BILL 2018-25

****Full Reading****

MEMO

TO: Mayor and City Council

FROM: Tim Wymes, Community Development Director; Padraic Corcoran, City Counselor

DATE: May 21, 2018

RE: Petition to the City Council of the City of Cameron, Missouri for the Creation of the Holman Community Improvement District; Ordinance Approving the Petition and Establishing of the Holman Community Improvement District.

Issue: Establishment of the Holman Community Improvement District ("**CID**")

Background & Summary:

On April 19, 2018 Holman Properties, LLC ("**Holman**") submitted their Petition to the City Council of the City of Cameron, Missouri for the Creation of the Holman Community Improvement District (the "**Petition**") to the City Clerk as required by Section 67.1801 *et seq.*, RSMo (the "**CID Act**"). A Community Improvement District is a type of special purpose district in which property owners voluntarily tax themselves to fund a broad range of public improvements and/or public services to support business activity and economic development within specified boundaries. Formation of a CID may be considered upon receipt of a petition signed by owners of real property representing more than 50% of the assessed valuation within the proposed CID boundary and over 50% per capita of all owners of real property. Holman represents the 100% owner of real property within the proposed CID both by assessed valuation and per capita. The Petition substantially complies with the requirements of the CID Act.

Upon receiving a petition that substantially complies with the CID Act, a public hearing must be held to consider the establishment of the CID. After the close of the public hearing the City Council may adopt an ordinance approving the Petition and establishing the proposed CID as set forth in the Petition.

Holman has requested the CID be established as a separate political subdivision as allowed under Missouri law. As a separate political entity, the CID has the authority to impose a 1% sales tax on retail sales within the district (the "**CID Sales Tax**"). The revenue generated by the CID Sales Tax will go towards funding of the public improvements listed in the Petition, which includes (1) construction of utilities; (2) construction of a parking lot to serve the retail building being constructed; (3) site improvements necessary to allow for the construction of the aforementioned retail building; (4) storm water improvements; and (5) operating expenses of the proposed CID.

The proposed CID is to be governed by a five-person board of directors, which will oversee the proposed CID's activities. The initial board of directors as outlined in the Petition is as follows:

John Grossnickle	4-year term
James T. Holman	4-year term
Norma J. Hooton	2-year term
R. Timothy Bickhaus	2-year term
Karen Waller	2-year term

Upon the expiration of the term of a member of the board of directors, the CID is required to submit a slate of proposed successor members. Ultimately, approval of successor members is up to the Mayor and City Council as the CID Act and the Petition grant the Mayor, with the consent of the City Council, appointment authority of successor members.

In addition to the official members of the CID board of directors, the CID is required by the Petition to designate an elected or appointed official or employee of the City as ex officio member who will have the right to notice and participation in any meeting or business of the CID and will enjoy all other rights of members of the board of directors other than the right to vote.

Once established, the proposed CID and City shall enter into a Cooperative Agreement to further define their respective duties and obligations with respect to the administration, enforcement, and operation of the CID Sales Tax and the funding of the CID public improvements, operating expenses and potential CID eligible services. In addition, the Cooperate Agreement will require that the proposed CID contribute And participate in any future extension of the City's sidewalk system to the proposed CID boundaries. The Cooperative Agreement shall be considered by the City Council at a later date. As a condition within the Cooperative Agreement and as required by the CID Act, the proposed CID will submit to the City on an annual basis the proposed annual budget of the CID.

Recommendation: Staff recommends, upon closure of the public hearing, adoption of an Ordinance establishing the Holman Community Improvement District.

Attachments:

(1) Petition to the City Council of the City of Cameron, Missouri for the Creation of the Holman Community Improvement District including exhibits thereto
(2) Ordinance Approving the Petition and Establishing the Holman Community Improvement District

Bill 2018-25

AN ORDINANCE OF THE CITY OF CAMERON, CLINTON, DeKALB AND CALDWELL COUNTIES, MISSOURI, APPROVING THE PETITION TO ESTABLISH THE HOLMAN COMMUNITY IMPROVEMENT DISTRICT

WHEREAS, Sections 67.1401 to 67.1571 RSMo, 2000, as amended (the "**CID Act**"), authorizes the governing body of any city, upon presentation of a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, the City of Cameron, Missouri (the "**City**") is a city of the third class and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, on April 19, 2018, property owners representing the necessary amount of assessed value and per capita numbers within the proposed Holman Community Improvement District filed with the Clerk of the City (the "**City Clerk**") a petition for the establishment of a community improvement district pursuant to the CID Act (the "**Petition**"), entitled the Holman Community Improvement District (the "**District**"); and

WHEREAS, the City Clerk verified that the Petition substantially complies with the CID Act, submitted the verified Petition to the City Council and set a public hearing with all proper notice being given in accordance with the CID Act or other applicable law; and

WHEREAS, none of the signatures of the signers of the Petition were withdrawn within seven days after the Petition was filed with the City Clerk; and

WHEREAS, all the real property included in the District is entirely located within the City; and

WHEREAS, on May 21, 2018, the City Council held a public hearing 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.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cameron, Clinton, DeKalb and Caldwell Counties, Missouri, as follows:

SECTION 1. APPROVAL OF PETITION. That the Holman Community Improvement District is hereby approved and shall be established within the City as a political subdivision of the State of Missouri, as provided in the Petition filed with the City Clerk on April 19, 2018 a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference.

SECTION 2. INITIAL BOARD MEMBERS. That the District shall be governed by a board of directors consisting of five (5) members. The names and terms of office of the initial Board of Directors were proposed in the Petition and the following individuals are hereby

appointed by the Mayor with the consent of the City Council to serve as the Board of Directors for the District for the initial terms set forth below

John Grossnickle	4 year term
James T. Holman	4 year term
Norma J. Hooton	2 year term
R. Timothy Bickhaus	2 year term
Karen Waller	2 year term

SECTION 3. PURPOSE AND POWERS. That the District is hereby established for the purposes set forth in the petition; that the District shall have all the powers and authority authorized by the petition the Act, and by law; and that the District shall continue for twenty (20) years with additional ten (10) year terms subject to approval of the City Council and unless terminated in accordance with Missouri law.

SECTION 4. CITY REPORTING. That upon the effective date of this ordinance, the City Clerk is hereby directed to report the creation of the District to the Missouri Department of Economic Development pursuant to Section 67.1421.6 RSMo, by sending a copy of this ordinance to said agency.

SECTION 5. FURTHER AUTHORIZATION. That the City Manager, City Clerk and such other officials of the City may execute any other additional documents or take such other actions as are necessary, incidental or expedient to carry out the intent of this Ordinance approved and the authority granted herein.

SECTION 6. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

Read two times, passed and approved on the 21st day of May, 2018

_____
Mayor Darlene Breckenridge

ATTEST:

_____
Shellie Blades, City Clerk