

**AN ORDINANCE APPROVING A PETITION FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE CROSSINGS AT RICHMOND HEIGHTS COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; AND DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE CREATION OF THE DISTRICT.**

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**WHEREAS**, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “CID Act”) authorize the governing body of any municipality, upon a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

**WHEREAS**, on October 18, 2016, pursuant to Resolution No. 16-11 adopted by the City Council, the City Manager executed the Petition for the Creation of a Community Improvement District attached hereto as **Exhibit A** (the “CID Petition”); and

**WHEREAS**, the City is the owner of all real property within the community improvement district described in the Petition (the “District”) and therefore, pursuant to the CID Act, is the proper signatory to the CID Petition; and

**WHEREAS**, the City Clerk verified that the petition complied with the CID Act and set a public hearing with all proper notice being given in accordance with the CID Act; and

**WHEREAS**, the City Council held a public hearing on November 7, 2016, at which all persons interested in the formation of the District were allowed an opportunity to speak and at which time the City Council heard all protests and received all endorsements; and

**WHEREAS**, the City Council finds that notice of the formation of the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements have been heard, all in accordance with Section 67.1431 of the CID Act; and

**WHEREAS**, the City Council further finds that the petition to form the District is proper in that it meets all of the requirements of Section 67.1421 of the CID Act.

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

**SECTION 1.** As the sole property owner within the District, the City hereby waives receipt of mailed notice of the public hearing.

**SECTION 2.** The Crossings at Richmond Heights Community Improvement District is hereby created within the City as a political subdivision of the State of Missouri having the powers and purposes set forth in the CID Petition. The District shall include the contiguous tracts of real estate described in **Exhibit A** of the CID Petition, and shall be governed by a board of directors consisting of five (5) members hereafter appointed by the Mayor with the consent of the City Council pursuant to this

Ordinance, subject to the qualifications set forth in the CID Petition. The District is authorized to impose a sales tax and special assessment in the amounts set forth in the CID Petition.

**SECTION 3.** The term of the existence of the District shall be from its creation until no later than December 31, 2046. Notwithstanding the foregoing, the District shall terminate if it does not join the Redevelopment Agreement between the City and Summit Hanley Investors, LLC relating to the redevelopment of property within the District within six months from the effective date of this Ordinance.

**SECTION 4.** The Mayor hereby appoints and the City Council hereby consents to the appointment of the following Board of Directors for the District to their respective initial terms of office:

<b><u>Director</u></b>	<b><u>Length of Initial Term</u></b>
Scott Reese	4 years
Bruce Sokolik	4 years
Amy Hamilton	2 years
John Ross	2 years
Lisa Gates	2 years

**SECTION 5.** The City Clerk is hereby directed to prepare and file with the Missouri Department of Economic Development the report specified in Section 67.1421.6 of the CID Act.

**SECTION 6.** The officers of the City are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions to the documents herein approved, authorized and confirmed which they may approve, and the execution of such action shall be conclusive evidence of such necessity or advisability. All actions taken to date by the officers of the City with respect to the CID Petition and the District, including, without limitation, the provision of notices for the public hearing regarding the creation of the District, are hereby ratified.

**SECTION 7.** 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 8.** This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 21<sup>st</sup> day of November, 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:            November 7, 2016  
Second reading:        November 21, 2016

**EXHIBIT A**

**CID PETITION**

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