



Legislation Text

File #: 160252, Version: 2

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160252

Approving and designating Redevelopment Project 3 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

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, the City Council, by Ordinance No. 190996, accepted the recommendations of the Commission, and approved the Fifth Amendment to the Plan on December 19, 2019; and

WHEREAS, the City Council, by Ordinance No. 210981, accepted the recommendations of the Commission, and approved the Sixth Amendment to the Plan on November 10, 2021; and

WHEREAS, the City Council, by Ordinance No. _____, accepted the recommendations of the Commission, and approved the Seventh Amendment to the Plan on February 3, 2022; and

WHEREAS, the Seventh Amendment provides, among things, for modifications to the legal description of Redevelopment Project Area 3; 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 3 legally described as follows:

A tract of land in the Southwest Quarter of Section 35 Township 51 North, Range 32 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as follows: Beginning at the Southernmost Southwest corner of Tract I, HUNT MIDWEST BUSINESS PARK-SIXTH PLAT, a subdivision of land in said Kansas City recorded as Instrument Number 2020034887 in Book I at Page 112.1 in the Clay County Recorder of Deeds Office also being a point on the proposed Northerly right-of-way line of Northeast 48th Street; thence South 89°26'40" West on said proposed Northerly right-of-way line, 398.05 feet; thence leaving said proposed Northerly right-of-way line North 00°15'10" East, 243.96 feet; thence North 19°59'06" West, 715.16 feet; thence South 89°33'41" East, 292.30 feet to a point on the Westerly line of said Tract I; thence South 34°37'23" East on said Westerly line, 341.33 feet; thence South 00°42'34" East on said Westerly line, 314.46 feet; thence South 33°01'40" East on said Westerly line, 277.53 feet; thence South 00°00'00" East on said Westerly line, 81.95 feet to the Point of Beginning. Containing 307,434 square feet or 7.06 acres, more or less.

is approved and designated by the Arlington Road Tax Increment Financing Plan as Redevelopment Project 3 ("Project 3").

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project 3. After the total equalized assessed valuation of the taxable real property in Project 3 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project 3, 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 3 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 3 over and above the initial equalized assessed value of each such unit of property in the area selected for Project 3 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of Project 3

Costs within the Redevelopment Area, 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 or taxing districts, and which are generated by economic activities within the area selected for Project 3 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.

Approved as to form and legality:

Emalea Black
Assistant City Attorney