



SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF UNIVERSITY CITY  
**VIA VIDEOCONFERENCE**  
**Tuesday, July 30, 2024**  
**5:30 p.m.**

**City Council will Meet Electronically on July 30, 2024**

**PUBLIC ACCESS TO THE CITY COUNCIL MEETING**

**Observe and/or Listen to the Meeting** (your options to join the meeting are below):

**Webinar** via the link below:

<https://us02web.zoom.us/j/84807918218?pwd=ehOwvntA70SY6SCuwOeOOgM5qt4wWU.1>

Passcode: 155052

**Live Stream via YouTube:**

[https://www.youtube.com/channel/UCyN1EJ\\_-Q22918E9EZimWoQ](https://www.youtube.com/channel/UCyN1EJ_-Q22918E9EZimWoQ)

**Audio Only Call**

Or One tap mobile :

+16469313860,,84807918218# US

+19292056099,,84807918218# US (New York)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 646 931 3860 US

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Webinar ID: 848 0791 8218

International numbers available: <https://us02web.zoom.us/j/84807918218>

**AGENDA**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS** (Acknowledgement)

**E. APPROVAL OF MINUTES**

1. July 22, 2024 Special Meeting Minutes

**F. APPOINTMENTS to BOARDS AND COMMISSIONS**

**G. SWEARING IN TO BOARDS AND COMMISSIONS**

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

The public may submit written comments must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments, a **name and address must be provided.** Please also not if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record.

**I. COUNCIL COMMENTS**

**J. PUBLIC HEARINGS**

1. A Public Hearing related to The Markets at Olive Community Improvement District (Bill 9553).

**K. CONSENT AGENDA (1 voice vote required)**

**L. CITY MANAGER’S REPORT – (voice vote on each item as needed)**

**M. UNFINISHED BUSINESS (2<sup>nd</sup> and 3<sup>rd</sup> readings – roll call vote required)**

1. **BILL 9553** – AN ORDINANCE APPROVING AN AMENDMENT TO THE PETITION CREATING THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT AND REMOVING CERTAIN PROPERTY FROM THE DISTRICT.
2. **BILL 9554** - AN ORDINANCE AMENDING TITLE III OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE TRAFFIC CODE, BY AMENDING TABLE III-D THEREIN, RELATING TO RESIDENTIAL PARKING PERMIT AREAS, BY DELETING THE 8000 BLOCK OF LAFON PLACE.

**N. NEW BUSINESS**

none

**O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business

**P. CITIZEN PARTICIPATION (continued if needed)**

**Q. COUNCIL COMMENTS**

**R. EXECUTIVE SESSION (roll call vote required)**

none

**S. ADJOURNMENT**

Posted July 25, 2024

SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF UNIVERSITY CITY  
**VIA VIDEOCONFERENCE**  
Monday, July 22, 2024  
5:30 p.m.

**AGENDA**

**A. MEETING CALLED TO ORDER**

At the Special Session of the City Council of University City held virtually on Monday, July 22, 2024, Mayor Terry Crow, Mayor called the meeting to order at 5:30 p.m.

**B. ROLL CALL**

In addition to the Mayor Crow, the following members of Council were present:

Councilmember John Tieman  
Councilmember Steven McMahon  
Councilmember Dennis Hales  
Councilmember Jeffrey Fuller  
Councilmember Bwayne Smotherson  
Councilmember Stacy Clay (*excused*)

Also in attendance were City Manager, Gregory Rose, City Attorney John F. Mulligan, Jr., Department Director of Planning, John Wagner and Developer, Larry Chapman

**C. APPROVAL OF AGENDA**

Hearing no requests to amend, Councilmember Fuller moved to approve the Agenda as presented, seconded by Councilmember Hales, and the motion carried unanimously.

**D. PROCLAMATIONS (Acknowledgement)**

**E. APPROVAL OF MINUTES**

1. July 2, 2024 Special Meeting Minutes; was moved by Councilmember Hales, it was seconded by Councilmember Tieman, and the motion carried unanimously.

**F. APPOINTMENTS to BOARDS AND COMMISSIONS**

**Gregory Rose** (term expiration 7/13/28), **Lawrence R. Chapman** (term expiration 7/13/28), **Keith Cole** (term expiration 7/13/26), **Caroline P. Saunders** (term expiration 7/13/26), and **Jeff Pardieck** (term expiration 7/13/26) are nominated for appointment to the Markets at Olive CID Board of Directors by Mayor Crow, it was seconded by John Tieman.

Councilmember Smotherson asked for background information on Caroline Saunders and Jeff Pardieck. Larry Chapman stated that Caroline Saunders is a partner and also general counsel for the Market at Olive project and Jeff Pardieck is a senior accountant who handles the books for this project.

Voice vote on Mayor Crow's motion carried unanimously.

**G. SWEARING IN TO BOARDS AND COMMISSIONS**

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

***Request to Address the Council Forms are located on the ledge just inside the entrance.***

***Please complete and place the form in the basket at the front of the room.***

*The public may also submit written comments must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments, a **name and address must be provided.***

Mayor Crow acknowledged Council's receipt of two written comments that will be made a part of the official record and thanked everyone for their participation.

**I. COUNCIL COMMENTS**

**J. PUBLIC HEARINGS**

**K. CONSENT AGENDA (1 voice vote required)**

**L. CITY MANAGER'S REPORT – (voice vote on each item as needed)**

1. City Manager stated there were updates at this time.
2. CUP-24-02 - A Conditional Use Permit (CUP) application to allow the expansion of the Agudas Israel Synagogue at 8200-8206 Delmar Boulevard and 558, 564, 568 Mapleview Drive. (Reconsideration)

Mr. Rose stated that reconsideration is needed to ensure that the recommendations provided by the Plan Commission are accurately reflected and carry out for CUP 24-02.

Councilmember Hales moved to reconsider CUP 24-02, it was seconded by Councilmember McMahon.

Councilmember Hales thanked the City Manager, Dr. Wagner and Plan Commission Chair Peggy Holly for working together to this right. He appreciates the folks for Agudas and everyone's willingness to work together to resolve the confusion over the past week to move this project ahead.

Voice vote on Councilmember's Hales motion to reconsider carried unanimously.

Councilmember Hales moved to approve CUP 24-02 with the recommendation of the Plan Commission, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**M. UNFINISHED BUSINESS (2<sup>nd</sup> and 3<sup>rd</sup> readings – roll call vote required)**

1. **BILL 95552** - AN ORDINANCE APPROVING VARIOUS DOCUMENTS AND ACTIONS IN CONNECTION WITH THE FURTHER DEVELOPMENT OF REDEVELOPMENT PROJECT AREA 1 OF THE OLIVE BOULEVARD COMMERCIAL CORRIDOR REDEVELOPMENT AREA AND THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT.

Councilmember Fuller moved to approve, it was seconded by Councilmember Hales.

Roll Call Vote on Bill No. 9543 Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Fuller, Councilmember Smotherson, Councilmember Tieman, and Mayor Crow.

**Nays:** None

**N. NEW BUSINESS**

**Resolutions (voice vote required)**

1. **Res 2024-09** - FY25 Budget Amendment #1 - Restoration of the Facilities Manager position and elimination of one General Maintenance Worker position.

Councilmember Hales moved to approve, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**Bills (Introduction and 1<sup>st</sup> reading - no vote required)**

*Introduced by Councilmember Smotherson*

1. **BILL 9553** – AN ORDINANCE APPROVING AN AMENDMENT TO THE PETITION CREATING THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT AND REMOVING CERTAIN PROPERTY FROM THE DISTRICT. Bill No, 9553 was read for the first time.

*Introduced by Councilmember Hales*

2. **BILL 9554** - AN ORDINANCE AMENDING TITLE III OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE TRAFFIC CODE, BY AMENDING TABLE III-D THEREIN, RELATING TO RESIDENTIAL PARKING PERMIT AREAS, BY DELETING THE 8000 BLOCK OF LAFON PLACE. Bill No. 9554 was read for the first time.

**O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business

**P. CITIZEN PARTICIPATION (continued if needed)**

**Q. COUNCIL COMMENTS**

**R. EXECUTIVE SESSION (roll call vote required)**

Motion to go into a Closed Session according to Missouri Revised Statutes 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives or attorneys.

**S. ADJOURNMENT**

Councilmember Hales moved to adjourn the Special Session, it was seconded by Councilmember Fuller, and the motion carried unanimously.

Mayor Crow thanked everyone for their participation and closed the Special Session at 5:42 p.m.

LaRette Reese  
City Clerk, MRCC

**LaRette Reese**

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**From:** Tom Sullivan <tsullivan@sullivanadvco.com>  
**Sent:** Monday, July 22, 2024 11:47 AM  
**To:** Council Comments Shared  
**Subject:** Council Comments, University City, 07/22/24

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



July 22, 2024

## **Citizens Shut Out from U. City Council Meeting**

Comments to the City Council of University City. Non-agenda item.

Tom Sullivan, 751 Syracuse, University City.

It is unfortunate that University City, a city once known for having robust citizen discussions on city policies, is again shutting out citizens from a public meeting. This time it's tonight's City Council meeting.

For tonight's meeting, citizens have been prohibited from attending. They can only watch electronically. Since citizens are barred from the meeting, they are unable to make any comments. They can only send in comments to be included in the minutes. Not quite the same as making them in person.

University City officials have shown quite a lot of contempt for citizens in recent years. In addition to shutting out citizens from public meetings, they have shamelessly lied about various projects and issues -- the Costco development in particular.

The people of University City have caught on that city officials are not to be trusted. In 2022, they rejected a sales tax by 58% -- despite the city spending tens of thousands of tax dollars on a deceptive campaign.

In addition to their dishonesty, the incompetence of city officials is on display every day. The old space occupied by Cicero's, the most prominent in the Loop, has now been vacant for seven years.

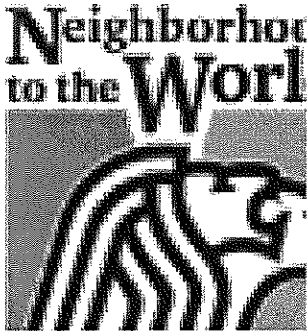
University City has a real need for competent and honest officials.

LaRette Reese

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**From:** Tom Sullivan <tsullivan@sullivanadvco.com>  
**Sent:** Monday, July 22, 2024 11:48 AM  
**To:** Council Comments Shared  
**Subject:** Council Comments, University City, 07/22/24

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July 22, 2024

## **Still No Improvements in the Third Ward**

Comments to the City Council of University City. Agenda Item M, Bill 9552.

Tom Sullivan, 751 Syracuse, University City.

The Costco development was to provide funding to revitalize the Third Ward.  
The results so far:

**Total number of improvement projects completed: 0**

**Total number of improvement projects planned: 0**

This would seem to be another example of city officials deceiving the citizens of University City.





**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**

<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>PH20240730-01</b>
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<b>SUBJECT/TITLE:</b> A Public Hearing related to The Markets at Olive Community Improvement District (Bill 9553).			
<b>PREPARED BY:</b> Gregory Rose, City Manager		<b>DEPARTMENT / WARD</b> All	
<b>AGENDA SECTION:</b>	Public Hearing	<b>CAN ITEM BE RESCHEDULED?</b>	Yes
<b>CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:</b>			
<b>FISCAL IMPACT:</b>			
<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	
<b>EXPLANATION:</b>			

**STAFF COMMENTS AND BACKGROUND INFORMATION:**  
The purpose of this hearing is to consider the approval by the City Council of:

(a) An amendment to the petition (the "Amended Petition") for the creation of The Markets at Olive Community Improvement District (the "District") restricting the ability of the District to issue or cause to be issued obligations payable from District sales taxes generated from Parcel No. 17K432007, which currently includes a Costco store (the "North Phase Anchor Site"); and

(b) a request from the owner of the North Phase Anchor Site to be removed from the District (the "Removal Request") effective upon the earlier of (1) the repayment of certain obligations issued in connection with Olive Boulevard Commercial Corridor and Residential Conservation Redevelopment Plan or (2) June 9, 2052.

<b>CIP No.</b>	
<b>RELATED ITEMS / ATTACHMENTS:</b> Public Hearing Notice	

<b>LIST CITY COUNCIL GOALS (S):</b> Economic Development	
<b>RESPECTFULLY SUBMITTED:</b>	City Manager, Gregory Rose
<b>MEETING DATE:</b>	7/30/24

## NOTICE OF PUBLIC HEARING

Please be advised that at 5:30 p.m. on July 30, 2024, the City Council of University City, Missouri (the “City”) will hold a public hearing pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri (the “Act”). The public hearing will be held via Zoom and may be accessed at the following link:

<https://us02web.zoom.us/j/84807918218?pwd=ehOwvntA70SY6SCuwOeOOzM5qt4wWU.1>  
Passcode: 155052

The public hearing may also be accessed via telephone at (646) 931-3860, Webinar ID: 848 0791 8218.

The purpose of this hearing is to consider the approval by the City Council of:

(a) An amendment to the petition (the “Amended Petition”) for the creation of The Markets at Olive Community Improvement District (the “District”) restricting the ability of the District to issue or cause to be issued obligations payable from District sales taxes generated from Parcel No. 17K432007, which currently includes a Costco store (the “North Phase Anchor Site”); and

(b) a request from the owner of the North Phase Anchor Site to be removed from the District (the “Removal Request”) effective upon the earlier of (1) the repayment of certain obligations issued in connection with Olive Boulevard Commercial Corridor and Residential Conservation Redevelopment Plan or (2) June 9, 2052.

The District currently includes approximately 46 acres located immediately east of Interstate 170 on both the north and south sides of Olive Boulevard in the City. The District’s complete boundaries, including the North Phase Anchor Site are shown in the map below.

The Amended Petition and the Removal Request have been filed with the City Clerk and will be made available for review on the City’s website, [www.ucitymo.org](http://www.ucitymo.org). The Amended Petition and the Removal Request are also available for review by any interested party at the office of the City Clerk, City Hall, 6801 Delmar Boulevard, University City, Missouri 63130, during regular business hours. Persons wishing to view the Amended Petition or the Removal Request at the office of the City Clerk should make an appointment by contacting the City Clerk at (314) 505-8605. Final determination of approval of the Amended Petition and the Removal Request will be made by the City Council.

All interested parties shall be given an opportunity to be heard orally, via Zoom only, at the public hearing, by raising a digital hand. The public may also submit written comments, which must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: [councilcomments@ucitymo.org](mailto:councilcomments@ucitymo.org), or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments, a **name and address must be provided.** Please also note that your comment relates to the Amended Petition and/or Removal Request. If a name and address are not provided, the provided comment will not be recorded in the official record.





**CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM**



<b>NUMBER:</b> <i>For City Clerk Use</i>	<b>UB20240730-01</b>
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**SUBJECT/TITLE:**  
AN ORDINANCE APPROVING AN AMENDMENT TO THE PETITION CREATING THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT AND REMOVING CERTAIN PROPERTY FROM THE DISTRICT.

<b>PREPARED BY:</b> Gregory Rose, City Manager	<b>DEPARTMENT / WARD:</b> All
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<b>AGENDA SECTION:</b> Unfinished Business Bill 9553	<b>CAN ITEM BE RESCHEDULED?:</b> Yes
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**CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:**  
City Manager recommends approval

**FISCAL IMPACT:**

<b>AMOUNT:</b>		<b>ACCOUNT No.:</b>	
<b>FROM FUND:</b>		<b>TO FUND:</b>	

**EXPLANATION:**  
Please see attached staff report

**STAFF COMMENTS AND BACKGROUND INFORMATION:**

<b>CIP No.</b>	
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**RELATED ITEMS / ATTACHMENTS:**  
Staff Report  
Bill No.9553

**LIST CITY COUNCIL GOALS (S):**  
Economic Development

<b>RESPECTFULLY SUBMITTED:</b> City Manager, Gregorory Rose	<b>MEETING DATE:</b> 7/30/24
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## **AGENDA ITEM – STAFF REPORT**

**MEETING DATE:** July 22, 2024  
**DEPARTMENT:** City Manager's Office  
**AGENDA ITEM TITLE:** New Business – Bill 9553

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AN ORDINANCE APPROVING AN AMENDMENT TO THE PETITION CREATING THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT AND REMOVING CERTAIN PROPERTY FROM THE DISTRICT.

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### **ADDITIONAL BACKGROUND INFORMATION:**

The City has received two documents relating to the Markets at Olive Community Improvement District (the "CID"):

- An amendment to the petition creating the CID (the "Amended Petition") seeking to prohibit the CID from issuing or causing to be issued any obligations payable from CID revenues generated at the North Phase Anchor Site (i.e., Costco), other than the existing TIF Bonds or any bonds, notes or obligations that refund or refinance the existing TIF Bonds (and in no event would North Phase Anchor CID revenues be available for repayment of obligations after June 9, 2052).
- A request from Costco Wholesale Corporation to remove the North Phase Anchor Site from the CID (the "Removal Request") effective upon the earlier of the repayment of the TIF Bonds (including any bonds, notes or obligations that refund or refinance the existing TIF Bonds) or June 9, 2052 (i.e., the removal will not be effective until some point in the future).

An ordinance has been prepared to approve both the Amended Petition and Removal Request. In accordance with the CID Act, a public hearing has been scheduled for July 30 regarding both the Amended Petition and the Removal Request.

Under the CID Act, the Removal Request can only be approved if the City Council makes a finding that the CID can satisfy its obligations without revenues from the North Phase Anchor Site. Gilmore & Bell has advised that if the Amended Petition is approved simultaneously with the Removal Request, the CID will have no power to issue any obligations payable from North Phase Anchor CID revenues that go beyond the effective date of the Removal Request. Gilmore & Bell has further advised that this limitation provides a basis for the City Council to make the required finding because (1) currently, there are no obligations of the CID that go beyond the effective date of the Removal Request and (2) per the Amended Petition, the CID will have no power to incur obligations payable from North Phase Anchor CID revenues after the effective date of the Removal Request.

The CID was originally created by passage of Ordinance No. 7131 on July 13, 2020 and its boundaries were later expanded by Ordinance Nos. 7153 and 7208 passed on June 14, 2021 and November 28, 2022. Pursuant to the original petition for the CID and Ordinance No. 7131, the CID will exist until the earlier of (1) the repayment of all of its obligations or August 10, 2070. Neither the Amended Petition nor the Removal Request will result in the earlier termination or expiration of the CID. After the effective date of the Removal Request, the CID will continue to apply to the remaining properties in the CID boundaries until the CID's expiration.

**INTRODUCED BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**BILL NO. 9553**

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE APPROVING AN AMENDMENT TO THE PETITION CREATING THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT AND REMOVING CERTAIN PROPERTY FROM THE DISTRICT.**

**WHEREAS**, by adoption of Ordinance No. 7131 on July 13, 2020, the City Council approved a petition requesting the formation of The Markets at Olive Community Improvement District (the “District”) pursuant to Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri (the “CID Act”); and

**WHEREAS**, expansions to the boundaries of the District were subsequently approved in accordance with the requirements of the CID Act by approval of Ordinance No. 7153 on June 14, 2021 and Ordinance No. 7208 on November 28, 2022; and

**WHEREAS**, to finance or refinance projects undertaken by or on behalf of the District, The Industrial Development Authority of University City, Missouri (the “IDA”), at the request of the City and the District, issued its (1) \$45,760,000 original principal amount Tax Increment and Special District Revenue Bonds (Markets at Olive Project), Series 2023A, and (2) \$43,344,456.19 original principal amount Subordinate Taxable Tax Increment and Special District Revenue Notes (Markets at Olive Project), Series 2023B (together with any notes, bonds or other obligations issued to refund or refinance such bonds and notes, the “TIF Obligations”); and

**WHEREAS**, the District boundaries currently include, among other property, approximately 16.08 acres located northeast of the Olive Boulevard and Interstate 170 interchange currently owned by Costco Wholesale Corporation (as further identified on the map of the District attached as **Exhibit A** attached hereto, the “North Phase Anchor Site”); and

**WHEREAS**, the City has received the amendment to the petition creating the District attached hereto as **Exhibit B** (the “Amended Petition”) seeking to limit the District’s authority to issue or cause to be issued any bonds, notes or other obligations payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site other than the TIF Obligations (and in no event, allowing any obligations of the District payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site to mature after June 9, 2052); and

**WHEREAS**, the Amended Petition has been executed by the applicable number of property owners within the District required by the CID Act and may, pursuant to the CID Act, be approved by ordinance of the City Council following a duly-noticed public hearing; and

**WHEREAS**, Section 67.1441 of the CID Act permits the City to remove real property from the District by ordinance upon written request of the applicable property owner and following (1) consent of the District’s Board of Directors, (2) a finding that the District can meet its obligations without the revenues from the property to be removed, and (3) a public hearing relating to the removal of the applicable property from the District boundaries; and

**WHEREAS**, in a letter dated July 12, 2024, Costco Wholesale Corporation submitted a written request to the City requesting that the City approve the removal of the North Phase Anchor Site from the District, effective upon the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052; and

**WHEREAS**, the District’s sales tax revenues generated by taxable retail sales at the North Phase Anchor Site are pledged only to the payment of the TIF Obligations; and

**WHEREAS**, on July 19, 2024, the Board of Directors of the District adopted Resolution No. 24-004, a copy of which is attached hereto as **Exhibit C** (the “CID Resolution”), consenting to the requested removal of the North Phase Anchor Site from the District and finding that, effective upon the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052, the District will be able to meet its then-existing obligations without the revenues generated by or on the North Phase Anchor Site; and

**WHEREAS**, the City Council held a duly-noticed public hearing on July 30, 2024, where at all interested parties were permitted to speak regarding the Amended Petition and the requested removal of the North Phase Anchor Site from the District;

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

**Section 1.** The Amended Petition is hereby approved and the District’s powers shall hereafter be limited as provided in the Amended Petition.

**Section 2.** Based on the limitations contained in the Amended Petition, the CID Resolution and the representations of the District, the City Council hereby finds that the District can meet its obligations without any revenues from the North Phase Anchor Site following the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052.

**Section 3.** Effective upon the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052, the North Phase Anchor Site shall be removed from the boundaries of the District with no further actions or approvals of the City Council necessary.

**Section 4.** The City hereby agrees to use any revenues transferred to the City by the CID pursuant to Section 5 of the CID Resolution for purposes permitted by the CID Act that benefit the North Phase Anchor Site (such as street repairs or landscaping).

**Section 5.** 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. All actions taken to date by the officers of the City with respect to the removal of real property from the District, including, without limitation, the provision of notices for the public hearing regarding the removal of such property from the District, are hereby ratified.

**Section 6.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

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**PASSED and ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

\_\_\_\_\_  
MAYOR

(Seal)

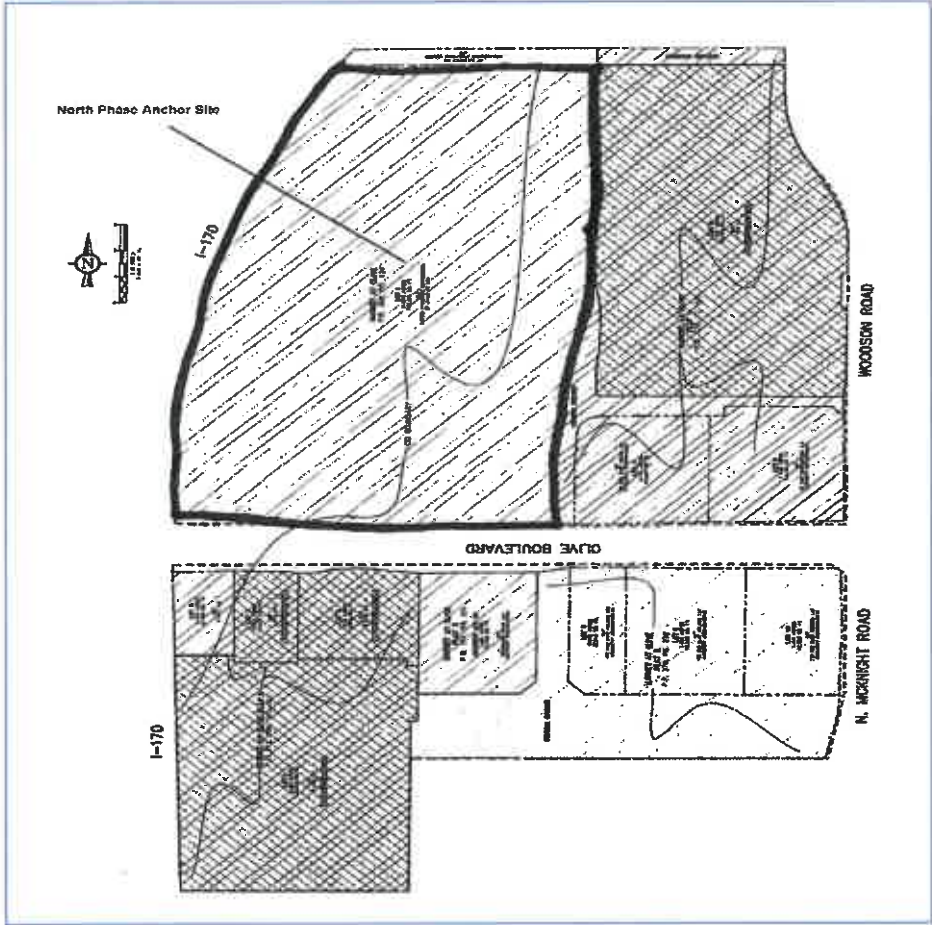
ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**EXHIBIT A**  
**NORTH PHASE ANCHOR SITE**



**EXHIBIT B**  
**AMENDED PETITION**

**MARKETS AT OLIVE  
COMMUNITY IMPROVEMENT  
DISTRICT**

**Amendment to the Petition of the Markets at Olive  
Community Improvement District  
Pursuant to Sections 67.1401-67.1571 of the Revised Statutes of  
Missouri, as Amended**

**City of University City, Missouri**

**July 17, 2024**

## **EXHIBITS**

EXHIBIT A – DISTRICT BOUNDARY MAP

EXHIBIT B – LEGAL DESCRIPTION OF THE DISTRICT

EXHIBIT C – LISTING OF PROPERTY WITHIN THE DISTRICT, INCLUDING PARCEL  
NUMBER, OWNER AND ASSESSED VALUE

EXHIBIT D – LEGAL DESCRIPTION OF THE NORTH PHASE ANCHOR SITE

EXHIBIT E – FIVE-YEAR PLAN

**AMENDMENT TO THE PETITION OF THE  
MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT**

To the City of University City, Missouri:

U. City, L.L.C., 170 and Olive Holdco, LLC and Costco Wholesale Corporation as the undersigned petitioners, (*"Petitioners"*) are the owners or representatives of the owners of record of more than fifty percent (50%) (a) by assessed value of all real property within the Markets at Olive Community Improvement District (the *"District"*); and (b) per capita of all owners of real property within the District. The District was formed as a political subdivision of the State of Missouri pursuant to Section 67.1411 of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the *"CID Act"*) and the Amended and Restated Petition to Establish a Community Improvement District (the *"Establishment Petition"*) approved by the City of University City, Missouri (the *"City"*), pursuant to Ordinance No. 7131 passed and approved on July 13, 2020 (the *"Establishment Ordinance"*). The District boundaries were previously expanded by the City's approval of two (2) separate Petitions to Add Real Property to the Markets at Olive Community Improvement District (the *"First Addition Petition"*, and the *"Second Addition Petition"*), and together with the Establishment Petition, collectively, the *"Original Petition"* pursuant to Ordinance Nos. 7153 and 7208 passed and approved June 14, 2021 and November 28, 2022, respectively (the *"First Addition Ordinance"* and the *"Second Addition Ordinance"*), and together with the Establishment Ordinance, collectively, the *"Original CID Ordinance"*).

Petitioners hereby file this Amendment to the Original Petition (this *"Amendment"*) and request that the City amend the Original Petition as follows:

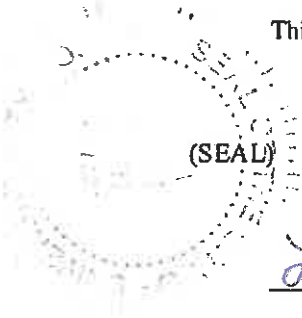
1. A boundary map of the District and a legal description of the District are set forth on Exhibit A and Exhibit B, respectively, attached hereto and incorporated herein
2. Based on the real property tax records of the St. Louis County Assessor's Office, as supplemented by real property records available to Petitioners, as of the date of filing this Amendment, there are four (4) owners of real estate parcels within the District, which are U. City, L.L.C., 170 and Olive Holdco, LLC, Costco Wholesale Corporation and Woodchase Plaza, LLC. The total assessed value of all the land and improvements within the District is \$9,097,110. Petitioners represent 89.88% by assessed value and 75% per capita of all owners of the real property within the District. A table that identifies the real property within the District by St. Louis County Assessor's Office Parcel Number, Owner and Assessed Valuation for the 2024 tax year is set forth on Exhibit C, attached hereto and incorporated herein.
3. Petitioners desire to preserve the authorizations set forth in the Original Petition and Original CID Ordinance except as amended hereby, and, therefore, the District shall have all powers provided in the CID Act, except as otherwise provided in this Amendment.
4. Petitioners do not seek to limit the revenue generation or borrowing capacity of the District, except as follows. To finance or refinance projects undertaken by or on behalf of the District, The Industrial Development Authority of University City, Missouri has previously issued, at the request of the District, its (1) \$45,760,000.00 original principal

amount Tax Increment and Special District Revenue Bonds (Markets at Olive Project), Series 2023A, and (2) \$43,344,456.19 original principal amount Subordinate Taxable Tax Increment and Special District Revenue Notes (Markets at Olive Project), Series 2023B (together with any notes, bonds or other obligations issued to refund or refinance such bonds and notes, the “*TIF Obligations*”). The District boundaries currently include a parcel of real property of approximately 16.08 acres generally located northeast of Olive Boulevard and the Interstate 170 currently owned by Costco Wholesale Corporation as more precisely described in Exhibit D, attached hereto and incorporated herein (the “*North Phase Anchor Site*”). Pursuant to this Amendment, the District shall be specifically limited and shall not have the authority to issue or cause to be issued any bonds, notes or other obligations payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site other than the TIF Obligations (and in no event shall any obligations of the District payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site mature after June 9, 2052).

5. A “new” Five-Year Plan supplementing the Five-Year Plan attached to the Original Petition and updating the powers of the District in regard to its authority to issue or cause to issue any bonds, notes or other obligations payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site is set forth on Exhibit E, attached hereto and incorporated herein by reference.
6. If any provision of this Amendment shall be held or determined to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, the remaining sections, clauses and provisions of this Amendment shall remain valid, operative and enforceable to the fullest extent allowed by law.
7. Each of the exhibits to this Amendment are incorporated herein and made a part of this Amendment by reference.
8. **Notice to Petitioners:**  
**The signatures of the signers of this Amendment may not be withdrawn later than seven (7) days after this Amendment is filed with the City Clerk of the City.**
9. By execution and submission of this Amendment, Petitioners respectfully request that the Original Petition be amended, and Petitioners respectfully request that the City Council hold a public hearing and adopt an ordinance approving this Amendment in accordance with Sections 67.1421.5(3) and 67.1431 of the CID Act.

**UNIVERSITY CITY, MISSOURI - CLERK'S ACKNOWLEDGEMENT OF RECEIPT  
OF AMENDMENT:**

This Amendment was filed in my office via Email on July 17, 2024.



LaRette Reese

City Clerk



**PETITIONER:**

NAME OF OWNER: U. City, L.L.C.

TELEPHONE NUMBER: (314) 370-6801

MAILING ADDRESS: c/o Lawrence R. Chapman, Jr.  
1401 S. Brentwood Blvd., Suite 625  
St. Louis, MO 63144

NAME OF SIGNER AND BASIS OF  
LEGAL AUTHORITY TO SIGN: Lawrence R. Chapman, Jr., as Vice President of  
CRG Services Management, LLC, the Manager of  
U. City, L.L.C.

SIGNER'S TELEPHONE NUMBER: (314) 952-7790

SIGNER'S MAILING ADDRESS: 1401 S. Brentwood Blvd., Suite 625  
St. Louis, MO 63144

TYPE OF ENTITY: Missouri limited liability company

MAP: See Exhibit A

PARCEL IDENTIFICATION  
NUMBERS: See Exhibit C

ASSESSED VALUE: \$1,917,690 (See Exhibit C)

**[SIGNATURE PAGE OF PETITIONER U. CITY, L.L.C. TO AMENDMENT  
FOLLOWS]**

By executing this Amendment on this 15<sup>th</sup> day of July, 2024, the undersigned represents and warrants that he is authorized to execute this Amendment on behalf of the property owner named immediately below. The undersigned also acknowledges that his signature may not be withdrawn later than seven (7) days after this Amendment is filed with the City Clerk of the City.

U. City, L.L.C., a Missouri limited liability company

By: CRG Services Management, LLC, a Missouri limited liability company, its Manager

By:  Lawrence R. Chapman, Jr., Vice President

STATE OF Missouri )  
 ) SS.  
COUNTY OF St. Louis )

On this 15<sup>th</sup> day of July 2024, before me appeared Lawrence R. Chapman Jr., to me personally known, who being by me duly sworn, did say that he is the Vice President and authorized representative of CRG Services Management, LLC, a Missouri limited liability company, which is the Manager of U. City, L.L.C., a Missouri limited liability company, and that said Amendment was signed on behalf of U. City, L.L.C. by authority of its manager(s) and member(s) and acknowledged to me that he executed said Amendment as said limited liability company's free act and deed.

Subscribed and affirmed before me this 15<sup>th</sup> day of July 2024.

  
Notary Public

Printed Name: EMMA BUTLER

My Commission Expires: 01-02-2027



**PETITIONER:**

NAME OF OWNER: 170 and Olive Holdco, LLC

TELEPHONE NUMBER: (314) 370-6801

MAILING ADDRESS: c/o Lawrence R. Chapman, Jr.  
1401 S. Brentwood Blvd., Suite 625  
St. Louis, MO 63144

NAME OF SIGNER AND BASIS OF  
LEGAL AUTHORITY TO SIGN: Lawrence R. Chapman, Jr., as Vice President of  
CRG Services Management, LLC, the Manager of  
170 and Olive Holdco, LLC

SIGNER'S TELEPHONE NUMBER: (314) 952-7790

SIGNER'S MAILING ADDRESS: 1401 S. Brentwood Blvd., Suite 625  
St. Louis, MO 63144

TYPE OF ENTITY: Missouri limited liability company

MAP: See Exhibit A

PARCEL IDENTIFICATION  
NUMBERS: See Exhibit C

ASSESSED VALUE: \$2,330,530 (See Exhibit C)

**[SIGNATURE PAGE OF PETITIONER 170 AND OLIVE HOLDCO, LLC TO  
AMENDMENT FOLLOWS]**

By executing this Amendment on this 15<sup>th</sup> day of July 2024, the undersigned represents and warrants that he is authorized to execute this Amendment on behalf of the property owner named immediately below. The undersigned also acknowledges that his signature may not be withdrawn later than seven (7) days after this Amendment is filed with the City Clerk of the City.

170 and Olive Holdco, LLC, a Missouri limited liability company

By: CRG Services Management, LLC, a Missouri limited liability company, its Manager

By:  Lawrence R. Chapman, Jr., Vice President

STATE OF Missouri )  
 ) SS.  
COUNTY OF St. Louis )

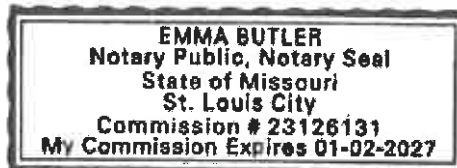
On this 15<sup>th</sup> day of July 2024, before me appeared Lawrence R. Chapman Jr., to me personally known, who being by me duly sworn, did say that he is the Vice President and authorized representative of CRG Services Management, LLC, a Missouri limited liability company, which is the Manager of 170 and Olive Holdco, LLC, a Missouri limited liability company, and that said Amendment was signed on behalf of 170 and Olive Holdco, LLC by authority of its manager(s) and member(s) and acknowledged to me that he executed said Amendment as said limited liability company's free act and deed.

Subscribed and affirmed before me this 15<sup>th</sup> day of July 2024.

  
Notary Public

Printed Name: EMMA BUTLER

My Commission Expires: 01-02-2027



**PETITIONER:**

NAME OF OWNER: COSTCO WHOLESALE CORPORATION

TELEPHONE NUMBER: (425) 313-8100

MAILING ADDRESS: 999 Lake Drive  
Issaquah, WA 98027

NAME OF SIGNER AND BASIS OF  
LEGAL AUTHORITY TO SIGN: David Messner as Senior Vice President –  
Real Estate

SIGNER'S TELEPHONE NUMBER: (425) 313-8100

SIGNER'S MAILING ADDRESS: 999 Lake Drive  
Issaquah, WA 98027

TYPE OF ENTITY: Washington corporation

MAP: See Exhibit A

PARCEL IDENTIFICATION  
NUMBERS: See Exhibit C

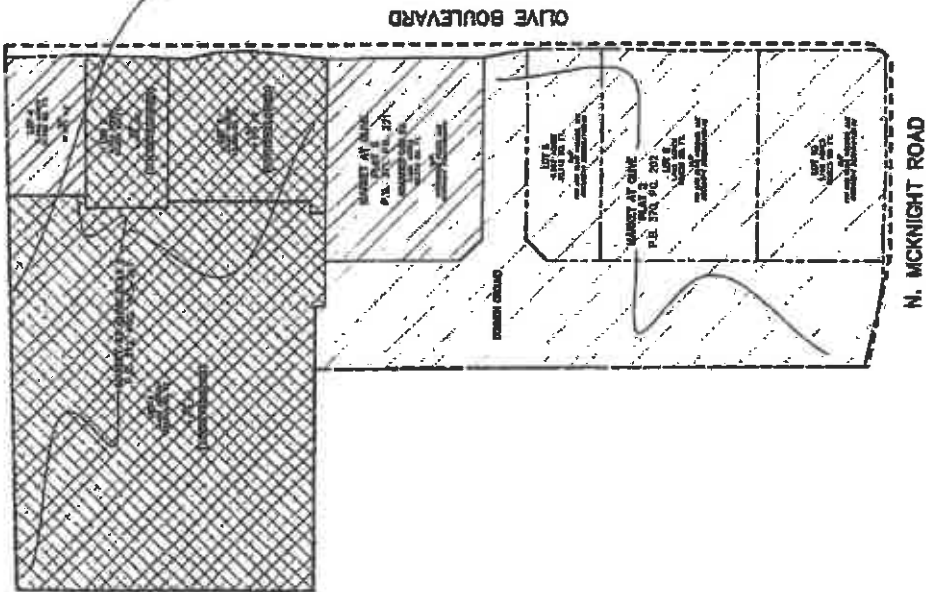
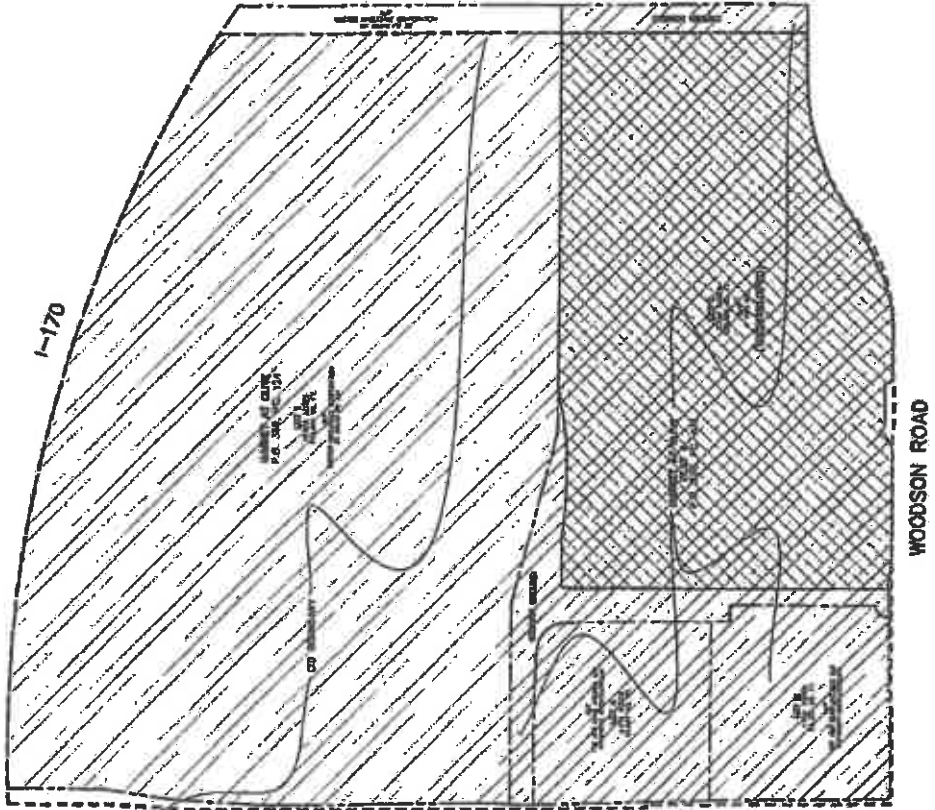
ASSESSED VALUE: \$3,928,600 (See Exhibit C)

**[SIGNATURE PAGE OF COSTCO WHOLESALE CORPORATION FOLLOWS]**



**Exhibit A**

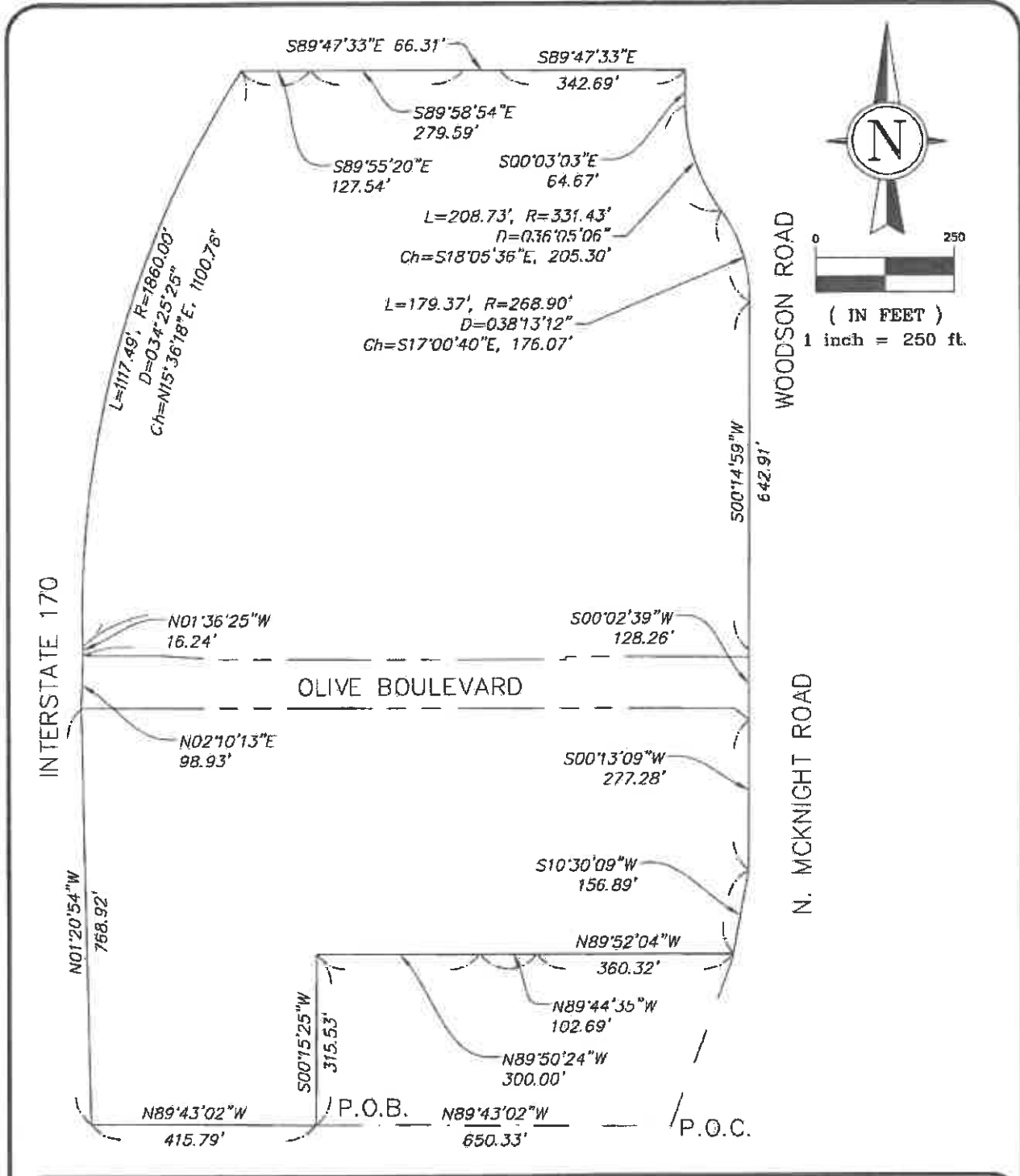
**District Boundary Map**





**Exhibit B**

**District Legal Description**



# GRIMES CONSULTING, INC.

*Civil Engineering & Surveying Services*

12300 OLD TESSON ROAD, SUITE 3000  
 ST. LOUIS, MO. 63128  
 PH. (314) 849-6100  
 FAX (314) 849-6010  
 www.grimesconsulting.com

DRAWN BY: <b>MRL</b>	DATE: <b>8/15/22</b>	CHECKED BY: <b>RCS</b>	DATE: <b>8/15/22</b>	JOB NUMBER: <b>3082.H</b>	SHEET: <b>1 of 2</b>
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--- PROPERTY BOUNDARY DESCRIPTION ---

MARKET AT OLIVE CID

A tract of land situated in the City of University City, the County of St. Louis and the State of Missouri, being all of Market at Olive, a subdivision filed for record in Plat Book 369 Page 124 of the Land Records of said St. Louis County, Missouri, all of Market at Olive Plat 2, a subdivision filed for record in Plat Book 370, Page 202 of said Land Records, part of Blocks 1, 2 and 3 of St. Patrick Courts, a subdivision recorded in Plat Book 48, page 33 of said Land Records, all of the Resubdivision of Lots 3 and 4 of Beyers Subdivision, a subdivision recorded in Plat Book 297, page 24 of said Land Records, part of Beyers Subdivision, a subdivision recorded in Plat Book 272, page 30 of said Land Records, a tract of land conveyed to U City LLC as recorded in Deed Book 22858, page 585 of said Land Records, all of that part of the following right-of-ways: Elmore Court, 50 feet wide, Richard Court, 50 feet wide, Orchard Court, 50 feet wide, Briscaee Place, 50 feet wide, and being more particularly described as follows:

COMMENCING at the Northeast corner of a tract of land conveyed to Booker Gilliam as recorded in Deed Book 13658, page 445 of said Land Records, said tract of land also being Lot 59 of McKnight Heights, a subdivision recorded in Plat Book 54, page 41 of said Land Records, said Northeast corner also being the Southeast corner of McKnight Downs, a subdivision filed for record in Plat Book 55, Page 89 of said land records, and also being on the Western right-of-way line of McKnight Road; thence leaving said Western right-of-way line and along the North line of said McKnight Heights subdivision, said North line also being the South line of said McKnight Downs subdivision, North 89 degrees 43 minutes 02 seconds West, 650.33 feet to the Southwest corner of said McKnight Downs subdivision, and also being the TRUE POINT OF BEGINNING of the tract herein described; thence continuing along said North line of McKnight Heights subdivision, North 89 degrees 43 minutes 02 seconds West, a distance of 415.79 feet to the Eastern line of a tract of land conveyed to Bi-State Development Agency of the Missouri-Illinois Metropolitan District as recorded in Deed Book 13245, page 1568 of said Land Records; thence leaving said North line of McKnight Heights subdivision and along said Eastern Line of Bi-State Development Agency of the Missouri-Illinois Metropolitan District tract, including crossing Olive Boulevard right-of-way, the following courses and distances: North 01 degrees 20 minutes 54 seconds West, a distance of 768.92 feet; North 02 degrees 10 minutes 13 seconds East, a distance of 98.93 feet; North 01 degrees 36 minutes 25 seconds West, a distance of 16.24 feet to a point of curvature; 1117.49 feet along the arc of a curve to the right having a radius of 1860.00 feet, through a central angle of 34 degrees 25 minutes 25 seconds, with a chord that bears North 15 degrees 36 minutes 18 seconds East, a distance of 1100.76 feet to the Northwest corner of said Market at Olive subdivision, said corner also being the Southwest corner of a tract of land conveyed to Costco Wholesale Corporation by Deed Book 25382, Page 50 of said Land Records; thence leaving said Eastern line and along the Southern line of said Costco tract the following courses and distances: South 89 degrees 55 minutes 20 seconds East, a distance of 127.54 feet; South 89 degrees 58 minutes 54 Seconds East, a distance of 279.59 feet; South 89 degrees 47 minutes 33 seconds East, a distance of 66.31 feet to the Southeast corner of said Costco tract, said Southeast corner also being the Southwest corner of a tract of land conveyed to U. City, LLC by Deed Book 25346, Page 1933 of said Land Records; thence along the Southern line of said U City tract, South 89 degrees 47 minutes 33 seconds East, a distance of 342.69 feet to the Western right-of-way line of Woodson Road, variable width; thence leaving said Southern Line and along said Western right of line of Woodson Road and McKnight Road, including crossing Olive Boulevard right-of-way the following courses and distances: South 00 degrees 03 minutes 03 seconds East, a distance of 64.67 feet to a point of curvature; 208.73 feet along the arc of a curve to the left having a radius of 331.43 feet, through a central angle of 36 degrees 05 minutes 08 seconds, with a chord that bears South 18 degrees 05 minutes 36 seconds East, a distance of 205.30 feet to a point of reverse curvature; 179.37 feet along the arc of a curve to the right, having a radius of 268.90 feet, through a central angle of 38 degrees 13 minutes 12 seconds, with a chord that bears South 17 degrees 00 minutes 40 seconds East, a distance of 176.07 feet; South 00 degrees 14 minutes 59 seconds West, a distance of 642.91 feet; thence South 00 degrees 02 minutes 39 seconds West, a distance of 128.26 feet; thence South 00 degrees 13 minutes 09 seconds West, a distance of 277.28 feet; thence South 10 degrees 30 minutes 09 seconds West, a distance of 156.89 feet to the Northeast corner of said McKnight Downs subdivision; thence along the Northern line of said McKnight Downs subdivision, the following courses and distances: North 89 degrees 52 minutes 04 seconds West, a distance of 360.32 feet; North 89 degrees 44 minutes 35 seconds West, a distance of 102.69 feet; North 89 degrees 50 minutes 24 seconds West, a distance of 300.00 feet to the Northwest corner of said McKnight Downs subdivision; thence leaving said Northern line and along the Western line of said McKnight Downs subdivision, South 00 degrees 15 minutes 25 seconds West, a distance of 315.53 feet to the Point of Beginning.

Containing 46.006 Acres by Grimes Consulting, Inc. dated August 2022.

GRIMES CONSULTING, INC.

Civil Engineering & Surveying Services

12300 OLD TESSON ROAD, SUITE 300D  
ST. LOUIS, MO. 63128  
PH. (314) 849-6100  
FAX (314) 849-6010  
www.grimesconsulting.com

DRAWN BY: <b>MRL</b>	DATE: <b>8/15/22</b>	CHECKED BY: <b>RCS</b>	DATE: <b>8/15/22</b>	JOB NUMBER: <b>3082.H</b>	SHEET: <b>2 of 2</b>
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## **Exhibit C**

### **Listing of Property Within the District, Parcel Number, Owner and Assessed Valuation**

<u>Parcel Number</u>	<u>Property Owner</u>	<u>2024 Assessed Value</u>
17K432007	Costco Wholesale Corporation	\$3,928,600
17K432096	170 and Olive Holdco, LLC	\$753,820
17K432106	170 and Olive Holdco, LLC	\$313,540
17K432085	U. City, L.L.C.	\$372,060
17K432139	Woodchase Plaza LLC	\$445,500
17K432128	Woodchase Plaza LLC	\$18,500
17K432052	Woodchase Plaza LLC <sup>1</sup>	\$456,290
17K432063	170 and Olive Holdco, LLC	\$705,090
17K432029	170 and Olive Holdco, LLC	\$558,080
17L640632	U. City, L.L.C.	<u>\$1,545,630</u>
		\$9,097,110

<sup>1</sup> Per the records of the St. Louis County Assessor's Office, Parcel Number 17K432052 is owned by 170 and Olive Holdco, LLC, but Parcel Number 17K432052 was transferred to Woodchase Plaza LLC by the deed recorded as Document Number 2023112900366 of the St. Louis County records.

## **Exhibit D**

### **Legal Description of the North Phase Anchor Site**

**LEGAL DESCRIPTION OF THE NORTH PHASE ANCHOR SITE**

Lot 1 of Market at Olive Plat 1, according to the plat thereof, recorded at Plat Book 369, Page 124, of the St. Louis County Records, which contains approximately 16.08 acres

**Exhibit E**  
**Five-Year Plan**



## SUPPLEMENT TO THE FIVE-YEAR PLAN

### THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT

#### Introduction

The Markets at Olive Community Improvement District (the “*District*”) was formed as a political subdivision of the State of Missouri pursuant to Section 67.1411 of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “*CID Act*”) and the Amended and Restated Petition to Establish a Community Improvement District (the “*Establishment Petition*”) approved by the City of University City, Missouri (the “*City*”), pursuant to Ordinance No. 7131 passed and approved on July 13, 2020 (the “*Establishment Ordinance*”). The District boundaries were previously expanded by the City’s approval of two (2) separate Petitions to Add Real Property to the Markets at Olive Community Improvement District (the “*First Addition Petition*”, and the “*Second Addition Petition*”, and together with the Establishment Petition, collectively, the “*Original Petition*”) pursuant to Ordinance Nos. 7153 and 7208 passed and approved June 14, 2021 and November 28, 2022, respectively (the “*First Addition Ordinance*” and the “*Second Addition Ordinance*”, and together with the Establishment Ordinance, collectively, the “*Original CID Ordinance*”). As required by the CID Act, this Five-Year Plan (the “*Plan*”) is an exhibit to an Amendment to the Original Petition (the “*Amendment*”) being filed with City. This “new” Plan is a supplement to the Five-Year Plan attached to the Original Petition (the “*Original Plan*”) and updates the powers granted to the District

#### Limitation on the District’s Authority to Issue or Cause to Issue Bonds, Notes or Other Obligation

The Original Petition and the Original CID Ordinance did not limit the revenue generation or borrowing capacity of the District as provided in the CID Act. To finance or refinance projects undertaken by or on behalf of the District, The Industrial Development Authority of University City, Missouri has previously issued, at the request of the District, its (1) \$45,760,000.00 original principal amount Tax Increment and Special District Revenue Bonds (Markets at Olive Project), Series 2023A, and (2) \$43,344,456.19 original principal amount Subordinate Taxable Tax Increment and Special District Revenue Notes (Markets at Olive Project), Series 2023B (together with any notes, bonds or other obligations issued to refund or refinance such bonds and notes, the “*TIF Obligations*”). The District boundaries currently include a parcel of real property of approximately 16.08 acres generally located northeast of Olive Boulevard and the Interstate 170 currently owned by Costco Wholesale Corporation as more precisely described in **Exhibit D** to the Amendment (the “*North Phase Anchor Site*”). Pursuant to the Amendment, the District shall be specifically limited and shall not have the authority to issue or cause to be issued any bonds, notes or other obligations payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site other than the TIF Obligations (and in no event, shall any obligations of the District payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site mature after June 9, 2052).

Except for the specific limitation above in regard to the District's borrowing authority, all other provisions of the Original Plan remain unchanged including the following:

1. District Location;
2. District Boundaries;
3. Purposes of the District;
4. Sources of District Funds;
5. Governance;
6. Estimated Costs Related to the District Project; and
7. Anticipated Schedule for the District's Improvements, Activities and Services

**EXHIBIT C**  
**CID RESOLUTION**

**RESOLUTION NO. 24-004**

**A RESOLUTION OF THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT CONSENTING TO AND APPROVING THE REMOVAL OF CERTAIN REAL PROPERTY FROM THE DISTRICT; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, by adoption of Ordinance No. 7131 on July 13, 2020, the City Council of the City of University City, Missouri (the “City”) approved a petition requesting the formation of The Markets at Olive Community Improvement District (the “District”); and

**WHEREAS**, expansions to the boundaries of the District were subsequently approved in accordance with the requirements of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “CID Act”) by approval of Ordinance No. 7153 on June 14, 2021 and Ordinance No. 7208 on November 28, 2022; and

**WHEREAS**, to finance or refinance projects undertaken by or on behalf of the District, The Industrial Development Authority of University City, Missouri (the “IDA”), at the request of the City and the District, issued its (1) \$45,760,000.00 original principal amount Tax Increment and Special District Revenue Bonds (Markets at Olive Project), Series 2023A, and (2) \$43,344,456.19 original principal amount Subordinate Taxable Tax Increment and Special District Revenue Notes (Markets at Olive Project), Series 2023B (together with any notes, bonds or other obligations issued to refund or refinance such bonds and notes, the “TIF Obligations”); and

**WHEREAS**, the District boundaries currently include, among other property, approximately 16.08 acres located northeast of the Olive Boulevard and Interstate 170 interchange currently owned by Costco Wholesale Corporation (as more precisely described in **Exhibit A** attached hereto, the “North Phase Anchor Site”); and

**WHEREAS**, District sales tax revenues generated by taxable retail sales at the North Phase Anchor Site are pledged (subject to annual appropriation by the District) only to the payment of the TIF Obligations; and

**WHEREAS**, Section 67.1441 of the CID Act permits the City to remove real property from the District by ordinance upon written request of the applicable property owner and following (1) consent of the District’s Board of Directors, (2) a finding that the District can meet its obligations without the revenues from the property to be removed, and (3) a public hearing relating to the removal of the applicable property from the District boundaries; and

**WHEREAS**, in a letter dated July 12, 2024, Costco Wholesale Corporation submitted a written request to the City requesting that the City approve the removal of the North Phase Anchor Site from the District, effective upon the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052; and

**WHEREAS**, the District has filed an Amendment to the Petition of the District dated July 17, 2024 attached hereto as **Exhibit B** (the “Amendment”) seeking to limit the District’s authority to issue or cause to be issued any bonds, notes or other obligations payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site other than the TIF Obligations (and in no event, allowing any obligations of the District payable from District sales tax revenues generated by taxable sales at the North Phase Anchor Site to mature after June 9, 2052); and

**WHEREAS**, the Amendment has been executed by the applicable number of property owners within the District required by the CID Act and may, pursuant to the CID Act, be approved by ordinance of the City Council following a duly-noticed public hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

**Section 1.** Based on the Amendment, the District hereby finds that the District can meet its obligations without any revenues from the North Phase Anchor Site following the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052.

**Section 2.** The District hereby grants its consent and approval to the written request from Costco Wholesale Corporation, the owner of the North Phase Anchor Site, and the North Phase Anchor Site shall be removed from the District’s boundaries effective on the earlier of (a) the repayment of all TIF Obligations or (b) June 9, 2052.

**Section 3.** The consent and approval set forth in Section 2 above is subject to the City Council’s holding of the public hearing and approval of the City ordinance as required by Section 67.1441 of the CID Act on the issue of the removal of the North Phase Anchor Site.

**Section 4.** Upon the effective date of the removal of the North Phase Anchor Site from the District (the “North Phase Anchor Site Removal Date”), the District shall notify all required governmental entities, including but not limited to, the Missouri Department of Revenue to implement the removal of the North Phase Anchor Site and cease the imposition and collection of the District sales tax on any taxable retail sales made at the North Phase Anchor Site.

**Section 5.** The District hereby approves that for all tax periods following the North Phase Anchor Site Removal Date, the District shall transfer any District sales tax revenues generated by taxable retail sales at the North Phase Anchor Site to the City with the directive that such revenues be used for purposes permitted by the CID Act that benefit the North Phase Anchor Site (such as street repairs or landscaping).

**Section 6.** The District shall, and the officers, agents and employees of the District are, hereby authorized and directed to, take such further action and execute such other resolutions, documents, certificates and instruments as may be necessary or desirable to carry out

and comply with the intent of this Resolution and to carry out, comply with and perform the duties of the District with respect to the removal of the North Phase Anchor Site from the District with such changes therein as shall be approved by the officers of the District executing such resolutions, documents, certificates and instruments, such officers' signatures thereon being conclusive evidence of their approval thereof.

**Section 7.** The sections of this Resolution shall be severable. If any section of this Resolution 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(s) that it cannot be presumed that the District has or would have enacted the valid sections without the void one(s); or (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the Board's intent.

**Section 8.** This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Section 9.** This Resolution shall take effect and be in full force upon its passage by the District.

Passed this 19<sup>th</sup> day of July, 2024.

I, the undersigned, Chair of The Markets at Olive Community Improvement District, hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the District at a meeting held, after proper notice, on July 19, 2024.

[SEAL]



**THE MARKETS AT OLIVE  
COMMUNITY IMPROVEMENT  
DISTRICT**

Lawrence R. Chapman, Jr., Chairman

WITNESS my hand and official seal this 19<sup>th</sup> day of July, 2024.

ATTEST:

Caroline P. Saunders, Secretary



CITY OF UNIVERSITY CITY COUNCIL MEETING  
AGENDA ITEM

NUMBER:  
For City Clerk Use UB20240730-02

SUBJECT/TITLE:  
An ordinance deleting the 8000 block of Lafon Place from the residential parking permit program.

PREPARED BY: Darin Girdler, Director of Public Works DEPARTMENT / WARD: Traffic

AGENDA SECTION: Unfinished Business Bo;; 9554 CAN ITEM BE RESCHEDULED? Yes

CITY MANAGER'S RECOMMENDATION OR RECOMMENDED MOTION:  
City Manager recommends the passage of the ordinance.

FISCAL IMPACT:  
N/A

AMOUNT: ACCOUNT No.:

FROM FUND: TO FUND:

EXPLANATION:  
Based on a recommendation of the Traffic Commission.

STAFF COMMENTS AND BACKGROUND INFORMATION:  
The Traffic Commission was petitioned by the residents of the 8000 block of Lafon Place to be removed from the residential parking permit program. Having met all requirements of the commission, the commission recommended this be presented for action by the Council.

CIP No.

RELATED ITEMS / ATTACHMENTS:  
Bill 9554

LIST CITY COUNCIL GOALS (S):

RESPECTFULLY SUBMITTED: City Manager, Gregroy Rose MEETING DATE: 07/30/2024

**INTRODUCED BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**BILL NO. 9554**

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE III OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE TRAFFIC CODE, BY AMENDING TABLE III-D THEREIN, RELATING TO RESIDENTIAL PARKING PERMIT AREAS, BY DELETING THE 8000 BLOCK OF LAFON PLACE.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. Title III of the Municipal Code of the City of University City, relating to the Traffic Code, is hereby amended by amending Table III-D therein, relating to residential parking permit areas regulated by Section 355.030 in Title III, by deleting the 8000 block of Lafon Place as a residential permit parking area in Table III-D.

Section 2. This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty incurred by the violation of Title III, Section 355.030 or Table III-D of the Municipal Code of the City of University City, nor bar the prosecution of any such violation.

Section 3. This ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED and ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

\_\_\_\_\_  
MAYOR

(Seal)

ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNE