

Summary
Board Bill Number 10
Introduced by Alderwoman Anne Schweitzer
April 29, 2022

The proposed bill would establish the Holly Hills Special Business District pursuant to Sections 71.790 through 71.808 of the Revised Statutes of Missouri, and setting its boundaries, tax rate, initial rate of levy of sixty-five cents per \$100.00 of assessed value for the tax years 2022 to 2031 subject to the approval of the qualified voters within the proposed district, and uses to which tax revenue may be put.

BOARD BILL NUMBER 10 INTRODUCED BY ALDERWOMAN ANNE SCHWEITZER

1 An ordinance establishing the Holly Hills Special Business District pursuant to Sections 71.790
2 through 71.808 of the Revised Statutes of Missouri, and setting its boundaries, tax rate, initial
3 rate of levy subject to the approval of the qualified voters and uses to which tax revenue may be
4 put; creating a board of commissioners; and containing severability, effectiveness, and
5 emergency clauses.

6 **WHEREAS**, petitions signed by property owners requesting the establishment of a Special
7 Business District in the area hereinafter described have been filed with the City Register; and

8 **WHEREAS**, pursuant to Section 71.792 RSMo, a survey and investigation of the desirability
9 and possibility of forming a Special Business District has been conducted; and

10 **WHEREAS**, it is desired that a Special Business District be formed in that portion of the City
11 of St. Louis within the maximum commonly known boundaries described in this Ordinance:
12 Beginning at the intersection of the center line of Grand Boulevard and Bates Street; then
13 southward along the center line of Grand Boulevard to its intersection with the center line of
14 Loughborough Avenue; then westward along the centerline of Loughborough Avenue to its
15 intersection with the center line of Morganford Road; then northward along the centerline of
16 Morganford Road to Bates Street.

17 **WHEREAS**, this Board of Aldermen hereby finds that the establishment of a Special Business
18 District for said area described above is in the best interest of the City of St. Louis and that the
19 property owners and tenants of said area and the public in general will benefit by the
20 establishment of said Special Business District and the increased level of services and
21 improvements provided by the proposed additional tax revenues from said district; and

1 **WHEREAS**, this Board of Aldermen has passed a Resolution, Resolution Number 17 declaring
2 its intention to establish a Special Business District in said area and has held public hearings on
3 the matter; and

4 **WHEREAS**, said public hearing, duly noticed, was held at 1:00 p.m. on May 11, 2022, by the
5 Committee on Ways and Means of the Board of Aldermen; and

6 **WHEREAS**, the said district shall be known as Holly Hills Special Business District.

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

8 **SECTION ONE.** Holly Hills Special Business District. A Special Business District, to be
9 known as the “Holly Hills Special Business District” (hereinafter referred to as the “District”),
10 is hereby established for the area of the City described as follows: Beginning at the intersection
11 of the center line of Grand Boulevard and Bates Street; then southward along the center line of
12 Grand Boulevard to its intersection with the center line of Loughborough Avenue; then westward
13 along the centerline of Loughborough Avenue to its intersection with the center line of
14 Morganford Road; then northward along the centerline of Morganford Road to Bates Street.

15 **SECTION TWO.** District Tax. Taxes for the District shall be assessed and collected as follows:

16 A. For the purpose of paying for costs and expenses incurred in the establishment and operation
17 of the District, the provision of services and facilities and improvements authorized in this
18 ordinance, and incidental to the leasing, construction, acquisition, and maintenance of any
19 improvements authorized herein or for paying principal and interest on bonds or notes authorized
20 for the construction or acquisition of any said improvement, there may be imposed a tax upon
21 all real property within the District which shall not exceed sixty-five cents (\$.65) on the one
22 hundred dollars (\$100.00) assessed valuation, subject to the provisions of Section Nine. Such

1 tax shall be imposed during the 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030 and 2031
2 tax years only, and subject to the renewal of such tax by the qualified voters of the District
3 pursuant to the procedure set forth in Section 71.800 of the RSMo (2000).

4 B. If the proposition submitted to the qualified voters in the District receives in its favor the
5 votes of the majority of the qualified voters voting at the election conducted pursuant to Section
6 Nine, the initial rate of levy which shall be imposed upon real property within the District shall
7 be sixty-five cents (\$.65) on the one-hundred dollars (\$100.00) assessed valuation.

8 C. Real property subject to partial tax abatement under the provisions of Chapter 353 of the
9 Revised Statutes of Missouri, shall, for the purpose of assessment and collection of ad valorem
10 real estate taxes levied under the District, be assessed and ad valorem real estate taxes shall be
11 collected upon the same assessed value on which its ad valorem real estate taxes and payment in
12 lieu of taxes are based in the Ordinance adopted by the City of St. Louis approving the
13 development plan of any such corporation and authorizing tax abatement; provided, however,
14 that the owners at such real property are strongly encouraged to make additional equitable,
15 annual donations to the District in lieu of the additional District taxes.

16 D. The levy shall not be imposed upon real property exempt from ad valorem real estate taxes
17 because of charitable, religious, educational or other public or private uses; provided, however,
18 that the owners of such real property are strongly encouraged to make equitable, annual
19 donations to the District in lieu of District taxes.

20 E. The tax provided for by this ordinance shall be collected by the Collector of Revenue and
21 held in a special account to be used only for all purposes authorized hereunder, as provided by
22 law.

1 **SECTION THREE. Board of Commissioners.** There shall be a Board of Commissioners to
2 administer the District. The Board of Commissioners shall be selected as follows:

3 A. Membership: The Board of Commissioners shall consist of seven (7) members who shall
4 be eighteen-years (18) of age or older at the time of their appointment by the Mayor. Members
5 of the Board of Commissioners shall be appointed by the Mayor with the advice and consent of
6 the Board of Aldermen, of whom:

7 1. Four (4) members shall be owners of real property and residents within the District at the
8 time of their appointment and for the duration of their term on the Board of
9 Commissioners; and

10 2. One (1) member shall be a resident and renter of real property within the District at the
11 time of their appointment and for the duration of their term on the Board of
12 Commissioners; and

13 3. One (1) member shall be a business owner within the Holly Hills Neighborhood of the
14 District, or their representative, at the time of their appointment and for the duration of
15 their term on the Board of Commissioners; and

16 4. One (1) member shall be a resident and renter or owner of real property within the Holly
17 Hills Neighborhood of the District at the time of their appointment and for the duration
18 of their term on the Board of Commissioners.

19 B. No employee or elected official of the City of St. Louis shall be a member of the Board of
20 Commissioners.

1 **SECTION FOUR.** Commissioner Terms of Office, Removals & Vacancies.

2 A. Term of Office: Each member of the Board of Commissioners shall serve for a four (4)
3 year term (except as provided herein with respect to the initial members), with terms expiring as
4 of December 31st of the designated year or when their successors are appointed as provided
5 herein, whichever is later.

6 B. Initial Members and Terms: The initial members shall be appointed for the terms set
7 forth as follows: one (1) member shall be appointed for a term expiring December 31, 2024; two
8 (2) members shall be appointed for a term expiring December 31, 2025; two (2) members shall
9 be appointed for a term expiring December 31, 2026; and two (2) members shall be appointed
10 for a term expiring December 31, 2027.

11 C. Removal: The Mayor with approval of the Board of Aldermen may remove any member
12 of the Board of Commissioners for misconduct or neglect of duty upon written charges and after
13 a public hearing.

14 D. Vacancies: Vacancies on the Board of Commissioners, occasioned by removal,
15 resignation, expiration of term, or otherwise, shall be reported in writing to the Mayor by the
16 Board of Commissioners. The vacancy shall be filled in like manner as an original appointment
17 no later than thirty (30) days after the date of said report to the Mayor. Appointments to fill
18 vacancies shall be for the unexpired portion of a term only.

19 E. Compensation: The members of the Board of Commissioners shall serve without
20 compensation of any kind.

21 **SECTION FIVE.** District Revenues.

1 A. All District revenues collected hereunder by the Collector of Revenue, except for those
2 revenues expended for the necessary costs of the establishment and administration of the District,
3 and for collection fees for tax revenue collected hereunder, may be used to carry out any and all
4 of the following improvements, services and activities of the District:

5 1. To provide special police and/or security facilities, equipment, vehicles and/or personnel
6 for the protection and enjoyment of the property owners and the general public within
7 the District.

8 2. To construct, install, improve and/or maintain useful, or necessary, or desired, security
9 related improvements.

10 3. To construct or install sidewalks, lighting, bus stop shelters, benches, traffic sign, kiosks,
11 trash receptacles, walls and barriers, murals, information signage, and each and every
12 other useful, necessary or desired improvement.

13 4. To promote activities in the District by, but not limited to, advertising, decoration of any
14 public place in the District, promotion of public events which are to take place on or in
15 public places, furnishing of music in any public place and the general promotion of
16 activities in the District.

17 **SECTION SIX. District Powers.** The District shall have all the powers necessary to carry out
18 any and all activities and improvements authorized by law and may:

19 1. Cooperate with any public agencies and with any industry or business located within the
20 District in the implementation of any project within the District;

- 1 2. Enter into any agreement with the City, any other public agency, any person, firm, or
2 corporation to effect any of the provisions contained in Sections 71.790 through 71.808
3 RSMo.;
- 4 3. Contract and be contracted with, sue and be sued and provide for insurance of all projects
5 and property owned or managed by the District and for insurance covering all members
6 of the Board of Commissioners and employees and agents of the District, providing for
7 coverage of such risks and with such limits as the Board of Commissioners may deem
8 proper;
- 9 4. Accept gifts, grants, loans or contributions from the City, the United States of America,
10 the State of Missouri, political subdivisions, foundations, other public or private
11 agencies, individuals, partnerships, or corporations; and
- 12 5. Employ such managerial, engineering, legal, technical, clerical, accounting, and other
13 assistance as the Board of Commissioners may deem advisable; the District may also
14 contract with independent contractors for any such assistance.

15 **SECTION SEVEN. Annual Budget & Annual Report.**

16 A. Annual Budget: The Board of Commissioners shall file with the Board of Aldermen an
17 annual budget for the District, which shall set forth the projected revenues and expenditures for
18 the ensuing year, not later than one-hundred and eighty (180) days prior to the start of said fiscal
19 year; provided, however, that no such proposed annual budget shall be filed with the Board of
20 Aldermen until after the date the Board of Commissioners conducts a public hearing within the
21 District on any such proposed annual budget. Notice of any such public hearing shall be
22 published at least ten (10) days prior to the hearing in a daily, twice-weekly, weekly or bi-weekly

1 newspaper of general circulation within the District; and provided further, that in addition to
2 showing the time, date and place of the hearing, the notice shall also show the complete proposed
3 annual budget. The Board of Commissioners shall not expend any funds collected by the
4 Collector of Revenue inconsistent with or until an annual budget for the expenditure of such
5 funds is approved by the Board of Aldermen by Resolution. If the Board of Aldermen does not
6 act on said budget by Resolution within ninety (90) days of its filing, said budget will presume
7 to have been approved by the Board of Aldermen.

8 B. Annual Report: The Board of Commissioners shall also file an annual report with the Board
9 of Aldermen, which shall set forth the programs, revenues, and expenditures of the District for
10 the previous fiscal year, not later than sixty (60) days following the end of said fiscal year.

11 **SECTION EIGHT. Municipal Funding Not to Be Decreased.** The City shall not decrease the
12 level of municipally funded services in the District existing prior to the creation of the District,
13 unless the services at the same time are decreased throughout the City, nor shall the City
14 discriminate in the provision of new municipally funded services between areas included in the
15 District and areas not so included.

16 **SECTION NINE. Ballot Proposition.** The tax levy authorized in Section Two of this ordinance
17 shall not be effective unless and until the following proposition, submitted to the qualified voters
18 residing in the District at a special election in the District to be held on August 2, 2022, shall
19 receive in its favor the votes of the majority of the qualified voters voting at said election for or
20 against said proposition. Said proposition shall be in substantially the following form:

21 OFFICIAL BALLOT

1 Shall a tax of \$.65 per \$100.00 valuation be imposed for the ten tax years of 2022,
2 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030 and 2031 on all real property located
3 in the Holly Hills Special Business District as defined in Ordinance No._____,
4 approved on _____, __ 2022, as Board Bill No. __for the purposes as set forth in
5 said Ordinance?

6 ____ YES. ____ NO

7 **SECTION TEN. Certification of Election.** Immediately upon the passage and approval of this
8 Ordinance, the City Register shall certify a copy thereof to the Board of Election Commissioners
9 for the City of St. Louis for action and proceedings by said Board in accordance herewith and as
10 required by law.

11 **SECTION ELEVEN. Notice of Election.** Notice of the election on such proposition shall be
12 published and said election shall be conducted in the manner provided by law.

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

18 **SECTION THIRTEEN. Emergency Clause.** This being an ordinance calling and providing
19 for an election and vote by the people and fixing a tax rate, it is declared to be an emergency
20 measure as defined by Article IV, Sections 19 and 20 of the Charter of the City of St. Louis and
21 shall take effect and be in force from and after its adoption and approval by the Mayor.

**PETITION TO THE CITY OF SAINT LOUIS, MISSOURI
TO CREATE THE
HOLLY HILLS SPECIAL BUSINESS DISTRICT**

Submitted April 21, 2022

PETITION TO ESTABLISH THE HOLLY HILLS SPECIAL BUSINESS DISTRICT(SBD)

To: The Board of Aldermen, City of Saint Louis, Missouri:

The undersigned, being owners of real property subject to real property taxes and within the proposed boundaries of the Holly Hills Special Business District, do hereby petition and request the City of St. Louis to create the Holly Hills Special Business District is described herein, under the authority of Sections 71.790 through 71.808 RSMo.

1. Description of the Holly Hills Special Business District (District)

A. District Boundaries

The boundaries of the **Holly Hills Special Business District** are: Beginning at the intersection of the center line of Grand Boulevard and Bates Street; then southward along the center line of Grand Boulevard to its intersection with the center line of Loughborough Avenue; then westward along the centerline of Loughborough Avenue to its intersection with the center line of Morganford Road; then northward along the centerline of Morganford Road to Bates Street.

B. Map of District Boundaries

A map illustrating the District boundaries is attached hereto as **Exhibit A**. The boundaries of the District are contiguous.

C. Name of District.

The name of the District shall be the Holly Hills Special Business District.

2. Purposes of the District

The District will generally provide for certain services and public improvements listed in the statute. The District shall:

- A. **Cleaning, Landscaping, and Maintenance:** services in this category will include the contracting of cleaning and maintenance services to a maintenance provider, which maintenance activities will include, but are not limited to (a) landscape and streetscape maintenance within the District; (b) maintenance of public art, decorations, improvements, banners, lighting, and signage; (c) graffiti removal; and (d) the purchase of equipment to assist in the above-listed cleaning and maintenance services.
- B. **Purchase, Installation, and Construction of Public Improvements:** Services in this category will include the (a) the purchase, installation, and maintenance of lighting within the District; (b) the purchase, installation, and maintenance of street and/or sidewalk furniture; (c) the purchase, installation, and maintenance of beautification materials throughout the District, including seasonal and holiday decorations and landscaping; (d) the contracting of services for installation of street improvements throughout the District; (e) the matching of funds for grants and projects intended to benefit the District; Public improvements in this category may include, but are not limited to (a) construction or reconstruction of sidewalks; (b) transportation related improvements (c) and parks.
- C. **Security and Public Safety:** Services in this category will include (a) the contracting of security services to private security providers, off duty police officers, or a local police department; and (b) the purchase, installation, and maintenance of security cameras within the District. Services in this category may include but are not limited to (a) the purchase of communication equipment designed to address security related issues; (b) the purchase, installation, and maintenance of lighting for the security of the District.
- D. **Public Transportation:** Services in this category may include, but are not limited to fund, promote, plan, design, construct, improve, maintain and operate one or more projects or to assist in such activities including street, intersection, signage, traffic signals, bus stop, and bicycle lanes.
- E. **Marketing, Advertising, Promotion, Branding and Special Events:** Services in this category will include (a) the purchase and installation of way-finding markers, banners, electronic and or print newsletters and other promotional materials; (b) contracting of services for District-wide events; the planning, coordination, and implementation of District-wide events; (c) the purchase or lease of tents, bleachers, and other equipment for use at District-wide events.

- F. Administrative Support: Services in this category will include (a) the purchase of administrative support materials such as office supplies, postage, reporting, and necessary equipment; (b) fees associated with the administrative activities of the District; and (c) the contracting of services with a separate entity for the administration of the District.

Also, the district shall:

- A. Cooperate with other public agencies and with any industry or business located within the district in the implementation of projects within the district.
- B. Enter into agreements with any other public agency, any person, firm, or corporation to effect any of the provisions contained in SBD statutes.
- C. Contract and be contracted with, and to sue or be sued.
- D. Accept gifts, grants, loans, or contributions from City of Saint Louis, the state of Missouri, political subdivisions, foundations, other public or private agencies, individuals, partnerships or corporations.
- E. Employ or contract engineering, legal, technical, clerical, accountant, and other assistance as it may deem advisable.
- F. A description of the Budget, proposed services and improvements are attached as **Exhibit B**.

3. Type of District

The District is a separate political subdivision of Missouri with the power to impose a real property tax.

4. Board of Directors

- A. The District will be governed and operated by a seven member board of directors (the “**Board**”), appointed by the Mayor of the City of Saint Louis (the “**Mayor**”) with the consent of the Board of Aldermen in accordance with qualifications as established by law and as set forth below.

B. Qualifications

- 1. Members of the Board must be at least 18 years of age;
- 2. Four members of the Board must be a resident and owner of real property within the Holly Hills Neighborhood of the district.

3. One member of the Board must be a resident and renter of real property within the Holly Hills Neighborhood of the district.
4. One member of the Board must be a business owner within the Holly Hills Neighborhood of the district or their representatives.
5. One Member of the Board must be a resident of real property within the Holly Hills Neighborhood of the district.

Term of Office: Each member of the Board of Commissioners shall serve for a four (4) year term (except as provided herein with respect to the initial members), with terms expiring as of December 31st of the designated year or when their successors are appointed as provided herein, whichever is later. C. Initial Members and Terms: The initial members shall be appointed for the terms set forth as follows: one (1) member shall be appointed for a term expiring December 31, 22 2024; two (2) members shall be appointed for a term expiring December 31, 2025; two (2) members shall be appointed for a term expiring December 31, 2026; and two (2) members shall be appointed for a term expiring December 31, 2027.

Removal: The Mayor with approval of the Board of Aldermen may remove any member of the Board of Commissioners for misconduct or neglect of duty upon written charges and after a public hearing.

Vacancies: Vacancies on the Board of Commissioners, occasioned by removal, resignation, expiration of term, or otherwise, shall be reported in writing to the Mayor by the Board of Commissioners. The vacancy shall be filled in like manner as an original appointment no later than thirty (30) days after the date of said report to the Mayor.

Appointments to fill vacancies shall be for the unexpired portion of a term only.

Compensation: The members of the Board of Commissioners shall serve without compensation of any kind.

5. Life of the District

The District will continue to exist and function for a period of (10) years following the effective date of the City's ordinance which established the District. The district Shall be established and renewed by a public vote of property owners and residents.

6. Maximum Rates and the Method of Assessment

The special assessment petition shall be in substantially the following form:

The Holly Hills Special Business District (“*District*”) shall be authorized to levy \$0.65 per \$100 assessed valuation on real property, tracts, lots or parcels of real property for the purpose of providing revenue to the district. Authorization to levy the special assessment shall expire on December 31, 2033. For purposes of property receiving tax abatement, the assessed value for each is at the current rate until abatement ends.

7. Limitations on Revenue Generation

The District will have no additional authority to levy taxes except as provided herein, or as provided by amendments to this petition.

8. Reports and Meetings

The District shall comply with requirements of reporting and meetings described in R.S.MO. § 67.1471. Meetings shall be open to the public.

9. Severability

If any provision of this Petition shall be held or deemed to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions of this Petition or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative or unenforceable to any extent whatsoever.

EXHIBIT A

Holly Hills Special Business District Map of Boundaries



EXHIBIT B

PROPOSED FIVE-YEAR BUDGET

Description	2023	2024	2025	2026	2027
Special Assessments	\$402,920	\$404,000	\$405,000	\$406,000	\$408,000
TOTAL	\$402,920	\$404,000	\$405,000	\$406,000	\$408,000

Note: Property assessments were calculated using the 2021 rate of 19% of Appraised Value. The tax revenue will be \$.65 for every \$100 of City Assessed Value. Tax revenue generated is 65 cents for the current \$100 of the Saint Louis City assessed value.

Budget: The activities will be funded from the District Special Assessment. The estimated costs of these services and improvements to be incurred by the District during the first five years are approximately \$2,025,900, as set forth in the Five-Year Budget Projections. The actual revenue collected, and expenses incurred may vary from the estimated budget. The Five-Year Budget contained herein shall not limit the District in the event the cost of the Project increase or decrease.

- 1) Assumptions
 - a. \$403,000 annually will be raised from the Special Assessments (first revenue arrives in 2023)
 - b. It is contemplated that the budget over this five-year period will be distributed in approximate percentages as follows:
 - i. 30% - Public Safety & Security
 - ii. 30% - Purchase and Installation of Public Infrastructure
 - iii. 30% - Cleaning, Landscaping and Maintenance
 - iv. 5%- Administration
 - v. 5%- Promotion