COUNCIL BILL NO. 2017-501 **ORDINANCE NO.**

AN ORDINANCE approving a Cooperative Agreement between EVC-Woodsonia Joplin, LLC, the 510 Rangeline Community Improvement District, and the City of Joplin, Missouri, to further define the project costs and rights relating to the District's Services and Projects; and, authorizing the City Manager to execute the Agreement.

WHEREAS, Sections 67.1401 to 67.1571 RSMo, 2000, as amended (the "CID Act"), authorize the governing body of any city, upon presentation of a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, the City of Joplin, Missouri (the "City") is a charter city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, on December 16, 2016, property owners within the proposed community improvement district, collectively owning one hundred percent (100%) by assessed value of the real property and one hundred percent (100%) per capita of all owners of real property within the proposed community improvement district filed with the City Clerk a petition for the establishment of a community improvement district pursuant to the CID Act (the "Petition"), entitled the 510 Rangeline Community Improvement District (the "District"); and

WHEREAS, on January 3, 2017, the City Council held a public hearing at which all persons interested in the formation of the District were allowed an opportunity to speak; and

WHEREAS, on January 3, 2017, the City Council approved the Petition and established the District for the purposes set forth in the Petition; and

WHEREAS, the City, the District, and EVC-Woodsonia Joplin, LLC (the "Developer") desire to enter into the Cooperative Agreement attached hereto in order to further define the costs and rights for the District Project and District Services.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the Cooperative Agreement by and between EVC-Woodsonia Joplin, LLC, the 510 Rangeline Community Improvement District, and the City of Joplin, Missouri is hereby approved and that a true and accurate copy of said Cooperative Agreement is attached hereto as Exhibit A and incorporated herein by reference as though fully set out herein.

Section 2. That the City Manager is authorized to execute the Cooperative Agreement with EVC-Woodsonia Joplin, LLC and the 510 Rangeline Community Improvement District, by and on behalf of the City of Joplin, Missouri.

Section 3. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 4. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2017.

_____
Michael L. Seibert, Mayor

ATTEST:

_____
Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney