

**AN ORDINANCE APPROVING THE 2015 AMENDMENT: REDEVELOPMENT PLAN FOR THE FRANCIS PLACE REDEVELOPMENT AREA AND AUTHORIZING CERTAIN ACTIONS RELATED THERETO.**

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WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

WHEREAS, on March 2, 2003, the City Council of the City of Richmond Heights, Missouri (the "City"), adopted Ordinance No. 4835 approving a plan for redevelopment known as the Redevelopment Plan for the Francis Place Redevelopment Area (the "Original Redevelopment Plan"), which described a "Redevelopment Project" to be undertaken in an approximately 29-acre area (including rights-of-way) generally bounded by Galleria Parkway on the north, I-170 on the east, I-64/Highway 40 on the south, and Brentwood Boulevard on the west (the "Redevelopment Area"); and

WHEREAS, the Redevelopment Plan divides the Redevelopment Area into four separate redevelopment project areas referred to as "RPA 1," "RPA 2," "RPA 3" and "RPA 4"; and

WHEREAS, the City Council approved amendments to the Original Redevelopment Plan on November 7, 2005 by adoption of Ordinance No. 4961 and March 3, 2008 by adoption of Ordinance No. 5061 (collectively with the Original Redevelopment Plan, the "Redevelopment Plan"); and

WHEREAS, the City wishes to further amend the Redevelopment Plan through the approval of the 2015 Amendment: Redevelopment Plan for the Francis Place Redevelopment Area attached hereto as **Exhibit A** (the "2015 Amendment"), which will reduce the size of the Redevelopment Area; and

WHEREAS, after all proper notice was given, the Tax Increment Financing Commission of the City of Richmond Heights, Missouri (the "TIF Commission") held a public hearing in conformance with the Act on November 30, 2015, and received comments from all interested persons and taxing districts relative to the proposed 2015 Amendment; and

WHEREAS, after the conclusion of the public hearing, the TIF Commission adopted a resolution (1) approving the 2015 Amendment and the amendment to the Redevelopment Project described therein and (2) recommending to the City Council that it adopt an ordinance approving the 2015 Amendment and the amendment to the Redevelopment Project described therein; and

WHEREAS, the 2015 Amendment has been subsequently revised in a manner that does not enlarge the exterior boundaries of the Redevelopment Area, substantially affect the general land uses established in the Redevelopment Plan or substantially change the general nature of the redevelopment projects relative to the changes described in the version of the 2015 Amendment considered by the TIF Commission; and

WHEREAS, notice of the revisions to the 2015 Amendment were mailed to each affected taxing district and published in a newspaper of general circulation in the area in accordance with the provisions of the TIF Act;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby finds that the 2015 Amendment is necessary, desirable and in the best interests of the City, and the City Council hereby approves the 2015 Amendment and the amendment to the Redevelopment Project described therein. As provided in the 2015 Amendment, the Redevelopment Area is hereby amended to (a) immediately eliminate RPA 2 and RPA 3 and (b) eliminate RPA 4 upon repayment of all bonds to which RPA 4 revenues are pledged.

SECTION 2. The Finance Director is hereby directed to (a) calculate the amount of moneys on deposit in the respective accounts of the Special Allocation Fund established for RPA 2, RPA 3 and RPA 4 as of the effective date of their removal from the Redevelopment Area by the 2015 Amendment and (b) pay such moneys to the St. Louis County Collector or other appropriate officials for distribution to the applicable taxing districts in accordance with the Act.

SECTION 3. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance, including, without limitation, notifying the County of the respective dates that RPA 2, RPA 3 and RPA 4 are removed from the Redevelopment Area.

SECTION 4. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 5. This Ordinance shall take effect and be in full force on December 1, 2016.

PASSED and SIGNED this 3rd day of October, 2016.

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JIM THOMSON  
MAYOR

ATTEST:

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PATRICIA S. VILLMER  
DEPUTY CITY CLERK

APPROVED AS TO FORM:

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KENNETH J. HEINZ  
CITY ATTORNEY

First reading: February 1, 2016  
Set aside for future: February 16, 2016  
Second reading  
(amended): September 19, 2016  
Second reading: October 3, 2016 (as amended)

**EXHIBIT A**

**2015 AMENDMENT:  
REDEVELOPMENT PLAN FOR THE FRANCIS PLACE REDEVELOPMENT AREA**

[On file in the Office of the Deputy City Clerk]