

ORDINANCE NO. TDD-3340

AN ORDINANCE DELAYING COLLECTION OF THE SOUTHWEST CORNER OF COLLEGE BOULEVARD & US 69 HIGHWAY TRANSPORTATION DEVELOPMENT DISTRICT SALES TAX FROM JULY 1, 2022, AND PROVIDING FOR THE COLLECTION OF THAT TRANSPORTATION DEVELOPMENT DISTRICT SALES TAX EFFECTIVE JULY 1, 2023 (CITY PLACE TDD PROJECT).

WHEREAS, on the 17th day of February, 2014, the Governing Body of the City of Overland Park, Kansas (the “City”) passed Ordinance No. TDD-3032 (the “TDD Ordinance”) creating the transportation development district at the southwest corner of College Boulevard and US 69 Highway (the “City Place TDD”); authorizing the making of certain transportation development district projects relating thereto; approving the maximum cost of such transportation development district projects; establishing the boundaries of the City Place TDD; providing for the method of financing; authorizing the imposition of a transportation development district sales tax (the “TDD Sales Tax”) within the City Place TDD; and

WHEREAS, Section 4 of Ordinance No. TDD-3032 provided that the collection of the TDD Sales Tax would commence on January 1, 2018, or any other effective date the City may approve by ordinance; and

WHEREAS, on September 11, 2017, the City received a Petition requesting delay of collection date for the TDD Sales Tax from January 1, 2018 to July 1, 2019; and

WHEREAS, on September 18, 2017, the City passed Ordinance No. TDD-3176, delaying commencement of the TDD Sales Tax from January 1, 2018 to July 1, 2019; and

WHEREAS, on February 26, 2019, the City received a Petition requesting to delay the collection date for TDD Sales Tax from July 1, 2019, to January 1, 2021; and

WHEREAS, on March 4, 2019, the City passed Ordinance No. TDD-3239, delaying commencement of the TDD Sales Tax from July 1, 2019, to January 1, 2021; and

WHEREAS, on September 17, 2020, the City received a Petition requesting to delay the collection date for TDD Sales Tax from January 1, 2021 to July 1, 2022; and

WHEREAS, on September 21, 2020, the City passed Ordinance No. TDD-3297, delaying commencement of the TDD Sales Tax from January 1, 2021 to July 1, 2022; and

WHEREAS, on October 14, 2021, the City received a Petition requesting to delay the collection date for TDD Sales Tax from July 1, 2022 to July 1, 2023 (the “Request”); and

WHEREAS, the Request was signed by all owners of record in the City Place TDD; and

WHEREAS, the City hereby finds that it is appropriate and in the public interest to grant the Request and delay the commencement of the collection of the TDD Sales Tax until July 1, 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

Section 1. Delay of the Collection of TDD Sales Tax. The commencement of the collection of the TDD Sales Tax within the City Place TDD shall be delayed from July 1, 2022, with collection of such TDD Sales Tax to commence on **July 1, 2023**, or any other effective date the City may approve by ordinance if a change in the effective date of the commencement of the collection of the TDD Sales Tax outlined herein is requested in writing by all owners of record in the City Place TDD.

Section 2. Effective Date. This Ordinance shall be in force and take effect from and after its passage, approval and publication in an official City newspaper.

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PASSED by the City Council on this 18th day of October, 2021.

APPROVED by the Mayor on this 18th day of October, 2021.

CITY OF OVERLAND PARK, KANSAS

(s) Carl Gerlach
By: _____
Carl Gerlach
Mayor

(SEAL)

ATTEST:

(s) Elizabeth Kelley
By: _____
Elizabeth Kelley
City Clerk

APPROVED AS TO FORM:

(s) Michael Koss
By: _____
Michael Koss
Deputy City Attorney