

AGENDA
JOINT CITY/COUNTY/USD #443/DODGE CITY COMMUNITY
COLLEGE MEETING

Learning Center, 308 W. Frontview
Monday, June 6, 2016
5:30 p.m.
MEETING #5038

CALL TO ORDER

ROLL CALL

Joint Public Hearing Regarding Adoption of Neighborhood Revitalization Plan North Commercial District.

Resolution No. 2016-16: A Resolution Adopting the City of Dodge City Neighborhood Revitalization Plan and Designating a Neighborhood Revitalization Area.

NEW BUSINESS

1. Discussion and Approval of Interlocal Agreement between the City of Dodge City, Ford County, USD #443, Board of Education, and Dodge City Community College Board of Trustees.

ADJOURNMENT

RESOLUTION 2016-16

A RESOLUTION ADOPTING THE CITY OF DODGE CITY NEIGHBORHOOD REVITALIZATION PLAN AND DESIGNATING A NEIGHBORHOOD REVITALIZATION AREA.

WHEREAS, pursuant to the provisions of KSA 12-17,114 et seq. the City of Dodge City is authorized to adopt a Neighborhood Revitalization Plan and designate a Neighborhood Revitalization Area within the City, and

WHEREAS, the City of Dodge City desires to adopt such a Plan and designate a Neighborhood Revitalization Area in order to accomplish rehabilitation, conservation and redevelopment of the Area, and

WHEREAS, following proper notice the City has conducted a public hearing concerning the Plan, and

WHEREAS, the City of Dodge City finds that the adoption of the Neighborhood Revitalization Plan and the implementation of the Plan in the designated Area is necessary to protect the public health, safety and welfare of the residents of the City of Dodge City;

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas, as follows:

Section 1. The Neighborhood Revitalization Plan for the City of Dodge City, Kansas dated June 6, 2016, is hereby adopted.

Section 2. The Neighborhood Revitalization Area as described in said Plan is hereby approved.

Section 3. City staff are hereby authorized and directed to implement said Plan in accordance with the procedures setout therein and to execute on behalf of the City all necessary documents and to take all actions necessary for the implementation of said Plan.

Section 4. This Resolution shall remain in effect until rescinded by action of the City Commission.

Approved this 6th day of June, 2016 and signed by the Mayor.

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk

Neighborhood Revitalization Plan Interlocal Agreement

THIS INTERLOCAL AGREEMENT (hereinafter the “Agreement”) entered into this 6th day of June, 2016, by and between the City of Dodge City, Kansas a duly organized municipal corporation (the “City”), Ford County, Kansas (the “County”), Unified School District No. 443, Ford County, Kansas (“USD 443”) and Dodge City Community College, Ford County, Kansas (“DCCC”) collectively the “Parties”.

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions including economic development; and

WHEREAS, K.S.A. 12-17,114 et seq. provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to develop and establish programs for neighborhood revitalization (the “Neighborhood Revitalization Plan North Commercial District”); and

WHEREAS, it is the desire and intent of the Parties hereto to provide the maximum economic development incentive by acting jointly as provided for in K.S.A. 12-17,119.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. Each of the Parties individually and collectively, following a public hearing as provided by statute, do hereby adopt the Neighborhood Revitalization Plan North Commercial District (the “Plan”) attached hereto as Exhibit A. The Parties further agree the Plan as adopted will not be amended without approval of the Parties.
2. The Parties individually and collectively further agree that the City shall administer the Plan. The Parties individually and collectively further authorize and direct the County to establish a Commercial Neighborhood Revitalization Fund pursuant to K.S.A. 12-17,118 for the purpose of financing the redevelopment of designated revitalization areas and to provide ad valorem tax rebates to approved owners pursuant to KSA 12-17,118(d). Any increment (as defined in KSA 12-17,115(e)), in property taxes levied by the Parties and collected by the County resulting from qualified improvements to property pursuant to the Plan shall be credited to the County’s Commercial Neighborhood Revitalization Fund and disbursed pursuant to KSA 12-17,118(d) and in accordance with the provisions of the Plan.
3. The Parties, in conjunction with the Dodge City/Ford County Development Corporation agree to undertake a review of the Plan every three (3) years hereafter, to determine any needed modifications to the Plan. The Parties agree that any Party may terminate its participation in this Agreement by providing thirty (30) days advance written notice to all Parties; provided however, any applications for ad valorem tax rebates pursuant to the Plan submitted prior to the

date of the Party's notice of termination shall be, if approved, considered eligible for the duration of the rebate period and the terminating Party's authorization as provided herein shall remain in full force and effect during such rebate period.

- 4. This Agreement shall remain in effect until terminated by majority vote of the remaining Parties.

IN WITNESS WHEREOF, the parties have hereunto executed this agreement as of the day and year first above written.

City of Dodge City, Kansas

Joyce Warshaw, Mayor

ATTEST:

Nannette Pogue, City Clerk

Ford County, Kansas

Chris Boys, Commissioner

Danny Gillum, Commissioner

Shawn Tasset, Commissioner

ATTEST:

Debbie Cox, County Clerk

Unified School District No. 443

By: _____
Lisa Killion, Board President

ATTEST:

William Hammond, Clerk of the Board

Dodge City Community College

By: _____
Floris Jean Hampton, Board Chair

ATTEST:

Carla Patee, Clerk of the Board

Approved this _____ day of _____, 20____, by the Attorney General of the State of Kansas.

Kansas Attorney General

Exhibit A

Neighborhood Revitalization Plan North Commercial District

City of Dodge City
Neighborhood Revitalization Plan
North Commercial District

June 1, 2016

This Neighborhood Revitalization Plan (this “Plan”) is required by the Kansas Neighborhood Revitalization Act in order to create a neighborhood revitalization area. The governing body of the City of Dodge City has determined that the designated area generally described as the North Commercial District (the “Area”) in this Plan is a neighborhood revitalization area as described in K.S.A. 12-17,115(c)(3):

An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significances should be preserved or restored to productive use.

The governing body has also determined that the rehabilitation, conservation, and redevelopment of the Area is necessary to protect the public health, safety and welfare of the residents of the municipality as required by K.S.A. 12-17,116.

In accordance with K.S.A. 12-17,117, the components of this Plan include:

- Section 1) A legal description and map of the Area
- Section 2) The existing assessed valuation of the real estate in the Area
- Section 3) A list of names and addresses of the owners of record of real estate within the Area
- Section 4) The existing zoning classifications and district boundaries and the existing and proposed land uses within the Area
- Section 5) The proposals for improving or expanding municipal services within the Area
- Section 6) A statement specifying eligibility requirements for revitalization for additions to existing buildings and new construction
- Section 7) The criteria used to determine what property is eligible for revitalization
- Section 8) The contents of an application for a rebate of property tax increments
- Section 9) The procedure for an application submission
- Section 10) The criteria used to review and approve applications
- Section 11) A statement specifying the maximum amount and years of eligibility for a rebate of property tax increments

Section 1) A legal description and map of the Area

The Area shall include all real property described herein:

All of Lots 1 - 10 Block 1, and all of Lots 1 - 10 Block 2, Northridge Addition,
Dodge City, Ford County, Kansas.

As depicted below:



[1]

Section 2) The existing assessed valuation of the real estate in the Area

The 2016 appraised value of the real estate in the Area is:

Land:	\$437,850.00
Buildings:	\$2,595,950.00
Total Value:	\$3,033,800.00

The assessed valuation of each individual parcel of land in the Area can be accessed through the County Appraiser’s Office, which is located at the Ford County Government Center, 100 Gunsmoke, Dodge City.

Section 3) A list of names and addresses of the owners of record of real estate within the Area

Each owner of record of each parcel of land in the Area may be accessed through the County Appraiser's Office, which is located at the Ford County Government Center, 100 Gunsmoke, Dodge City.

Section 4) The existing zoning classifications and district boundaries and the existing and proposed land uses within the Area

Zoning Classifications and Future Land Use Maps are available by contacting the Director of Development Services at City Hall, 806 Second Ave., Dodge City.

Section 5) The proposals for improving or expanding municipal services within the Area

The City recognizes the value of municipal services and capital improvements throughout the community. The City is strongly committed to maintaining a substantial presence in the Area. Efforts underway or in the planning stages include:

Public Safety

Replace and Maintain Fire Equipment
Ongoing Fire Hydrant Replacement Program
Ongoing Police Protection Services
Ongoing Fire Protection Services

Community Projects/Services

Operation of the Public Transportation Program
Snow Removal and Equipment Replacement
Street Lighting Program

Transportation – Streets

Annual Street Maintenance Program

Transportation – Signals

Continued Maintenance of Existing Signal Locations
Continued Support of County Emergency Siren Program

Solid Waste

Continued operation of Sanitation Services
Continued operation of Recycling Programs

Storm water

Continued Enforcement of Stormwater Detention and Soil Erosion for New Development
Adhere To All Regulations in Compliance with NPDES
Stormwater Inlet Annual Cleaning/Maintenance

Water Pollution Control

Continued Operation of Sewer Utility
Continued Sewer System Maintenance

Main Extensions for New Developments
Manhole Rehabilitation/Replacements
Maintain and Upgrade Lift Stations

Water Projects

Ongoing Water Utility Maintenance Including Meter Replacement
Control Water Loss
Main Extensions for New Developments

Section 6) A statement specifying eligibility requirements for revitalization, and whether additions to existing buildings and new construction are eligible

Rehabilitation, conservation, alterations, improvements and additions to any existing commercial structure, construction of new commercial structures, including the conversion of all or part of a residential structure into a commercial structure located within the Area, shall be eligible to apply but shall be subject to the requirements of the Plan as provided herein.

Commercial property must be located within the appropriate zoning districts to be eligible.

Section 7) The criteria used to determine what property is eligible for revitalization

- a) Construction of the improvements must have been commenced on or after June 6, 2016, the effective date of enactment of the Plan, as documented by a building permit.
- b) In order to participate, the minimum cost of all improvements to each parcel shall not be less than Fifteen Thousand Dollars (\$15,000.00) as documented by a building permit and all improvements to a parcel shall result in a minimum increase in assessed valuation of five percent (5%) for commercial property as determined by the Ford County Appraiser following partial or total completion of the improvements.
- c) Property eligible for other real estate tax incentives under any other program adopted pursuant to statutory or constitutional authority, such as RHID, IRB, etc., may participate in only one (1) such program at the same time. (i.e.: NRP, RHID, IRB)
- d) The property for which the Rebate is requested shall, following the improvements, conform to all applicable city codes and regulations in effect at the time the improvements are made and shall remain in compliance for the duration of the Rebate period. If a code violation is not corrected within a reasonable time the Rebate shall be terminated. This includes new as well as the existing improvements to the property.
- e) Any property located within the Area that is not current in the payment of any taxes, special assessments or City utility payments shall not be eligible for the Rebate.
- f) Any owner of any property located within Ford County who is not current in the payment of any real estate taxes, special assessments or City utility payments shall not be eligible to participate in the Plan.

- g) No application shall be considered for an improvement to property concerning which an unresolved tax protest has been filed.
- h) If any participating owner fails to maintain a current tax payment status on the participating property, or any other property located in Ford County in which the owner has an ownership interest throughout the ten (10) year Rebate period, the owner and participating property shall be disqualified from the Rebate program, and no further Rebates shall be made to the owner.

Section 8) The contents of an application for a rebate of property tax increments

Applications for a rebate of property tax increments shall contain the following information.

Application Part I:

- a. Owner's name
- b. Owner's mailing address
- c. Owner's daytime phone number
- d. Address of property
- e. Legal description of property
- f. Parcel I.D. No.
- g. Building Permit No.
- h. Existing use of property
- i. Proposed use of property
- j. Age of principal building(s)
- k. Occupancy status during the last five (5) years
- l. Buildings proposed to be demolished
- m. Nature of proposed improvements
- n. Estimated cost of proposed improvements
- o. Date construction is to start
- p. Estimated date of completion of construction
- q. County Appraiser's statement of existing assessed valuation of real estate and improvements

Application Part II:

- a. Status of construction as of January 1 following commencement of improvements
- b. County Appraiser's statement of increase in assessed valuation of improvements
- c. County Clerk's statement of tax and special assessment status
- d. Director of Development Services' statement of program compliance

Section 9) The procedure for an application submission

- a) The applicant will obtain an application for the Plan Rebate from the City Development Services Department when a building permit is issued.
- b) The applicant must complete and sign Part 1 of the application for the Plan Rebate and file the original with the City Development Services Department with an application fee within sixty (60) calendar days following issuance of the building permit.

- c) The City Development Services Department will forward the application to the Ford County Appraiser for determination of the existing assessed valuation of the property and existing improvements.
- d) Upon completion by the County Appraiser, the County Appraiser will return the application to the City Development Services Department.
- e) The applicant must certify the status of the improvement project as of December 31 of the year during which construction of the improvement is completed by completing and signing Part 2 of said application. The applicant must file Part 2 of said application with the City Development Services Department on or before December 31 in the year immediately preceding the commencement of the Rebate period.
- f) Upon notification by the City Development Services Department, the County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real estate and improvements as of January 1, and shall complete the Appraiser's portion of the application and shall report the new valuation to the County Clerk no later than June 15 of that same year. The tax records on the project will be revised by the County Clerk.
- g) Upon determination by the County Appraiser that the improvements meet the percentage test for rebate, determination by the County Clerk that the taxes and assessments on the property are not delinquent, determination by the City Clerk that utility billings are current, and determination by the City Development Services Department that the project is complete and that the application meets the requirements for a rebate, the City Development Services Department shall make a recommendation for approval.
- h) Once approved, the City Development Services Department will notify the applicant of the approval.
- i) Upon the full payment of the real estate taxes, the County Treasurer shall make the rebate within thirty (30) days after the next distribution date as specified in K.S.A. 12-1678a from the Neighborhood Revitalization Fund established by Ford County in conjunction with the taxing entities participating in the Interlocal Agreement.
- j) The Dodge City/Ford County Economic Development Corporation will make periodic reports on the rebate program to the governing bodies of the participating taxing entities.

Section 10) The criteria used to review and approve applications

- a. The property for which a Rebate is requested shall conform to all applicable City codes and regulations in effect at the time the improvements are made and shall remain in compliance for the duration of the Rebate period or the Rebate shall be terminated.
- b. Any property that is delinquent in any tax payment or special assessment shall not be eligible for a Rebate and such property shall be disqualified from receiving any continuing and/or additional Rebate payments. Any property that is past due in any City utility payment will not be eligible for a Rebate payment.
- c. Following establishment of the increase in assessed value resulting from a specific improvement, the fixed Rebate percentage shall be applied to any change in assessed value or mill levy during subsequent years.
- d. Any property for which a Rebate has been approved, will no longer be eligible for the approved Rebate at such time as the approved owner ceases to retain an ownership interest in said property.

- e. The City Manager, or his/her designee, has the authority and discretion to approve or reject applications based on the eligibility standards and review criteria contained herein. If an applicant is dissatisfied with the City Manager's decision, a written appeal may be submitted to the City Commission for final determination.

Section 11) A statement specifying the maximum amount and years of eligibility for a rebate of property tax increments

For an approved parcel located in the Area, the qualified owner shall receive the following Rebate of the incremental increase in *ad valorem* property tax resulting from improvements made pursuant to this Plan for a period not to exceed ten (10) years:

Year	Rebate
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%