

CITY OF BEL AIRE

INDUSTRIAL REVENUE BOND AND TAX EXEMPTION/ABATEMENT POLICY

Adopted: 11/2/2009

Revised: 7/16/2012; 6/7/2022

STATEMENT OF POLICY ON IRB's

The City Council's primary goal when considering the issuance of industrial revenue bonds (IRBs) or the granting of property tax abatements, exemptions and incentives or both shall be to encourage economic growth in the corporate City limits and the growth area of the City. Industrial revenue bonds are not considered a debt of the city; rather, they are debts of the business/organization that utilizes the bond proceeds. The city is merely a conduit for the business/organization to obtain tax-exempt financing for its project.

Industrial revenue bonds will not be utilized when it is determined that doing so would give the recipient an unfair advantage over a business or organization currently engaged in a similar venture within the city or its growth area.

When considering a request for IRBs, the city will evaluate the types of jobs proposed to be created, the amount of capital investment that will be made, and the ability of the business to meet a recognized need in Bel Aire's economic base. Upon review and consideration of these factors, the City Manager will make a recommendation to the City Council, which shall approve or deny the request. In the event the City Council approves the request to issue IRBs, the City Manager shall contact the City's bond counsel and begin the process of issuing the bonds. The applicant for the IRBs shall be responsible for any bond counsel, financial advisor, and any other fees incurred by the applicant that are associated with the issuance of the bonds.

STATEMENT OF POLICY ON TAX EXEMPTIONS AND/OR ABATEMENTS

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Section 1. Purpose. The purpose of this statement is to establish the official policy and procedures of the City of Bel Aire, for the issuance of IRBs or granting of property tax exemptions and tax incentives for real and personal property used for economic development purposes or both.

Section 2. General Objective. The securing of private economic growth and development and the addition of new jobs within the community are important current and long-term objectives of this City. The issuance of IRBs or granting of property tax exemptions and tax incentives or both are tools available under Kansas law to help secure these public objectives. This statement is intended to establish the procedure and policy standards to govern the fair, effective, and judicious use of the power to issue IRBs or grant such exemptions and tax incentives or both in this City.

Section 3. Legal Authority. The governing bodies of Kansas counties and cities may issue IRBs in accordance with the provision of K.S.A. 12-1740 *et seq.*, or exempt certain property used for economic development purposes from taxes for a maximum of 10 years, in accordance with the provisions of Section 13 of Article 11 of the Kansas Constitution, subject to the requirements of KSA 79-251 *et seq.* or both. This authority is discretionary with the City, and the City may issue IRBs or provide for tax exemptions-incentives in an amount and for purposes more restrictive than that authorized by the Constitution or state laws. Pursuant to its home rule powers, the City may (1) require the owners of any property for which IRB issuance is requested or an exemption is requested or both to provide certain information, (2) condition the issuance of IRBs or granting of an exemption or both to an agreement providing for the payment of in lieu charges or taxes under the provisions of 12-1740 *et seq.* or KSA 12-147 and 12-148, and (3) require the payment of initial application and annual renewal fees reasonably necessary to cover the costs of administration.

Section 4. General Procedure. The following basic procedure shall govern the issuance of IRBs or tax exemptions-incentives or both within Bel Aire:

1. The applicant business shall apply for IRB issuance or a tax exemption-incentive or both by filing a written application as provided in this policy.
2. If the City determines the requested IRB issuance or tax exemption-incentive or both (a) may be lawfully granted, and (b) the initial request is worthy of further consideration, the City shall, if applicable, prepare a cost-benefit analysis report of the requested tax exemption-incentive as provided in Section 12.
3. The City shall then determine whether the IRB issuance or proposed tax exemption-incentive or both should be granted, following, if required by statute, a public hearing after the required notice.
4. If it is determined that some tax exemption-incentive should be granted, a maximum of 100% exemption of that property of the business legally eligible for exemption may be provided, but may be subject to an agreement of the business to make an in lieu tax payment as may be required by the City. The City reserves the right to set the tax exemption at a rate less than 100% and for a timeframe of less than 10 years.
5. The amount of the tax incentive, which will be an amount less than the taxes otherwise payable if the property were not exempt, will then be determined in accordance with this Statement.
6. Upon the failure of the business to fully and timely pay the in lieu tax payments, as may be required as a condition of the granting of an exemption, or to provide reports or other information requested by the City and reasonably necessary for the implementation of this policy, the City may either deny, revoke, or not renew the authorization of such an exemption. All requests for a tax exemption-incentive for economic development purposes shall be considered and acted upon in accordance with this Statement.

Section 5. "Tax Incentive" Defined. Various words and terms used in this statement are defined in Section 28. The terms "tax incentive" or "tax exemption-incentive" shall both mean the difference between the amount of ad valorem property taxes the affected business would pay if there were no City-granted exemption and the amount required to be paid as in lieu taxes or charges. For example, if the taxes required with no exemption were \$5,000, and the required in lieu payments were \$3,000, the "tax incentive" or "tax exemption-incentive" would be \$2,000.

Section 6. Jurisdiction. The City shall issue IRBs or grant tax exemptions-incentives or both only for property located within the City.

Section 7. Nominal Tax Determination. All tangible property of a business receiving a tax exemption-incentive under this Statement shall be annually assessed by the county appraiser in the same manner as if it were not exempt, but the amount thereof shall not be placed on the assessment rolls. The amount of the property taxes which would be payable shall also be determined annually by the County Clerk and Treasurer, in the same manner as if the property were not exempt, but such shall not be placed on the tax rolls. Separate assessment and tax calculations shall be made for the land, for the improvements thereon, and for any taxable tangible personal property associated therewith, of the exempt business. The appropriate county officers are requested to provide the city with this information as early as possible, but not later than November 15 of each year.

Section 8. Payment in Lieu of Taxes (PILOTs). Applicants receiving a tax exemption-incentive pursuant to this statement may be required to make a minimum payment in lieu of taxes which will be determined by the Governing Body based on economic incentives and benefits.

Section 9. Special Assessments. Any tax exemption granted for real property under this statement shall not affect the liability of such property for any special assessments levied or to be levied against such property.

Section 10. Pirating. It shall be the policy of the City to discourage applications for IRB issuance or tax exemptions-incentives or both, or to grant such IRBs or tax incentives or both, which deliberately encourage and cause the pirating of business from another Kansas community to this community, or from this community to another Kansas community. It is the intent of the city to avoid participation in "bidding wars" between cities or areas competing for the location of new businesses or expansion of existing businesses through attempts to offer the largest tax incentive or other public inducement, which is detrimental to the state's economy and the public interest. As provided in KSA 1991 Supp. 79-252, the City shall not exempt any tangible personal property of a business if such property is currently subject to ad valorem taxation within the State of Kansas or has been exempted from taxation pursuant to section 13 of article 11 of the Kansas Constitution, except if the governing body makes a factual determination that such an exemption is required to retain jobs in the state of Kansas, an exemption may be granted for such tangible personal property.

Section 11. Application of "But-For" Principle. Any tax exemption-incentive granted by the City shall be subject to the "but-for" principle, i.e., the tax incentive must make such a difference in determining the establishment or expansion of the business that the business would not otherwise be established or expanded in the City but for the availability of the tax incentive. It is the policy of the City Council that private businesses should not be subsidized with public funds,

the indirect consequence of tax exemptions-incentives, unless some public good results and the public subsidization can reasonably be expected to make a significant difference in achieving economic growth and development and the creation of new jobs within the City.

Section 12. Analysis of Costs and Benefits. The City will consider granting tax exemptions-incentives only upon a clear and factual showing of direct economic benefit to the City through advancement of its economic development goals, including the creation of additional jobs and the stimulation of additional private investment. Before a tax exemption-incentive is granted to an application, a cost-benefit analysis report which shall examine the costs and benefits to the public of the proposed tax exemption-incentive will be required. Analysis will be completed by a designated agent of the city and all associated costs will be the responsibility of the applicant. The cost-benefit analysis report shall consider but not be limited to the following factors, as applicable:

- (a) The appraised valuation of the property in relation to the economic benefit to the City of increased employment.
- (b) The gain in tax revenue which may result from the new or expanded business, including the increase in the property tax base upon the expiration of the exemption.
- (c) The contribution that the new or expanded business will make towards increased employment and earnings within the community.
- (d) The number of new jobs created directly by the business in relations to the amount of tax incentives granted.
- (e) The kinds of jobs created in relation to the type of skills available from the local labor market.
- (f) The utilization by the business of labor skills and abilities of unemployed persons in the community.
- (g) The degree to which the business improves the diversification of the economy of the city and its environs.
- (h) The degree to which the ultimate market for the manufactured products is outside the community, recognizing that outside markets bring in "new money" to the local economy.
- (i) The potential of the business for future expansion and additional job creation.
- (j) The beneficial impacts the business may have by creating other new jobs and businesses, including the utilization of local products or other materials and substances in manufacturing.
- (k) The beneficial economic impact the business will have on a particular area of the city, including designated enterprise zones and areas of needed revitalization or redevelopment.
- (l) The compatibility of the location of the business with land use and development plans of the city and the availability of the existing infrastructure facilities and essential public services.
- (m) The extent to which additional direct or indirect public costs to the city and to other local units would be necessary, such as the cost of the extension of public facilities.
- (n) The extent to which the economic and employment benefits of the tax incentive accrue to the residents and taxpayers of those taxing subdivisions which indirectly "subsidize" the business as a result of the forgone tax revenue.

Section 13. No Exemptions. (1) No tax exemption shall be granted if the exemption would create, in the judgment of the City Council, an unfair advantage for one business over another competing business within the City. (2) No tax exemption shall be granted to any business

which commenced operations prior to August 5, 1986, nor for the expansion of a business unless such expansion created new employment.

Section 14. Amount of Tax Incentives. The two primary objectives of the City in granting tax exemptions for economic development are to (1) provided needed jobs, and (2) expand the economic and tax base of the City. Property taxes may be abated for new improvements to real property and for newly acquired items of personal property used by an eligible business in connection with an expansion or relocation of the business' operations in Bel Aire. Land and existing buildings are not generally eligible for property tax-exemption incentive but may be considered for tax exemption-incentive. Motor vehicles are not eligible for property tax exemption-incentive under this policy.

An initial maximum term of ten (10) years can be granted subject to review and approval of the City Council. Recommended percentages of property tax exemption-incentives shall be based on new job creation and capital investment by the eligible business.

Section 15. Application Required. The City will not consider the issuance of IRBs or granting of any tax exemption-incentive or both unless the business submits a full and complete application and provides such additional information as may be requested by the City Council. The application is included in this policy, upon completion, will provide the City Council with adequate and sufficient information to determine whether IRB issuance or a tax incentive or both should be granted and the amount thereof. The accuracy of the information provided in the application shall be verified by the applicant. Any misstatement of or error in fact may render the application null and void and may be cause for the repeal of any ordinance or resolution adopted in reliance on said information.

Section 16. Application and Renewal Fees. Any business requesting IRB issuance or a tax exemption or both pursuant to this statement shall pay to the City an application fee of \$1,500, which shall cover administrative and professional costs by the City in processing this application, including any required cost-benefit analysis. The fee shall be submitted at the same time the application form required by Section 15 is submitted. In addition, any business which has been granted an IRB, or tax exemption or both, shall pay an annual, non-refundable administrative fee in the amount of \$2,500.

Section 17. Initial Review Procedure. On receipt of the completed application form and the required fee, the City Manager shall determine (a) whether the application is complete and sufficient for review, and (b) whether the applicant business is eligible for IRB issuance or an exemption, or both, under the Kansas Constitution, this statement, and any other applicable laws. If the application is incomplete, the City Manager shall immediately notify the applicant, noting the need for such changes or additions as deemed necessary. If questions arise as to whether the business is legally eligible for IRB issuance or an exemption or both, the matter shall be referred to the City Attorney, who shall consult with the applicant business. If the application is found complete and is for a purpose which appears to be authorized by law, the City Manager shall make a recommendation to the City Council for consideration.

Section 18. Initial Governing Body Action. Upon receiving the recommendations of the City Manager, the City Council shall first determine whether to reject the requested IRB issuance or exemption or both, or to further consider the request. Upon a favorable vote for further consideration, the City Council shall either (1) issue a letter of intent as provided by Section 20,

or (2) schedule any required public hearing to consider granting a tax exemption-incentive.

Section 19. Notice and Hearing. No tax exemption shall be granted by the City prior to notice and a public hearing as required by K.S.A. 12-1740 *et seq.*, or KSA 1991 Supp. 79-251. Notice of the public hearing shall be published at least seven days prior to the hearing in the official City newspaper, giving the purpose, time and place, and the hearing may be held at a regular or special meeting of the City Council. The City Clerk shall thereupon notify in writing the Board of County Commissioners, the appropriate school district, and the clerk of any other taxing jurisdiction, excluding the state, which derives or could derive property taxes from the affected business, advising them of the scheduled public hearing and inviting their review and comment. Upon request, the City Clerk shall provide such public agency with a copy of the application. The applicant business shall be invited, but not required, to attend the public hearing.

Section 20. Letters of Intent. Upon receiving the recommendations of the City Manager, the City Council may issue a letter of intent, setting for in general terms its proposed plans for issuing IRBs or granting a tax exemption-incentive or both, and any conditions thereto. Such letters of intent shall be issued only with the approval of the City Council, and as an expression of good faith intent, but shall not in any way bind the City to IRB issuance or the granting of an exemption-incentive or both. Such letters of intent shall expire six months after issuance but may be renewed. A public hearing shall not be required prior to the issuance of letters of intent. No elected or appointed officer, employee or committee of the City, and no chamber of commerce, board, development council or other public or private body or individual, shall be authorized to speak for and commit the City Council to IRB issuance or the granting of a tax exemption-incentive or both.

Section 21. Annual Renewal Subject to Review. The extent and term of any tax exemption-incentive granted shall be subject to annual review by the City Council to ensure that the ownership and use of the property and any other qualifying criteria of the business for the tax exemption-incentive continue to exist. The review shall be completed by not later than February 1 of each year. The city may require an annual renewal application to be filed by the business. The annual renewal application shall include information from the business indicating compliance with any terms or conditions established by the City Council for the granting of the exemption, such as number, quality of jobs created, etc. Upon a finding that the property continues to meet all the terms and conditions established as a condition of granting the exemption, the City Clerk shall so certify to the owner for submission to the assessing officer, as provided by KSA 79-210a.

Section 22. Transfer of Ownership or Use. No exemption or tax incentives granted by the City shall be transferred as a result of a change in the majority ownership of the business. Any new owner shall file a new application for tax exemption-incentive. Further, the City shall be notified by the business of any substantive change in the use of tax-exempt property (see Section 26).

Section 23. Distribution of Revenue. The granting of tax exemptions-incentives by the City is hereby declared to be a contract under the provisions of K.S.A. 12-1740 *et seq.* and KSA 12-147. The in lieu of taxes payment which may be required of a business granted a tax exemption under this statement shall be paid to the County Treasurer, with notice of the amount and date paid provided to the City. The County Treasurer is directed to apportion the payment, under the provisions of subsection (3) of KSA 12-148, to the general fund of all taxing subdivisions, excluding the state, which levy taxes on property where the business is situated. The

apportionment shall be based on the relative amount of taxes levied, for any and all purposes, by each of the applicable taxing subdivisions.

Section 24. Origination Fee. The applicant for IRB issuance or tax exemption-incentive or both shall pay to the City an origination fee in an amount equal to 1% of the par value of the IRB, if applicable, or, if IRBs are not issued, 1% of the value of the property to be exempted. The origination fee shall apply equally to for-profit as well as not-for-profit issuances. The origination fee shall be capped at \$100,000 per IRB issuance or tax exemption-incentive.

As authorized by K.S.A. 12-1742, origination fees collected by the City shall be used by the City for the purpose of promoting and furthering local economic development activities.

The fee is due and payable at the time of IRB issuance, or, if IRBs are not issued, at the time of a Board of Tax Appeals order exempting property under a tax exemption-incentive. The City will, upon the request of the applicant, allow the applicant to pay the origination fee over a ten-year period of time. If payable over time, the fee shall be treated as a loan, amortized at the rate of 5%, and paid in 20 equal installments due on the first day of January and June of each year.

Section 25. Exemption Ordinance. The City Clerk shall provide a copy of the ordinance, as published in the official City newspaper, granting an exemption from taxation and any other necessary documents to the applicant for use in filing an initial request for tax exemption as required by KSA 79-213, and by KSA 79-210 for subsequent years.

Section 26. Exemption Forms. A copy of the exemption applications required by KSA 79-213 and by 79-210, and the statement required by KSA 79-214 for the cessation of an exempt use of property, shall be filed with the City Clerk by the property owner.

Section 27. Waiver of Statement Requirements. The City Council reserves the right to grant or not to issue IRBs or grant a tax exemption-incentive or both under the circumstances beyond the scope of this statement, or to waive any procedural requirement. However, no such action or waiver shall be taken or made except upon a finding by the City Council that a compelling or imperative reason or emergency exists, and that such action or waiver is found and declared to be in the public interest. The City Council shall not waive any procedural requirements required by state law.

Section 28. Definitions. For the purposes of this statement, in application to this City, the words or phrases as used in either the Constitution, applicable state law, or this statement shall have meaning or be construed as follows:

- (a) "Applicant" shall mean and include the business, property owner or owners, and their officers, employees, and agents.
- (b) "Associated therewith" as used with respect to tangible personal property shall mean being located within, upon or adjacent to buildings or added improvements to buildings.
- (c) "Commenced operations" shall mean the start of the business activity housed in the building for which a tax exemption-incentive is requested.
- (d) "Economic development purposes" shall mean the establishment of a new business or the expansion of an existing business, engage in manufacturing articles of commerce, conducting research and development, or storing goods or commodities which are sold or traded in interstate commerce, which results in additional employment.
- (e) "Expansion" shall mean the enlargement of a building or buildings, construction of a new

building, the addition of tangible personal property, or an combination thereof, which increases the employment capaCity of a business eligible for a tax exemption-incentive and which results in the creation of new employment.

- (f) "Manufacturing articles of commerce" shall mean a business engaged in the mechanical or chemical transformation of materials or substances into new products, as defined in the North American Industry Classification System (NAICS) Manual.
- (g) "Research and development" shall mean the application of science or technology to the improvement of either the process of manufacturing or manufactured products or both.
- (h) "Storing goods or commodities which are sold or traded in interstate commerce" shall refer to the business or storing property which may be exempt from ad valorem taxation under the provisions of KSA 79-201f.
- (i) "Tangible personal property" shall mean machinery and equipment used during the term of the tax exemption which may be granted.
- (j) "Tax incentive" or "tax exemption-incentive", see Section 5.

Section 29. Sliding Scale for Tax Exemption-Incentives. New jobs and capital investment will be the main factors for tax exemption-incentives. New job creation will be based on Full-time Equivalent (FTE) jobs based on 2080 hours per year. A sliding scale system may be utilized as example below.

The City reserves the right to use whatever scale it deems appropriate to the development situation, but will generally follow the below schedule:

SLIDING SCALE OF ABATEMENT BY PERCENTAGE										
Year	1	2	3	4	5	6	7	8	9	10
Exemption (%)	100	90	80	70	60	50	40	30	20	10

APPLICATION FOR EXEMPTION

CITY OF BEL AIRE, KANSAS APPLICATION FOR IRB ISSUANCE OR PROPERTY TAX EXEMPTION OR BOTH FOR ECONOMIC DEVELOPMENT PURPOSES

Industrial Revenue Bond issuance, or abatement from Ad Valorem property taxation or both pursuant to K.S.A. 12-1740 *et seq.* or Article II, §13 of the Kansas Constitution is requested for all or any portion of facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes, with respect to issuance of industrial revenue bonds, or the appraised valuation of property used for the purpose of manufacturing articles of commerce, conducting research and development, or storing goods or commodities which are sold or traded in interstate commerce, with respect to other tax exemption-incentives, as described herein. This application is submitted in conformance with the applicable Statement of Policy and Procedures of the City and it is understood that the City may require in lieu of payments for property, which becomes tax-exempt. The attached sheets, if any, are submitted as a part of this application.

Part I. Applicant Identification

Name of Applicant firm: _____

Contact Person (Name and Title): _____

Address: _____

Street or P.O. Box

City

State

Zip

Telephone Number: _____

Names and percent of ownership of all principal owners and officers of the Applicant

Firm: _____

Part II. Property Identification

List only taxable property for which IRB issuance or tax exemption-incentives or both is requested.

_____ Land. Attach legal description of property and plat showing location of buildings, added improvements to buildings, or both.

_____ Building(s). Attach description.

_____ Added improvements to buildings. Attach description and estimated cost.
_____ Tangible personal property. Attach list of each item with identifying
nomenclature and cost. Proof of purchase after August 5, 1986 must be provided
for each item on list.

Part III. Business Information

Type of business organization: _____
(i.e. corporation, subsidiary, partnership, sole proprietorship, etc.)

Date and place business organized or incorporated: _____

Name and parent company, if applicable: _____

Type of business: _____

Line or lines or products manufactured or research and development conducted, or goods or
commodities stored in buildings, for which IRB issuance or tax exemption or both is requested.

Business is... (Please check one) ☐ New ☐ Existing

If NEW Business:

Date Operations will Commence: _____

If business is relocated to this City, give previous location(s): _____

If construction of a new building for a new business is involved, give anticipated date of
completed construction: _____

If EXISTING Business:

Date expansion will be completed: _____

Purpose of expansion: _____

Does expansion involve?

_____ Acquisition of existing building
_____ Enlargement of existing building
_____ Construction of new building

Describe how property identified above facilitates the expansion of such existing business:

Part IV. Employment Data

Existing Business: Describe how expansion has or will create new employment include wage for each new position:

New Business: Describe how many new jobs will be created in total as well as over the 10 year period. Identify average wage for each new job:

Part V - Financial Responsibility

Attach a description of the businesses' financial situation. This may include a financial statement, audit and other relevant information to assess the stability of the business. Indicate whether there is any pending or threatening litigation affecting the viability of the business.

Part VI. Certification of Applicant

I, _____, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter.

Date _____

Signed _____

Name

Title

Part VII. Acknowledgment of Receipt

Receipt of \$1,500.00 fee is hereby acknowledged:

Date: _____ City Manager: _____

PROJECT APPLICATION (CITY OF BEL AIRE, KS)

Name of Corporation/Partnership _____

Date of Request _____

Address _____

Primary Contact _____

Address _____

Phone _____ Fax _____ E-mail _____

A. APPLICANT INFORMATION

B. Name and addresses of all persons or corporations who would be obligated as either applicant or personal guarantors of subsidy:

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

C. Name and addresses of the principal officers and directors of the applicant:

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

D. Applicant's Attorney

Name _____

Phone Number _____

E. Applicant's Financial Advisor

Name _____

Phone Number _____

F. Applicant's Accountant

Name _____

Phone Number _____

G. Requested Subsidy:

Category:	Source/Type/Description:	Requested Amount:
Tax Increment Financing		\$
Tax Abatement		\$
Industrial Revenue Bonds		\$
Other – Land Write-Down		\$
Other – Special Assessments		\$
Other – Public Improvements		\$
TOTAL REQUEST		\$

H. Complete Project Sources and Uses:**Sources:**

Private Bank Loan	\$
Private Equity	\$
State/Local Loan/Grant Funds	\$
Tax Increment/Tax Abatement	\$
Other (specify _____)	\$
Total Sources:	\$

Uses:

Land Acquisition	\$
Building Construction/Reconstruction	\$
Machinery/Equipment	\$
Site Improvements	\$
Installation of Public Utilities	\$
Parking Improvements	\$
Legal/Financial Costs	\$
Surveying/Platting/Permitting	\$
Other (specify _____)	\$
Total Uses:	\$

I. Use of Subsidy:

Amount requested for purchase of land:	\$
Amount requested for building:	\$
Amount requested for equipment:	\$
Amount requested for site improvements:	\$
Amount requested for public utilities:	\$
Working capital:	\$
Other (specify): _____	\$
TOTAL REQUEST	\$

J. Project Details:

1. Include the following project details on a separate sheet:
 - breakdown of commercial square footage, i.e., office, retail, manufacturing, industrial, hospitality, entertainment, etc
 - cost per square footage of construction of each type of housing unit and each type of commercial use
 - commencement and completion for each project component, include site improvements and public infrastructure
 - dates for sale or lease of units, occupancy start, and full occupancy, etc
 - estimated appraised value of project when complete, separated by use
 - describe how the property will be subdivided by uses
 - estimated taxable sales per s.f. of retail, hospitality, etc.

2. Name and address of Contractor _____

Name and address of Architect: _____

3. What type of equipment will be financed, if any? _____

K. Proposed Location/Timing of Construction:

1. Location of the project: _____

2. What percentage of the building will be occupied by the applicant? _____

3. Is the project properly zoned? _____

4. If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application:

5. If unusual demands for water or sewer services or police or fire protection will be made, specify the demands:

L. Ownership and Management:

1. Describe the development company, ownership, affiliated/partner companies (identify membership entities):

2. What portion of the project is being financed from other affiliate or partner funds?

\$ _____

Please Explain _____

3. Will portions of the project be sold to other entities? If so, please explain

4. Describe all threatened or pending/outstanding litigation and legal claims or regulatory issues:

Disclosure items:

Has the applicant or any affiliated party defaulted on a real estate obligation? _____

Has the applicant or any affiliated party declared bankruptcy? _____

Has the applicant or any affiliated party had judgments recorded against them? _____

If the answer is yes to any of the above, please explain.

M. Job Creation Detail:

Type of Job	<u>No. of this Type</u>	<u>Average Annual Wage</u>
Professional	_____	_____
Technical	_____	_____
Clerical	_____	_____
General Labor	_____	_____
Other: (specify _____)	_____	_____

What is the total Annual Payroll? _____

N. Financial Capacity:

1. Provide copies of applicant's financial statements (balance sheets and income statements) for the past three years certified as correct by the owner or an authorized officer (or audited) and current (year to date)

2. Provide current (year to date) and three years historical financial statements (balance sheets and income statements) for the affiliated/partner entities, to demonstrate financial capacity

3. Provide last three years income tax returns for development principals, if applicable.

4. Audited financials are required, and if not available, provide an explanation.

5. Letter from the primary lender(s) stating the amount of conventional financing available for the project

O. References and Relevant Experience:

1. Provide names and locations of recent comparable projects

2. Provide private, public, and non-profit sector references from comparable projects. Please include names of government contacts with which the developer worked, if applicable.

3. Include three relevant experiences.

I, _____, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter. A non-refundable application fee of \$1,500.00 will be paid upon submission of application.

Date _____

Signed _____

Name

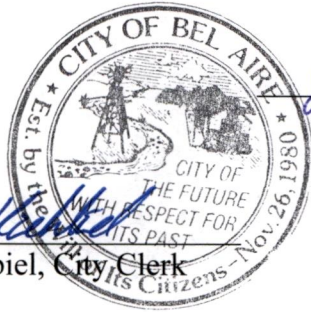
Title

Receipt is hereby acknowledged:

Date: _____

City Manager: _____

Adopted this 7th day of June, 2022 by the Bel Aire City Council.



Jim Benage

Jim Benage, Mayor

Melissa Krehbiel

Melissa Krehbiel, City Clerk

(Signature page to IRB Policy, revised 6/07/2022)