

(Published in the *Dodge City Daily Globe* on March ____, 2023)

ORDINANCE NO. 3792

**AN ORDINANCE OF THE CITY OF DODGE CITY, KANSAS, APPROVING
THE TERMINATION OF THE SCOOTERS-WYATT EARP CID; AND
AUTHORIZING ACTIONS RELATING THERETO.**

WHEREAS, the City of Dodge City, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas (the “State”) as a city of the first class; and

WHEREAS, on January 21, 2020, pursuant to K.S.A. 12-6a26 *et seq.* (the “Act”), a petition (the “Petition”) was filed with the City Clerk requesting (a) that the community improvement district described therein and known as the “Scooters-Wyatt Earp CID” (the “District”) be created; (b) that the City levy a community improvement district sales tax on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer's sales tax act, within the District in the amount of two percent (2%) (the “CID Sales Tax”); and (c) that certain community improvement district project costs to be incurred within the District be financed with pay-as-you-go financing from such CID Sales Tax, all in accordance-with the Act; and

WHEREAS, on February 17, 2020, the City adopted Resolution No. 2020-01 directing a public hearing on the proposed District be held and declaring its intent to levy the CID Sales Tax in the proposed District, and following proper notice as provided in the Act, the City held a public hearing on the proposed District, the proposed community improvement district project and the imposition of the CID Sales Tax in the proposed District; and

WHEREAS, following the conclusion of the public hearing, on March 16, 2020, the City passed Ordinance No. 3729 which created the requested District and authorized the levy of the CID Sales Tax in the amount of two percent (2%), the collection of which began on July 1, 2020; and

WHEREAS, the property constituting the District has sold, and the new owner thereof (the “Owner”), who owns 100% of both the land area within the District and the assessed value of the land area within the District, has requested the termination of the District and the collection of the CID Sales Tax, effective July 1, 2023 or as soon thereafter as permitted by law; and

WHEREAS, the City desires to terminate the District and the collection of the CID Sales Tax.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:

Section 1. Termination of the District. The governing body of the City hereby finds and determines that based upon the request of the Owner, the District and the collection of the CID Sales Tax are terminated effective as of July 1, 2023, or as soon thereafter as permitted by law. City officials are hereby directed to take such action and give notice to the Kansas Department of Revenue in connection with such termination prior to April 1, 2023. A legal description of the property within the District is set forth in *Exhibit A* attached hereto and incorporated by reference. A map generally outlining the boundaries of the District is attached hereto as *Exhibit B* and incorporated herein by reference.

Section 2. Further Authority. The City shall, and the officers, employees and agents of the City, including Gilmore & Bell, P.C., the City's bond counsel, are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments, as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect thereto.

Section 3. Effective Date. This Ordinance shall take effect from and after its passage by the City, and its publication once in the official newspaper of the City.

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PASSED by the City Commission on March 20, 2023, and **SIGNED** by the Mayor.

(SEAL)

Mayor

ATTEST:

Clerk

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CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on March 20, 2023; that the record of the final vote on its passage is found on page ____ of journal ____; and that the Ordinance or a summary thereof was published in the *Dodge City Daily Globe* on March ____, 2023.

DATED: March ____, 2023.

Clerk

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EXHIBIT A

LEGAL DESCRIPTION OF THE DISTRICT

904 West Wyatt Earp Blvd.

The West 29.9' of Lot 4, All of Lot 5 and Lot 6, Block 2, Hardesty Addn., Dodge City, Kansas except additional R/W for Wyatt Earp Blvd.

EXHIBIT B

MAP OF THE DISTRICT

