

ORDINANCE NO. xxxxxx

Approving and designating Redevelopment Project J1 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefore.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), the City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982, and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, As Amended, passed on August 29, 1991, Ordinance No. 100089, As Amended, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013 and Committee Substitute for Ordinance No. 140823, as amended, on June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, the City Council, by Committee Substitute for Ordinance No. 140916, accepted the recommendations of the Commission and approved the Arlington Road Tax Increment Financing Plan (“Plan”) and designated a Redevelopment Area; and

WHEREAS, the City Council, by Ordinance No. 150758, accepted the recommendations of the Commission and approved the First Amendment to the Plan on September 17, 2015; and

WHEREAS, the City Council, by Ordinance No. 160241, accepted the recommendations of the Commission and approved the Second Amendment to the Plan on April 17, 2016; and

WHEREAS, the City Council, by Ordinance No. 170865, accepted the recommendations of the Commission and approved the Third Amendment to the Arlington Road Tax Increment Financing Plan on November 9, 2017; and

WHEREAS, the City Council, by Ordinance No. 180280, accepted the recommendations of the Commission and approved the Fourth Amendment to the Arlington Road Tax Increment Financing Plan on June 21, 2018; and

WHEREAS, a Fifth Amendment to the Plan (“Fifth Amendment”) was proposed to the Commission and the Commission, having been duly constituted and its members appointed, after proper notice was given, met in public hearing, and after receiving the comments of all interested persons and taxing districts, closed the public hearing November 15, 2019, and adopted Resolution No. 11-5-19 recommending approval of the Fifth Amendment along with certain modifications to the projected Payments in Lieu of Taxes and Economic Activity Taxes (the “Modified Fifth Amendment”) proposed by the Commission and Resolution No. 11-6-19 recommending the approval and designation of Redevelopment Project Area J1; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That all terms used in this ordinance shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended.

Section 2. That the area selected for Redevelopment Project J1 legally described as follows:

A tract of land in the Southwest and Northwest Quarter of Section 2 and Southeast and Northeast Quarter of Section 3, Township 50 North, Range 32 West of the 5th Principal Meridian, in Kansas City, Clay County, Missouri, being bounded and described as follows: Commencing at the Southeast corner of the said Southwest Quarter; thence North 00°40'32" East, on the East line of said Southwest Quarter, 1,469.61 feet; thence leaving said East line, North 89°19'28" West, 2,467.74 feet to the Point of Beginning of the tract of land to be herein described; thence North 89°25'30" West, 486.58 feet; thence North 00°35'13" East, 1,541.36 feet; thence South 89°19'48" East, 488.81 feet; thence South 00°40'12" West, 1,540.55 feet to the Point of Beginning. Containing 751,517 square feet or 17.25 acres, more or less. All lying below the top of the Winterset Ledge of Limestone Rock and lying above elevation 700 (NAVD 88) is approved and designated by the Arlington Road Tax Increment Financing Plan as Redevelopment Project J1 ("Project A2").

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project J1. After the total equalized assessed valuation of the taxable real property in Project J1 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project J1, the ad valorem taxes, and payment in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 each year after the effective date of the ordinance until redevelopment project costs have been paid shall be divided as follows:

1. That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for the Project J1 shall be allocated to and, when collected, shall be paid by the Clay County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;
2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project J1 over and above the initial equalized assessed value of each such unit of property in the area selected for Project J1 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. That in addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City and certain taxing districts, and which are generated by economic activities within the area selected for Project J1 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing

remains in effect, but excluding certain taxes, fees and special assessments specifically identified by the Act, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds, which are necessary to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

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Approved as to form and legality:

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Assistant City Attorney