

**ORDINANCE NO. CID-3341**

**AN ORDINANCE DISCONTINUING COLLECTION OF THE NORTHWEST CORNER OF WEST 115<sup>TH</sup> STREET AND NALL COMMUNITY IMPROVEMENT DISTRICT SALES TAX EFFECTIVE APRIL 1, 2022, AND PROVIDING FOR THE CONTINUATION OF THE COLLECTION OF THAT COMMUNITY IMPROVEMENT DISTRICT SALES TAX EFFECTIVE APRIL 1, 2023 (NWC 115TH STREET AND NALL AVENUE CID).**

**WHEREAS**, on November 6, 2017, the Governing Body of the City of Overland Park, Kansas (the “City”) passed Ordinance No. CID-3180 (the “CID Ordinance”) creating the community improvement district at the northwest corner of West 115<sup>th</sup> Street and Nall (the “115<sup>th</sup> and Nall CID”); authorizing the making of certain community improvement district project improvements relating thereto; approving the maximum cost of such community improvement district project improvements; establishing the boundaries of the 115<sup>th</sup> & Nall CID; providing for the method of financing; authorizing the imposition of a community improvement district sales tax within the 115<sup>th</sup> and Nall CID (the “CID Sales Tax”); and

**WHEREAS**, on August 27, 2018, the Governing Body of the City passed Ordinance No. CID-3180,A increasing the 115<sup>th</sup> & Nall CID project costs; increasing the CID sales tax rate; and authorizing the CID Sales Tax to become effective on July 1, 2021; and

**WHEREAS**, Section 4 of Ordinance No. CID-3180,A provided that the collection of the CID Sales Tax would commence on July 1, 2021, or any other effective date the City may approve by ordinance; and

**WHEREAS**, on September 21, 2021, the City received a Petition requesting to discontinue collection of the CID Sales Tax and recommence collection of the CID Sales Tax on April 1, 2023 (the “Request”); and

**WHEREAS**, the Request was signed by all owners of record in the 115<sup>th</sup> and Nall CID; and

**WHEREAS**, the Request was filed after collection of the CID Sales Tax commenced on July 1, 2021; and

**WHEREAS**, the CID Sales Tax will be collected from July 1, 2021 to April 1, 2022; and

**WHEREAS**, the City hereby finds that it is appropriate and in the public interest to grant the Request.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:**

**Section 1. Discontinuance and Recommencement of the Collection of the CID Sales Tax.** The collection of the CID Sales Tax within the 115<sup>th</sup> & Nall CID shall be discontinued effective April 1, 2022, with collection of such CID Sales Tax to recommence on April 1, 2023, or any other effective date the City may approve by ordinance if a change in the effective date of the recommencement of the collection of the CID Sales Tax outlined herein is requested in writing by all owners of record in the 115<sup>th</sup> & Nall CID.

**Section 2. Effective Date.** This Ordinance shall be in force and take effect from and after its passage, approval and publication in an official City newspaper.

*[Remainder of page intentionally left blank.]*

PASSED by the City Council on this 4<sup>th</sup> day of October, 2021.

APPROVED by the Mayor on this 4<sup>th</sup> day of October, 2021.

**CITY OF OVERLAND PARK, KANSAS**

By: (s) Carl Gerlach  
Carl Gerlach  
Mayor

(SEAL)

ATTEST:

By: (s) Elizabeth Kelley  
Elizabeth Kelley  
City Clerk

APPROVED AS TO FORM:

By: (s) Michael Koss  
Michael Koss  
Deputy City Attorney