

1 **BOARD BILL 51AA** **INTRODUCED BY ALDERMAN JOSEPH RODDY**

2 AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE 4101 LACLEDE
3 COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE 4101 LACLEDE
4 COMMUNITY IMPROVEMENT DISTRICT, AND FINDING A PUBLIC PURPOSE FOR
5 THE ESTABLISHMENT OF THE 4101 LACLEDE COMMUNITY IMPROVEMENT
6 DISTRICT.

7 WHEREAS, Mo. Rev. Stat. §67.1400 et seq. (the “CID Act”) authorized the Board of Aldermen
8 to approve the petitions of property owners to establish a Community Improvement District; and

9 WHEREAS, a petition has been filed with the City, requesting formation and establishment of
10 the 4101 Laclede Community Improvement District, signed by authorized representatives of the
11 owners of more than fifty percent by assessed value and per capita of the property located within
12 the 4101 Laclede Community Improvement District (as revised, the “Petition”); and

13 WHEREAS, the Register of the City of St. Louis did review and determine that the Petition
14 substantially complies with the requirements of the CID Act.

15 WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with
16 the CID Act was held at ____ a.m. on _____, 2016 by the Board of Aldermen; and

17 WHEREAS, this Board of Aldermen hereby finds that the adoption of this Ordinance is in the
18 best interest of the City of ST. Louis and that the property owners of the 4101 Community
19 Improvement District, as well as the City as a whole, will benefit from the establishment of the
20 4101 Laclede Community Improvement District.

21 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

22 SECTION ONE.

23 (a) A community improvement district, to be known as the “4101 Laclede
24 Community Improvement District” (hereinafter referred to as the “District”), is hereby
25 established pursuant to the CID Act on certain real property to provide services, construct
26 improvements, impose taxes and carry out other functions as set forth in the petition, which is
27 attached hereto as Appendix A and incorporated herein by this reference.

28 (b) The District boundaries are set forth in the map included in the Petition and are
29 generally described as follows (and are more particularly described in the Petition):

30 Lot numbers 1, 2 and 3 of the Bank of California Subdivision and in City Block No. 3915 of the
31 City of St. Louis fronting 158 feet 1 inch on the north line of Laclede Avenue, by a depth
32 northwardly of 210 feet 2 ¼ inches to an alley, bound on the east by Sarah Street.

33 SECTION TWO. The District is authorized by the Petition, in accordance with the CID Act to
34 impose a special assessment upon real property within the District, to provide funds to
35 accomplish any power, duty or purpose of the District.

ORDINANCE NUMBER 70310

1 SECTION THREE. The District is authorized by the CID Act, at any time, to issue obligations,
2 or to enter into cooperative agreements as provided for in Sec. 67.1491.4 RSMo, with other
3 entries with the authority to issue obligations, for the purpose for carrying out any of its powers,
4 duties, or purposes. Such obligations shall be payable out of all, or any part of any property or
5 any interest in any property by mortgage or any other security interest granted. Such obligations
6 shall be authorized by resolution of the District, and if issued by the District, shall bear such date
7 or dates, and shall mature at such time or times, as the resolution shall specify. Such obligations
8 shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in
9 such place or places, be subject to redemption as such resolution may provide and be sold at
10 either public or private sale at such prices as the District shall determine subject to the provisions
11 of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in
12 whole or part, obligations previously issued by the District.

13 SECTION FOUR.

14 (a) Pursuant to the Petition, the District shall be in the form of a political subdivision
15 of the State of Missouri, known as the 4101 Laclede Community Improvement District.

16 (b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District shall
17 be the same as the fiscal year for the City of St. Louis.

18 (c) No earlier than one hundred and eighty (180) days and no later than ninety (90)
19 days prior to the first day of each fiscal year, the District shall submit to the Board of Aldermen a
20 proposed annual budget for the District, setting forth expected expenditures, revenues, and rates
21 of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment
22 on this proposed budget, but if such comments are given, the Board of Aldermen shall provide
23 such written comments to later than sixty (60) days prior to the first day of the relevant fiscal
24 year; such comments shall not constitute requirements, but shall only be recommendations.

25 (d) The District shall hold an annual meeting and adopt an annual budget no later
26 than thirty (30) days prior to the first day of each fiscal year.

27 SECTION FIVE. The District is authorized to use the funds of the District for any of the
28 improvements, services or other activities authorized under the CID Act.

29 SECTION SIX. Pursuant to the CID Act, the District shall have all of the powers necessary to
30 carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act,
31 except as may be limited in the Petition.

32 SECTION SEVEN. The City of St. Louis hereby finds that the uses of the District proceeds as
33 provided for in the Petition hereto will serve a public purpose by remediating blight and
34 encouraging the redevelopment of real property within the District.

35 SECTION EIGHT. The District has been declared to be a “blighted” area as defined in Section
36 67.1401.2(3)(b) of the Act by the City’s adoption of Ordinance No. 70257 (2016), which
37 declared the District Property to be a “blighted area” under Chapter 99 of the Revised Statutes of
38 Missouri, and such designation of blight is hereby reaffirmed.

ORDINANCE NUMBER 70310

1 SECTION NINE. Within one hundred twenty (120) days after the end of each fiscal year, the
2 District shall submit a report to the Register of the City and the Missouri Department of
3 Economic Development stating the services provided, revenues collected and expenditures made
4 by the District during such fiscal year, and copies of written resolutions approved by the board of
5 the District during the fiscal year. The Register shall retain this report as part of the official
6 records of the City and shall also cause this report to be spread upon the records of the Board of
7 Aldermen, pursuant to Section 67.1471 of the CID Act.

8 SECTION TEN. The term for the existence of the District shall be as set forth in the Petition, as
9 may be amended from time to time or as such term may be otherwise modified in accordance
10 with the CID Act.

11 SECTION ELEVEN. Pursuant to the CID Act, the Board of Aldermen shall not decrease the
12 level of publicly funded services in the District existing prior to the creation of the District or
13 transfer the burden of providing the services to the District unless the services at the same time
14 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision
15 of the publicly funded services between areas included in the District and areas not so included.

16 SECTION TWELVE. The Register shall report in writing the creation of the 4101 Laclede
17 Community Improvement District to the Missouri Department of Economic Development.

18 SECTION THIRTEEN. The Petition provides that the District shall be governed by a Board of
19 Directors consisting of five individual directors (collectively the “Directors” and each a
20 “Director”). Upon expiration of the terms of the initial Directors, successor Directors shall be
21 appointed from a slate approved by the Directors and by the Mayor of the City with the consent
22 of the Board of Aldermen, in accordance with the CID Act and the process and the qualifications
23 set forth in the Petition.

- 24 Austin Barzantny (four years)
- 25 Michael Gingrich (four years)
- 26 Mark Breihan (two years)
- 27 Laura Breihan (two years)
- 28 Laura Lashley (two years)

ORDINANCE NUMBER 70310

APPENDIX A

4101 Laclede Community Improvement District

(Petition on File in City Register's Office)