

AN ORDINANCE APPROVING A PETITION FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE 201 EVANS COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; AND DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT, THE MISSOURI DEPARTMENT OF REVENUE AND THE MISSOURI STATE AUDITOR OF THE CREATION OF THE DISTRICT.

WHEREAS, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the “CID Act”) authorize the governing body of any municipality, upon a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, on or about December 29, 2022, a “Petition to Establish the 201 Evans Community Improvement District Pursuant to Sections 67.1401-67.1571 of the Revised Statutes of Missouri, As Amended,” a copy of which is attached as **Exhibit A** hereto (the “CID Petition”), was submitted to the City requesting the formation of the 201 Evans Community Improvement District (the “District”) on approximately 19.82 acres of real property located at 201 Evans Avenue in the City; and

WHEREAS, the interim City Clerk verified that the CID Petition complied with the CID Act; and

WHEREAS, the Board of Aldermen held a duly-noticed public hearing on February 22, 2023, at which all persons interested in the formation of the District were allowed an opportunity to speak and at which time the Board of Aldermen heard all protests and received all endorsements; and

WHEREAS, the Board of Aldermen finds that notice of the formation of the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements have been heard, all in accordance with Section 67.1431 of the CID Act; and

WHEREAS, the Board of Aldermen further finds that the CID Petition to form the District is proper in that it meets all of the requirements of Section 67.1421 of the CID Act;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF COOL VALLEY, MISSOURI, AS FOLLOWS:

Section 1. Creation of the District. The 201 Evans Community Improvement District is hereby created within the City as a political subdivision of the State of Missouri having the powers and purposes set forth in the CID Petition. The District shall include the single parcel of real estate described in **Exhibit A** of the CID Petition and shall be governed by a board of directors consisting of five (5) members hereafter appointed by the Mayor with the consent of the Board of Aldermen in accordance with the CID Act, subject to the qualifications set forth in the CID Petition. The District is authorized to impose a sales tax in the amount set forth in the CID Petition. The District is also authorized to impose the special assessments described in the CID Petition.

Section 2. Term of the District. The term of the existence of the District shall be from the effective date of this Ordinance until 27 years from such effective date.

Section 3. Blight Finding. The Board of Aldermen hereby finds and determines that the real property located in the District is a “blighted area” pursuant to Section 67.1401.2(3) of the CID Act.

Section 4. City Clerk’s Duties. The City Clerk is hereby directed to prepare and file (a) with the Missouri Department of Economic Development and the Missouri State Auditor, the report specified in Section 67.1421.6 of the CID Act and (b) with the Missouri Department of Revenue and the Missouri State Auditor, the information required by Section 67.1421.7 of the CID Act.

Section 5. Further Authority. The officers of the City are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions to the documents herein approved, authorized and confirmed which they may approve, and the execution of such action shall be conclusive evidence of such necessity or advisability. All actions taken to date by the officers of the City with respect to the CID Petition and the District, including, without limitation, the provision of notices for the public hearing regarding the creation of the District, are hereby ratified.

Section 6. Severability. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen has or would have enacted the valid sections without the void one; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage by the Board of Aldermen and approval by the Mayor.

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PASSED by the Board of Aldermen this 8TH day of JUNE, 2023.

Presiding Officer

Attest:



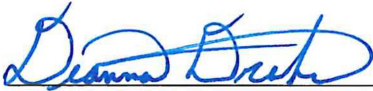
City Clerk

APPROVED by the Mayor this 8TH day of JUNE, 2023.



Mayor

Attest:



City Clerk

EXHIBIT A

CID PETITION

(On file in the office of the City Clerk)