

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 120042

Authorizing the City Manager to execute a Settlement Agreement with Clay County, Missouri resolving disputes related to funds for roads and bridges.

WHEREAS, a dispute exists between the City and Clay County, Missouri relating to the amounts Clay County was to have paid over to the City to be used for road and bridge purposes within that part of the City located within Clay County for the years 2008 through 2011, both inclusive; and

WHEREAS, a dispute also exists between the City and Clay County, Missouri relating to the future annual amounts Clay County is to pay over to the City to be used for road and bridge purposes within that part of the City located within Clay County beginning 2012; and

WHEREAS, the City and Clay County desire to compromise and resolve those disputes by entering into a Settlement Agreement that provides for Clay County to pay to the City in two installments an approximate amount of \$1,800,000.00 for the disputed amounts owed for the years 2008 through 2011, both inclusive, and provides for future payments by Clay County to the City in an amount computed at a rate of 40% of the maximum authorized real property levy of 0.35 per \$100 assessed valuation that Clay County could levy; plus an opportunity to receive an additional payment for calendar years 2013 through 2026, both inclusive, from any annual, gross sales tax revenue collected pursuant to taxing authority granted under Section 67.547, RSMo. in excess of \$7,000,000.00, but only up to \$9,000,000.00 and for calendar years 2027 and thereafter, up to \$10,000,000.00; NOW, THEREFORE,

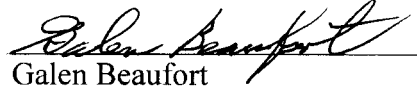
BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Council hereby accepts and approves of the terms of the Settlement Agreement with Clay County, Missouri to resolve the dispute between the City and Clay County, Missouri relating to the amounts Clay County was to have paid over to the City to be used for road and bridge purposes within that part of the City located within Clay County for the years 2008 through 2011 and the additional dispute relating to the future annual amounts Clay County is to pay over to the City to be used for the same road and bridge purposes, in substantial conformance with the terms set out in the copy of the Settlement Agreement attached hereto.

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Section 2. That the City Manager is hereby authorized to execute the Settlement Agreement, in substantial conformance with the terms set out in the copy attached hereto, and any other documentation necessary to effectuate the terms of the Settlement Agreement.

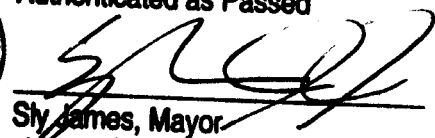
Approved as to form and legality:

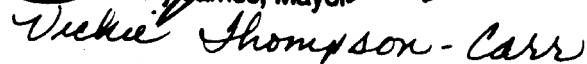


Galen Beaufort
Senior Associate City Attorney



Authenticated as Passed


Sly James, Mayor


Vickie Thompson-Carr

Vickie Thompson-Carr, City Clerk

MAY 17 2012

Date Passed