

BOARD BILL NO. 68

INTRODUCED BY ALDERMEN LYDA KREWSON, FRANK WILLIAMSON

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**AN ORDINANCE APPROVING A PETITION FOR THE
CREATION OF THE EAST LOOP COMMUNITY
IMPROVEMENT DISTRICT; AUTHORIZING THE DISTRICT
TO IMPOSE SPECIAL ASSESSMENTS; FINDING A PUBLIC
PURPOSE; AND CONTAINING A SEVERABILITY CLAUSE.**

WHEREAS, the City of St. Louis, Missouri (the “*City*”) is authorized and empowered pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “*CID Act*”), to establish a community improvement district as proposed by a verified petition; and

WHEREAS, a Petition for Creation of a Community Improvement District (the “*Petition*”) signed by the owners of more than fifty percent of the assessed value of real property and more than fifty percent per capita of all owners of real property within the East Loop area as hereinafter described, was filed with the Register of the City requesting creation of the East Loop Community Improvement District (the “*District*”); and

WHEREAS, the Register did review and determine that the Petition substantially complies with the requirements of the Act and verified said Petition is in accordance with the requirements of the CID Act;

WHEREAS, after notice by publication and by mailing to each property owner within the proposed District via certified mail with return receipt attached, a public hearing was held on Wednesday, June 15, 2016, regarding creation of the District, all pursuant to Section 67.1421.1 of the CID Act; and

WHEREAS, subject to and in accordance with the CID Act and the Petition, and upon the approval of the qualified voters of the District, the District intends to impose a special assessment against real property benefitted within the District in accordance with Section 67.1521 of the CID Act, for a period of not more than 25 years from the year in which such special assessment is first imposed; and

1 **WHEREAS**, the Petition requests that the members of the initial Board of Directors of the
2 District be appointed by the Mayor of the City pursuant to Section 67.1451.5 of the CID Act, subject to
3 consent of the Board of Aldermen, with Successive Directors appointed in the same manner; and

4 **WHEREAS**, the Petition provides that the District shall provide certain services and
5 improvements for the East Loop area, including without limitation furthering economic development,
6 enhancing public safety, and maintaining and improving infrastructure, and any other public improvement
7 as provided in Section 67.1461 of the CID Act; and

8 **WHEREAS**, the Board of Aldermen hereby finds that the adoption of this ordinance is in the
9 best interest of the City and that the property owners, residents, and persons engaging in business or
10 visiting the East Loop area, and the public generally will benefit by the establishment of said District.

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

12 **Section 1.** Pursuant to Section 67.1411.3 of the CID Act and subject to the terms of the Petition,
13 the East Loop Community Improvement District is hereby formed as a not-for-profit corporation of the
14 State of Missouri to provide for services and improvements and to impose special assessments as
15 described in the Petition set forth on **Exhibit A**, attached hereto and incorporated herein by reference.
16 The District’s boundaries are set forth on the map provided in the Petition set forth on **Exhibit A**,
17 attached hereto and incorporated herein by reference, and are described as follows:

18 Beginning at the point of the northeast corner of property now, or formerly, owned by the
19 Missouri Historical Society, Parcel Number 45430002750 at its intersection with the
20 south line of a 20’ wide east-west alley in City Block 4543; thence northwardly along the
21 northward prolongation of the east property line of property now, or formerly, owned by
22 the Missouri Historical Society, Parcel Number 45430002750, across said 20’ wide east-
23 west alley in City Block 4543 to a point on the north line of said 20’ wide east-west alley
24 in City Block 4543; thence westwardly along the north line of said 20’ wide east-west
25 alley in City Block 4543 and its westward prolongation diagonally across Hamilton
26 Avenue to its point of intersection with the north line of a 15’ wide east-west alley in City

1 Block 4542; thence westwardly along the north line of said alley and its westward
2 prolongation to its point of intersection with the east property line of property now, or
3 formerly, owned by the City of St. Louis, Missouri, Parcel Number 48561300700; thence
4 northwestwardly along said east property line to its intersection with the north property
5 line of said property now, or formerly, owned by the City of St. Louis Missouri, Parcel
6 Number 48561300700; thence southwestwardly along said north property line to its point
7 of intersection with east property line of property now, or formerly, owned by
8 Washington University, Parcel Numbers 48550000310 and 48550000360; thence
9 northwestwardly along said east property line to its point of intersection with the east
10 property line of property now, or formerly, owned by Washington University, Parcel
11 Number 48540000410; thence northwardly along said east property line to its point of
12 intersection with the north property line of said property now, or formerly, owned by
13 Washington University, Parcel Number 48540000410; thence westwardly and
14 northwestwardly along said north property line and its westward and northwestward
15 prolongation diagonally across Skinker Boulevard to the west line of Skinker Boulevard
16 at its point of intersection with the City Limits of the City of St. Louis, Missouri; thence
17 southwestwardly and southwardly along the west line of Skinker Boulevard to its point of
18 intersection with the north line of Enright Avenue; thence westwardly along the north
19 line of Enright Avenue and its westward prolongation to its point of intersection with the
20 east property line of property now, or formerly, owned by Washington University, Parcel
21 Number 48500400100; thence southwardly along the east property line of property now,
22 or formerly, owned by Washington University, Parcel Number 48500400100, to its point
23 of intersection with the east property line of property now, or formerly, owned by
24 Parkview Gardens Rehabilitation II, L.P., Parcel Number 48490300700; thence
25 southwardly along the east property line of property now, or formerly, owned by
26 Parkview Gardens Rehabilitation II, L.P., Parcel Number 48490300700, to its point of

1 intersection with the east property line of property now, or formerly, owned by Parkview
2 Gardens Rehabilitation II, L.P., Parcel Number 48490300600; thence southwardly along
3 the east property line of property now, or formerly, owned by Parkview Gardens
4 Rehabilitation II, L.P., Parcel Number 48490300600, to its intersection with the north
5 property line of property now, or formerly, owned by Eastgate Investments, Inc., Parcel
6 Number 48490300450; thence westwardly along the north property line of property now,
7 or formerly, owned by Eastgate Investments, Inc., Parcel Number 48490300450, and its
8 westward prolongation across Eastgate Avenue and Enright Avenue to its intersection
9 with the east property line of property now, or formerly, owned by Washington
10 University, Parcel Number 48490400261; thence northwestwardly along the east property
11 line of property now, or formerly, owned by Washington University, Parcel Number
12 48490400261, to its point of intersection with the City Limits of the City of St. Louis,
13 Missouri; thence southwestwardly and southwardly along said City Limits to its point of
14 intersection with the south line of a 15' wide east-west alley in City Block 5408; thence
15 eastwardly along said south alley line and its eastward prolongation across Skinker
16 Boulevard to its point of intersection with the south line of a 15' wide east-west alley in
17 City Block 5421; thence eastwardly along said south alley line and its eastward
18 prolongation across Rosedale Avenue to its point of intersection with the south line of a
19 15' wide east-west alley in City Block 5422; thence eastwardly along the said south alley
20 line and its eastward prolongation across Des Peres Avenue to its point of intersection
21 with the south property line of property now, or formerly, owned by Outdoor Systems
22 Inc., Parcel Number 55120000100; thence eastwardly along the south property line of
23 property now, or formerly, owned by Outdoor Systems Inc., Parcel Number
24 55120000100, and the south property line of property now, or formerly, owned by
25 Viacom Outdoor, Parcel Number 55120000108, and its eastward prolongation across the
26 MetroLink right-of-way and across property now, or formerly, owned by the City of St.

1 Louis, Missouri, Parcel Number 55120000400, to its point of intersection with the north
2 property line of property now, or formerly, owned by Mildred Simmons, Parcel Number
3 55120000700; thence eastwardly along the north property line of property now, or
4 formerly, owned by Mildred Simmons, Parcel Number 55120000700, to its point of
5 intersection with the south line of a 15' wide east-west alley in City Block 5512; thence
6 eastwardly along said alley line and its eastward prolongation across DeGiverville
7 Avenue to its point of intersection with the south line of a 15' east-west alley in City
8 Block 5514; thence eastwardly along said alley line and its eastward prolongation across
9 Hamilton Avenue to its point of intersection with the south line of a 15' wide east-west
10 alley in City Block 5515; thence eastwardly along said south alley line and its eastward
11 prolongation parallel to Delmar Boulevard across Laurel Avenue to its point of
12 intersection with the south property line of property now, or formerly, owned by the Bi-
13 State Development Agency, Parcel Number 56680004100; thence eastwardly along the
14 south property line of property now, or formerly, owned by the Bi-State Development
15 Agency, Parcel Number 56680004100, to its point of intersection with the south property
16 line of property now, or formerly, owned by the Bi-State Development Agency, Parcel
17 Number 56680000100; thence eastwardly along the south property line of property now,
18 or formerly, owned by the Bi-State Development Agency, Parcel Number 56680000100,
19 to its point of intersection with the south property line of property now, or formerly,
20 owned by the Bi-State Development Agency, Parcel Number 56680000150; thence
21 eastwardly along the south property line of property now, or formerly, owned by the Bi-
22 State Development Agency, Parcel Number 56680000150, to its point of intersection
23 with the south property line of property now, or formerly, owned by the Bi-State
24 Development Agency, Parcel Number 56680000300; thence eastwardly along the south
25 property line of property now, or formerly, owned by the Bi-State Development Agency,
26 Parcel Number 56680000300, to its point of intersection with the south property line of

1 property now, or formerly, owned by the Bi-State Development Agency, Parcel Number
2 56680000400; thence eastwardly along the south property line of property now, or
3 formerly, owned by the Bi-State Development Agency, Parcel Number 56680000400, to
4 its point of intersection with the south property line of property now, or formerly, owned
5 by the Bi-State Development Agency, Parcel Number 56680000500; thence eastwardly
6 along the south property line of property now, or formerly, owned by the Bi-State
7 Development Agency, Parcel Number 56680000500, to its point of intersection with the
8 west line of DeBaliviere Avenue (100' wide); thence northwardly along the west line of
9 DeBaliviere Avenue (100' wide) and its northward prolongation across Delmar
10 Boulevard to its intersection with the north line of Delmar Boulevard; thence westwardly
11 along the north line of Delmar Boulevard to its point of intersection with the southeast
12 corner of property now, or formerly, owned by the Missouri Historical Society, Parcel
13 Number 45430002750; thence northwardly along the east property line of property now,
14 or formerly, owned by the Missouri Historical Society, Parcel Number 45430002750 to
15 the northeast corner of property now, or formerly, owned by the Missouri Historical
16 Society, Parcel Number 45430002750 to its intersection with the south line of a 20' wide
17 east-west alley in City Block 4543, the point of beginning.

18 **Section 2.** Pursuant to the CID Act, the District shall have all the powers identified in the
19 Petition as necessary to carry out and effectuate the purposes and provisions of the CID Act. The District
20 is authorized by the Petition and the CID Act to impose one or more special assessments to provide funds
21 to accomplish any power, duty or purpose of the District; provided, however, that the District shall not
22 have the authority to impose any special assessments on any real property located in a special business
23 district authorized pursuant to Sections 71.790 to 71.808 of the Revised Statutes of Missouri, as amended,
24 or on any business or individual doing business in such special business district until the taxes imposed by
25 such special business district have been repealed by such special business district.

1 **Section 3.** The District is authorized by the Petition and the CID Act to establish different classes
2 of real property within the District for purposes of special assessments. The levy rate of special
3 assessments may vary for each class or subclass based on the level of benefit derived from services or
4 improvements funded, provided or caused to be provided by the District.

5 **Section 4.** Pursuant to the CID Act, the District is authorized by the CID Act, at any time, to
6 issue obligations, or to enter into agreements with other entities with authority to issue obligations, for the
7 purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of
8 all, part or any combination of the revenues of the District and may be further secured by all or any part of
9 any property or any inters in any property by mortgage or any other security interest granted. Such
10 obligations shall be authorized by resolution of the District, and if issued by the District shall be such date
11 or dates, and shall mature at such time or times, but not more than 20 years from the date of issuance, as
12 the resolution shall specify. Such obligations shall be in such denominations, bear such interest at such
13 rate or rates, be in such form, be payable in such place or places, be subject to redemption as such
14 resolution may provide and be sold at either public or private sale at such prices as the District shall
15 determine subject to the provisions of Section 108.170 of the Revised Statutes of Missouri, as amended.
16 The District is also authorized to issue obligations to refund, in whole or in part, obligations previously
17 issued by the District.

18 **Section 5.** Pursuant to the Petition and Section 67.1451.5 of the CID Act, the District shall be
19 administered by a seven-member Board of Directors. The District’s initial Board of Directors is as
20 follows:

21	<u>Name</u>	<u>Initial Term</u>	<u>Property/Business Location</u>
22	Mary Campbell	4 years	West of Des Peres Avenue
23	Joe Edwards	4 years	West of Des Peres Avenue
24	Dave Mastin	4 years	East of Des Peres Avenue
25	Aliah Holman	4 years	East of Des Peres Avenue

1	Cheryl Adelstein	2 years	West of Des Peres Avenue
2	Steve Rotskoff	2 years	East of Des Peres Avenue
3	Tamika Stigers	2 years	East of Des Peres Avenue

4 The date of appointment for each of the initial Board of Directors shall be the date of passage of this
5 Ordinance. No action by the Mayor or Board of Aldermen of the City is required for appointment of the
6 initial Board of Directors or any successors to the Board of Directors. The election and qualification of
7 members to the District’s Board of Directors shall be in accordance with Chapter 355 of the Revised
8 Statutes of Missouri, as amended.

9 **Section 6.** The Board of Directors of the District shall have its initial meeting on such date and at
10 such time when a quorum of Board of Directors is available.

11 **Section 7.** Pursuant to the CID Act, the fiscal year for the District shall begin on July 1. No
12 earlier than 180 days and no later than 90 days prior to the first day of each fiscal year, the District shall
13 submit to the Board of Aldermen a proposed annual budget for the District, setting forth the expected
14 expenditures, revenues, and rates of special assessments, if any, for such fiscal year. The Board of
15 Aldermen may review and comment on the proposed budget, but if such comments are given, the Board
16 of Aldermen shall provide such written comments no later than 60 days prior to the first day of the
17 relevant fiscal year and any such comments shall not constitute requirements but shall only be
18 recommendations. The Board of Directors of the District shall hold an annual meeting for the District and
19 adopt an annual budget no later than 30 days prior to the first day of each fiscal year.

20 **Section 8.** The District is authorized by the Petition and the CID Act to use the funds of the
21 District for any of the services or improvements authorized by the Petition and the CID Act. Pursuant to
22 the Petition and the CID Act, the District shall have all the powers necessary to carry out and effectuate
23 the purposes of the Petition as set forth in the CID Act.

1 **Section 9.** The Board of Aldermen hereby finds that the uses of the District proceeds outlined in
2 the Petition set forth as **Exhibit A**, attached hereto and incorporated herein by reference, will serve a
3 public purpose.

4 **Section 10.** Within 120 days after the end of each fiscal year, the District shall submit a report to
5 the Register of the City and the Missouri Department of Economic Development stating the services
6 provided, revenues collected and expenditures made by the District during such fiscal year, and copies of
7 written resolutions approved by the Board of Directors of the District during the fiscal year. The Register
8 shall retain this report as part of the official records of the City and shall also cause this report to be
9 spread upon the records of the Board of Aldermen.

10 **Section 11.** The District shall not terminate sooner than December 31, 2040, provided that the
11 length of time for the existence of the District may be extended pursuant to an amended petition that
12 meets the requirements of Section 67.1421 of the CID Act.

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

18 **Section 13.** Pursuant to Section 67.1421.6 of the CID Act, the City Clerk shall notify in writing
19 the Missouri Department of Economic Development of the District's creation.

20 **Section 14.** The City shall, and the officers, agents and employees of the City are hereby
21 authorized and directed to take such further action and execute such other documents, certificates and
22 instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

23 **Section 15.** It is hereby declared to be the intention of the Board of Aldermen that each and
24 every part, section and subsection of this Ordinance shall be separate and severable from each and every
25 other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part,
26 section and subsection separately and independently of any other part, section and subsection. In the

1 event that any part, section or subsection of this Ordinance shall be determined to be or to have been
2 unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full
3 force and effect, unless the court making such finding shall determine that the valid portions standing
4 alone are incomplete and are incapable of being executed in accord with the legislative intent.

ORDINANCE NUMBER 70322

1

EXHIBIT A

2

PETITION FOR CREATION OF A COMMUNITY IMPROVEMENT DISTRICT

3

(Attached hereto.)