

RESOLUTION NO. 479

**A RESOLUTION ESTABLISHING THE TAX INCREMENT FINANCING COMMISSION OF THE CITY OF CHESTERFIELD, MISSOURI; PROVIDING FOR A METHOD OF APPOINTMENT OF MEMBERS OF SAID COMMISSION; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH**

**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 adopt tax increment financing in order to finance redevelopment projects; and

**WHEREAS**, the City Council of the City of Chesterfield, Missouri (the “**City**”) desires to consider the use of tax increment financing to finance redevelopment projects within certain areas of the City that may qualify for redevelopment (the “**Proposed Redevelopment Area**”); and

**WHEREAS**, Section 99.820.3 of the Act requires a city in a county with a charter form of government and with more than one million inhabitants to, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, to create a commission consisting of twelve persons to be appointed as set forth in the Act; and

**WHEREAS**, the City Council desires to establish and provide for such commission, the appointment of members to such a commission, and compliance with notice requirements relating thereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:**

Section 1. There is hereby created a commission to be known as the “Tax Increment Financing Commission of the City of Chesterfield, Missouri” (the “**Commission**”).

Section 2. The Commission shall consist of twelve members, appointed as follows: (a) six members appointed by the county executive of St. Louis County, Missouri (the “**County**”), (b) three members appointed by the cities, towns, or villages in the County which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree, (c) two members appointed by the school boards whose districts are included in the County in a manner in which the school boards agree, and (d) one member to represent all other districts levying ad valorem taxes in the Proposed Redevelopment Area in a manner in which all such districts agree, all as provided for in the Act.

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Section 3. The terms of the members of the Commission shall be as follows: (a) members appointed to the Commission, except those six members appointed by the county executive of the County, shall serve on the Commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the Commission; and (b) the six members appointed by the county executive of the County shall serve on the Commission until replaced.

Section 4. The City Administrator or his designee on the City's behalf shall send notice of the creation of the Commission by certified mail to the county executive of the County, to the school districts whose boundaries include any portion of the Proposed Redevelopment Area, and to the other taxing districts whose boundaries include any portion of the Proposed Redevelopment Area. In addition, the City Administrator or his designee on the City's behalf shall be solely responsible for notifying all other cities, towns and villages in the County that have tax increment financing districts of the creation of the Commission.

Section 5. The City Council hereby authorizes and approves the Commission to exercise those powers and fulfill such duties as are required or authorized for such Commission under the Act. The City shall exercise all administrative functions of the Commission.

Section 6. The Commission shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of Section 99.810 of the Act, as determined by counsel to the City and upon request of the City, fix a time and place for the public hearing referred to in Section 99.825 of the Act. The public hearing shall be held no later than seventy-five days from the Commission's receipt of such redevelopment plan and request for public hearing. The Commission shall vote and make recommendations to the City Council on all proposed redevelopment plans, redevelopment projects, and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. A recommendation of approval shall only be deemed to occur if a majority of the commissioners voting on such plan, project, designation, or amendment thereto vote for approval. A tied vote shall be considered a recommendation in opposition. If the Commission fails to vote within thirty days following the completion of the public hearing referred to in Section 99.825 of the Act concerning the proposed redevelopment plan, redevelopment project, or designation of a Proposed Redevelopment Area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the Commission.

Section 7. The City shall, and the officials, officers, agents and employees of the City are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

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Section 8. The sections of this Resolution shall be severable. In the event that any section of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining sections of this Resolution shall remain valid, unless the court finds the valid sections of this Resolution are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council has or would have enacted the valid sections without the invalid ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 9. This Resolution shall be in full force and effect from and after its passage of the City Council and approval by the Mayor.

Passed and approved this 25<sup>TH</sup> day of July, 2022.

Bob Aatun  
PRESIDING OFFICER

Bob Aatun  
MAYOR

ATTEST:

Vickie McDound  
CITY CLERK