

BOARD BILL NO. 57 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An ordinance approving the Petition of an owner of certain real property to establish a
2 Community Improvement District, establishing the Sweetie Pie’s Community Improvement
3 District; finding a public purpose of the establishment of Sweetie Pie’s Community Improvement
4 District, and containing a severability clause.

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

7 WHEREAS, a petition has been filed with the City, requesting formation and establishment of
8 the Sweetie Pie’s Community Improvement District (the “CID”), signed by the authorized
9 representative of the owner of more than fifty percent by assessed value and per capita of the
10 property located within the proposed boundaries of the CID (the “Petition”); and

11 WHEREAS, the Register of the City of St. Louis did review and determine that the Petition
12 substantially complies with the requirements of the Act; and

13 WHEREAS, a public hearing, duly noticed as required by the Act, was held at _____ on
14 _____, 2014, by the Board of Aldermen; and

15 WHEREAS, this Board of Alderman hereby finds that the adoption of this ordinance is in the
16 best interest of the City of St. Louis and that the property owner, and the City of St. Louis, as a
17 whole, will benefit from the establishment of Sweetie Pie’s Community Improvement District.

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

19 **SECTION ONE.**

May 9, 2014

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1 (a) A Community Improvement District, to be known as the “Sweetie Pie’s Community
2 Improvement District” (hereinafter referred to as the “CID”), is hereby established pursuant to
3 the CID Act on certain real property described below to provide services, construct
4 improvements, impose assessments, impose a sales tax, and carry out other functions as set forth
5 in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

6 (b) The CID boundaries are set forth in the Petition as Exhibit A and are described as follows:

7 Parcel Number 22881900700 commonly known as 3643-3653 Delmar Boulevard in the City of
8 St. Louis, Missouri 63108.

9 **SECTION TWO.** The CID is authorized by the CID Petition, in accordance with the CID Act,
10 to impose a tax upon retail sales within the CID to provide funds to accomplish any power, duty,
11 or purpose of the CID.

12 **SECTION THREE.** The CID is authorized by the CID Act, at any time, to issue obligations, or
13 to enter into agreements with outer entities with the authority to issue obligations, for the purpose
14 of carrying out any of its powers, duties or purposes. Such obligations shall be payable out of
15 all, part or any combination of the revenues of the CID and may be further secured by all or any
16 part of any property or any interest in any property by mortgage or any other security interest
17 granted. Such obligations shall be authorized by resolution of the CID, and if issued by the CID,
18 shall bear such date or dates, and shall mature at such time or times, but not more than twenty
19 (20) years from the date of issuance, as the resolution shall specify. Such obligations shall be in

1 such denomination, bear interest at such rate or rates, be in such form, be payable in such place
2 or places, be subject to redemption as such resolution may provide and be sold at either public or
3 private sale at such prices as the CID shall determine subject to the provision of Mo. Rev. Stat. §
4 108.170. The CID is also authorized to issue such obligations to refund, in whole or part,
5 obligations previously issued by the CID.

6 **SECTION FOUR.**

7 (a) Pursuant to the CID Petition, the CID shall be in the form of a political subdivision of the
8 State of Missouri, known as the “Sweetie Pie’s Community Improvement District”.

9 (b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the CID shall be the same as
10 the fiscal year of the City.

11 (c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to
12 the first day of each fiscal year, the CID shall submit to the Board of Alderman a proposed
13 annual budget for the CID, setting forth expected expenditures, revenues, and rates of
14 assessments, if any, for such fiscal year. The Board of Alderman may review and comment on
15 this proposed budget, but if such comments are given, the Board of Alderman shall provide such
16 written comments no later than sixty (60) days prior to the first day of the relevant fiscal year;
17 such comments shall not constitute requirements but shall only be recommendations.

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

1 **SECTION FIVE.** The CID is authorized to use the funds of the CID for any of the
2 improvements, service, or other activities authorized under the CID Act.

3 **SECTION SIX.** Pursuant to the CID Act, the CID shall have all the powers necessary to carry
4 out and effectuate the purposes of the CID and the CID Act as set forth in the CID Act.

5 **SECTION SEVEN.** The City of St. Louis hereby finds that the uses of the CID proceeds as
6 provided for in the Petition will serve a public purpose by remediating blight and encouraging
7 the redevelopment of real property within the CID.

8 **SECTION EIGHT.** Within one hundred twenty (120) days after the end of each fiscal year, the
9 CID shall submit a report to the Register of the City and the Missouri Department of Economic
10 Development stating the services provided, revenues collected and expenditures made by the
11 CID during such fiscal year, and copies of written resolutions approved by the board of directors
12 of the CID during the fiscal year. The Register shall retain this report as part of the official
13 records of the City of St. Louis and shall also cause this report to be spread upon the records of
14 the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

15 **SECTION NINE.** The term for the existence of the CID shall be as set forth in the CID Petition,
16 as may be amended from time to time, or as such term may be otherwise modified in accordance
17 with the CID Act.

18 **SECTION TEN.** Pursuant to the CID Act, the Board of Alderman shall not decrease the level of
19 publicly funded services in the CID existing prior to the creating of the CID or transfer the
20 burden of providing the services to the CID unless the services at the same time are decreased

1 throughout the City of St. Louis, nor shall the Board of Alderman discriminate in the provision
2 of the publicly funded services between areas included in the District and areas not so included.

3 **SECTION ELEVEN.** The Register shall report in writing the creation of Sweetie Pie’s
4 Community Improvement District to the Missouri Department of Economic Development.

5 **SECTION TWELVE.** The Petition provides that the CID shall be governed by a Board of
6 Directors consisting of five (5) individual directors (collectively the “Directors” and each a
7 “Director”), such Directors to be appointed by the Mayor of the City of St. Louis with the
8 consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this
9 ordinance, the Mayor does hereby appoint the following named individuals as Directors of the
10 CID for the terms set forth below, and by adoption of this ordinance, the Board of Aldermen
11 hereby consents to such appointments: Charles Crenshaw, 2 years; Janice O’Bannon, 2 years;
12 Robbie Montgomery, 4 years; Tim Norman, 4 years; and Linda Montgomery, 4 years.

13 **SECTION THIRTEEN.** If any section, subsection, sentence, clause, phrase, or portion of this
14 ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of
15 competent jurisdiction, such portion shall be deemed and is hereby declared to be separate,
16 distinct, and independent provision of this ordinance, and such holding or holdings shall not
17 affect the validity of the remaining portions of this ordinance.