COUNCIL BILL NO. 2020-534 **ORDINANCE NO.**

AN ORDINANCE approving a Cooperative Agreement among the City of Joplin, Missouri, the 32nd Street Place Community Improvement District, and Woodsonia Joplin, LLC; authorizing the City Manager to execute said Agreement on behalf of the City of Joplin; and containing an emergency clause.

WHEREAS, on August 3, 2020, the City Council of the City of Joplin, Missouri (the "City") adopted Ordinance No. 2020-113 creating the 32nd Street Place Community Improvement District (the "CID") pursuant to Sections 67.1401 to 67.1571 RSMo, 2000, as amended; and

WHEREAS, on December 28, 2020, the City Council adopted Ordinance No. 2020-____ approving the 32nd Street Place Tax Increment Financing Redevelopment Plan (the "TIF Plan"), established a redevelopment area and redevelopment project areas, and designated Woodsonia Joplin, LLC, (the "Developer") as the developer to implement the redevelopment projects included in the TIF Plan; and

WHEREAS, the TIF Plan and the petition to form the CID approved by Ordinance No. 2020-113 contemplate funding by the CID of certain improvements associated with the redevelopment projects included in the TIF Plan and located within the boundaries of the CID that will also benefit the property owners of the CID; and

WHEREAS, the City, the CID, and the Developer have reached agreement on the terms of a cooperative agreement in the form of a Cooperative Agreement among the City of Joplin, Missouri, 32nd Street Place Community Improvement District, and Woodsonia Joplin, LLC (the "Cooperative Agreement") to set forth their respective rights, duties, and obligations regarding the use of CID revenues and construction of said improvements within the boundaries of the CID; and

WHEREAS, the City Council desires to approve the Cooperative Agreement and authorize the City Manager to execute it on behalf of the City.

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

Section 1. That the Cooperative Agreement among the City of Joplin, Missouri, 32nd Street Place Community Improvement District, and Woodsonia Joplin, LLC, attached hereto as Exhibit A is approved and the City Manager is hereby authorized and directed, upon recommendation and approval of the City Attorney, to execute said Agreement, in substantially similar form, by and on behalf of the City.

Section 2. The City Manager, City Clerk and any other appropriate City officials are hereby authorized to take any action as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments or other documents as may be necessary, desirable, convenient or proper to perform all matters herein authorized.

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 relating to the Cooperative Agreement is declared by the City Council to be an emergency within this meaning of Section 2.12, subparagraph (6), of the Home Rule Charter of the City of Joplin, Missouri, and as such shall become effective immediately upon its passage. This Cooperative Agreement needs to be approved to advance the project.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____

day of _____, 2020, by a _____vote.

_____
Ryan D. Stanley, Mayor

ATTEST:

_____
Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney