports directly to Council on construction progress and commercial leasing. Has Council received these reports? Who prepares and signs them, what format is used, and can members of the public obtain them?
- Those specified subjects do not themselves provide a monthly financial accounting. Could Council require a standardized monthly report showing reimbursement certificates submitted, approved, rejected, paid and unpaid; accumulated interest; available eligible cash; and remaining principal reimbursement authority?
- What separate financial or administrative statements does the City prepare, and which of them are provided to Council?

7. Address public access to financial terms

- When could residents examine the actual financial agreement, as distinct from the redevelopment plan? What opportunity existed to comment on reimbursement, interest, and oversight terms?
- Could the City adopt a prospective policy of publishing significant proposed financial agreements and analyses before binding approvals, where legally permissible?

8. Compare prior Independence TIF terms

- The City's published Noland Road/23rd Street TIF summary describes different treatments of reimbursement interest. Were similar exclusions or interest-inclusive limits considered for Fashion Square?

Specific next step requested

Please request a written financial and legal review from the City Manager, Finance Director, and City Attorney identifying current obligations, the City's remaining negotiating authority, potential amendments, all-in financial exposure, current eligible cash, and reimbursement and reporting safeguards. Please consider a Council discussion before approving additional project areas.

Records requested: executed agreement and amendments; Area 1 authorization; status of Areas 2–11; reimbursement and interest ledger; eligible fund balances; approval/delegation procedures; copies of monthly developer reports; and prior TIF interest provisions.

Basis: supplied draft redevelopment agreement, especially §§3.3(b) and 4.1–4.4. Actual report delivery, current financial balances, execution status and administrative practices have not been independently verified.