PETITION FOR THE ENACTMENT OF AN ORDINANCE BY DIRECT LEGISLATION PURSUANT TO SECTION 9.20, WISCONSIN STATUTES

To: City Clerk, City of St. Francis, Wisconsin

We the undersigned hereby petition the Common Council of the City of St. Francis, pursuant to section 9.20 of the Wisconsin Statutes to enact the following ordinance without alteration, or in the event that said Common Council fails to enact the ordinance, we demand pursuant to the above referenced statute that said ordinance be submitted to the electors at the next spring or general election for their approval or disapproval: An Ordinance referring any creation or modification a TID involving a capital expenditure exceeding $4,000,000, an increase of Tax Incremental Base exceeding $4,000,000, or Project Costs exceeding $4,000,000, to the electors for a binding referendum.

Whereas, pursuant to Article XI § 3(1) of the Wisconsin Constitution, Cities have the right to determine their local affairs and government, subject only to the state constitution and to such enactments of the legislature of statewide concern as with uniformity shall affect every city or village.

Whereas, projects requiring TID funding of any kind exceeding $4,000,000, within the boundaries of the City of St. Francis are currently under consideration and more may be proposed in the future; and

Whereas the approval, creation and amendment of TIDs and Tax Incremental Financing is a proper matter for direct legislation.

Therefore, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

Section 1. A referendum is required to approve the creation or modification of any Tax Incremental District ("TID") where the creation or modification involves a capital expenditure exceeding $4,000,000, an increase of Tax Incremental Base exceeding $4,000,000, or Project Costs exceeding $4,000,000, including but not limited to the amendment of a TID under Wis. Stat. § 66.1105. As of the effective date of this Ordinance, no TID shall be created, amended, adopted or approved unless first approved by a majority of the electors in a general or special election, if the creation or modification involves a capital expenditure exceeding $4,000,000, an increase of Tax Incremental Base exceeding $4,000,000, or Project Costs exceeding $4,000,000.

Nothing in this provision shall be construed to preclude the City of St. Francis from exercising its role in the planning, design, or implementation of TIDs.

Section 2. Definitions. The terms Tax Incremental District, Project Costs and Tax Incremental Base are to use the definitions in Wis. Stat. 66.1105.

Section 3. Interpretation.

(a) Upon approval by the electors, the Common Council shall continue to have the exclusive authority to approve TIDs that involve a capital expenditure exceeding $4,000,000, an increase of Tax Incremental Base exceeding $4,000,000, or Project Costs exceeding $4,000,000.

(b) No public referendum shall be required for approval of TIDs that do not involve a capital expenditure exceeding $4,000,000, an increase of Tax Incremental Base exceeding $4,000,000, or Project Costs exceeding $4,000,000.

(c) This ordinance provides an additional step in the approval process and nothing in this ordinance shall be interpreted to interfere with the City's obligations under Wis. Stat. § 66.1105 or any other statute.