

(Published in the Topeka Metro News June 24, 2019)

ORDINANCE NO. 20187

AN ORDINANCE introduced by City Manager Brent Trout, establishing a Community Improvement District (CID) for the Sherwood Crossing/Villa West Development at 29th and Wanamaker and levying a CID sales tax of one percent (1%) within the CID

WHEREAS, pursuant to the Community Improvement District Act, K.S.A. 12-6a26 through 12-6a36, as amended (the "Act") cities are authorized to establish Community Improvement Districts ("CID") for economic development purposes; and

WHEREAS, on or about February 11, 2019 the City received a petition from the owners of record of more than 55% of the land within a proposed CID district ("District") generally described as the Sherwood Crossing Community Improvement District and the persons collectively owning more than 55% by assessed value of the land area within the proposed District; and

WHEREAS, pursuant to Resolution No. 9084 adopted on March 5, 2019, the City has provided notice that it would hold a public hearing on April 2, 2019, to consider establishing a CID and make findings necessary therefore; and

WHEREAS, the Governing Body conducted a public hearing on April 2, 2019 which was continued to April 16, 2019; and

WHEREAS, the public hearing was held on April 16, 2019 and continued to June 18, 2019; and

WHEREAS, the Governing Body conducted and concluded the public hearing on June 18, 2019, in accordance with the Act; and

28 WHEREAS, the Act provides that upon the conclusion of the public hearing the
29 Governing Body may authorize the CID and project therein.

30 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,
31 KANSAS, that:

32 Section 1. Nature of the Project. The general nature of the proposed CID
33 Project is to promote the redevelopment and revitalization of the former Villa West
34 Shopping Center located at the northwest corner of 29th and Wanamaker by renovating
35 and expanding the center, including the addition of over 30,000 square foot of
36 commercial development.

37 Section 2. Findings. The Governing Body finds the District furthers economic
38 development within the City and further finds it advisable and in the City's best interest
39 to establish the District and authorize the project as proposed, subject to a Development
40 Agreement executed by the City Manager.

41 Section 3. Estimated Project Cost. The estimated cost of the proposed project
42 within the District is approximately \$17,792,085.00.

43 Section 4. Legal Description. The legal description of the District is:

44 Lots 1,2,3, and 4, Block A, Villa West Subdivision No. 17 and Lot 1, Block A,
45 Villa West Subdivision No. 9, all in the City of Topeka, Shawnee County,
46 Kansas
47

48 Section 5. Map. A map of the District is attached as Exhibit A.

49 Section 6. Method of Financing; Sales Tax. The method of financing the
50 Project is through a CID sales tax. The proposed amount of the CID sales tax to be
51 levied is one percent (1%) which shall be levied upon all sales of tangible personal
52 property at retail or services taxable within the CID district pursuant to the Kansas
53 Retailers' Sales Tax Act.

Section 7. Sales Tax Levy. The City authorizes and hereby levies a one percent (1%) CID sales tax as described in Section 6 which shall expire no later than 22 years from the date the state director of taxation begins collecting the tax or when the pay-as-you-go costs have been paid.

Section 8. Effective Date. This ordinance shall be in full force and effect on _____ from and after its passage by a majority of the Governing Body and publication once in the official City newspaper.

Section 10. Recording. After publication, the City Clerk is hereby directed to file a copy of this ordinance with the Shawnee County Register of Deeds.

Section 11. Kansas Department of Revenue. The City Clerk will provide the Kansas Department of Revenue with a certified copy of this ordinance notifying the Department of the establishment of the District and the levy of the CID sales tax to commence at a date indicated in the development agreement.

PASSED AND APPROVED by the Governing Body on June 18, 2019.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT A
PROPOSED DISTRICT MAP

