

CITY OF BELLEVUE, KENTUCKY

ORDINANCE NO. 2026-05-02

AN ORDINANCE OF THE CITY OF BELLEVUE, KENTUCKY ("CITY") AMENDING ORDINANCE NO. 2016-09-01 PERTAINING TO THE ESTABLISHMENT OF A DEVELOPMENT AREA FOR ECONOMIC DEVELOPMENT PURPOSES WITHIN THE CITY TO BE KNOWN AS THE BELLEVUE IMPROVEMENT DISTRICT DEVELOPMENT AREA TO DESIGNATE THE CITY'S OFFICE OF THE CLERK/TREASURER AS THE AGENCY RESPONSIBLE FOR OVERSIGHT, ADMINISTRATION AND IMPLEMENTATION OF THE DEVELOPMENT AREA; AUTHORIZING THE MAYOR AND OTHER OFFICIALS TO TAKE SUCH OTHER APPROPRIATE ACTIONS AS ARE NECESSARY OR REQUIRED IN CONNECTION WITH THE DESIGNATION OF THE AGENCY, INCLUDING EXECUTING AND DELIVERING A FIRST AMENDMENT TO THE HEREINAFTER DESCRIBED AND DEFINED LOCAL PARTICIPATION AGREEMENT.

WHEREAS, pursuant to Ordinance No. 2016-09-01 ("Original Development Area Ordinance"), the City Council of the City of Bellevue, Kentucky, by virtue of the laws of the Commonwealth of Kentucky ("State"), Kentucky Revised Statutes, specifically Sections 65.7041 to 65.7083, as may be amended (the "Act") (1) established a development area to encourage reinvestment in and development and reuse of areas of the City, (2) entered into agreements in connection with the establishment and development of a development area, (3) established a special fund for deposit of incremental revenues resulting from the development of a development area, and (4) designated the Bellevue Urban Renewal and Community Development Agency (the "Original Agency") to oversee, administer and implement projects within the development area; and

WHEREAS, City Council desires to amend the Original Development Area Ordinance to provide for the designation of the City of Bellevue Office of the Clerk/Treasurer as the successor agency to the Original Agency (the "Successor Agency"); and

WHEREAS, City Council further desires to approve the execution and delivery of a First Amendment to Local Participation Agreement to facilitate the substitution of the Successor Agency for the Original Agency together with such other amendments as may be desirable to the City, including amending the date of the Local Participation Agreement and the modification of the Activation Date (as defined in the Original Development Area Ordinance);

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNCIL OF THE CITY OF BELLEVUE, KENTUCKY AS FOLLOWS:

Section 1

That Ordinance 2016-09-01 and any amendments thereto are amended as indicated herein.

Section 2

Section 1.1 of the Original Development Area Ordinance is hereby amended and modified hereinafter as hereinafter set forth with changes and new provisions being underlined to read as follows:

"Agency" means the City of Bellevue, Office of the Clerk/Treasurer [~~Bellevue Urban Renewal and Community Development Agency~~].

Section 3

Section 6 of the Original Development Area Ordinance is hereby amended and modified hereinafter as hereinafter set forth with changes and new provisions being underlined to read as follows:

First Amendment to Local Participation Agreement. The Mayor of the City is hereby authorized and directed to execute, acknowledge and deliver on behalf of the City and on behalf of the Office of the Clerk/Treasurer the First Amendment to Local Participation Agreement which authorizes the pledge of a portion of the Incremental Revenues of the City from the Development Area to the payment of Redevelopment Assistance, Project Costs and/or Approved Public Infrastructure Costs and Financing Costs, the form of First Amendment to Local Participation Agreement to be signed by the Mayor on behalf of City and the Agency and by the County, shall be in substantially the form attached to this Ordinance, subject to further negotiations and changes therein that are not inconsistent with this Ordinance and not substantially adverse to the City. The approval of such changes by said officers, and that such changes are not substantially adverse to the City, shall be conclusively evidenced by the execution of, as applicable, such Local Participation Agreement by such officials.

Section 4

The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

Section 5

All prior resolutions, municipal orders or ordinances or parts of any resolution, municipal order or ordinance in conflict herewith are hereby repealed.

Section 6

This Ordinance shall be in full force and effect from and after its passage, attestation, recordation and publication of a summary hereof pursuant to KRS Chapter 424.

NOW, THEREFORE, BE IT ORDAINED by the Board of Council of the City of Bellevue,
Campbell County, Kentucky, that:

Charlie Cleves, Mayor

ATTEST:

Lindy Jenkins, City Clerk/Treasurer

First Reading:

Second Reading:

Publication: