

MEMORANDUM

TO: County Council
CC: County Executive
Executive Director, DDB
FROM: Joann Leykam
DATE: February 23, 2021
RE: DEVELOPMENTAL DISABILITIES RESOURCE BOARD WAIVER OF RIGHT OF FIRST REFUSAL ON THE SALE OF 35 SHADYBROOK COURT

The Developmental Disabilities Resource Board of St. Charles County ("DDRB") is a public taxing entity, commonly known as a "Senate Bill 40 Board" that provides case management services to people with developmental disabilities who are citizens of St. Charles County and contracts with agencies serving individuals with developmental disabilities in St. Charles County. This public tax was established in 1977 when voters of St. Charles County approved taxing themselves up to sixteen cents per \$100.00 of assessed property valuation to provide community-based programs and supports for citizens with developmental disabilities. The legislation also allowed for the DDRB to establish group homes. In the early days of the program the Board acquired title to five properties with the tax monies to operate four group homes and a respite home. The method chosen was to have the County put the properties in the County's name rather than in the name of the Board.

Because the Board is a legal entity and political subdivision of the State of Missouri with the power to own property, in 1997 the Council transferred the home titles to the DDRB as the entity that purchased the property. That Ordinance, 97-93, is attached to this Memorandum. At that time and at County Executive Joe Ortwerth's request, the DDRB agreed to give the County the right of first refusal should DDRB determine to sell the group homes or the respite home. The DDRB has informed the County by letter, also attached as an exhibit to this Memorandum, that they intend to sell this property and do not anticipate the sale will be to a provider of services for individuals with developmental disabilities.

At the realtors' request and in order to facilitate a quick sale, DDRB is requesting a letter from St. Charles County authorizing the sale of 35 Shadybrook Court with a complete release of its right of first refusal if the purchaser will not use the property to provide services to individuals with developmental disabilities. If, however, the purchaser will use the property to provide services to individuals with developmental disabilities, the County will release its right of first refusal to that property transfer only; but the deed of conveyance to the purchaser must include the County's right of first refusal that will remain on the property, per section 4 of Ordinance 97-93. Should the Council approve this item, the letter from the County Executive authorizing the Release of St. Charles County Right of First Refusal on the property 35 Shadybrook Court, approved by the County Counselor's Office as to form and attached to this Memorandum, will be provided to the DDRB.