

## *St. Louis City Ordinance 64724*

FLOOR SUBSTITUTE

BOARD BILL NO. [99] 117

INTRODUCED BY ALDERMAN PHYLLIS YOUNG, LEWIS REED

An ordinance approving the Petition of the Downtown St. Louis Partnership, Inc. and property owners establishing the Downtown St. Louis Partnership, Inc. Community Improvement District, and containing a severability clause and an emergency clause.

WHEREAS, Section 67.1400 et seq. RSMo. (the "Act") authorized the Board of Aldermen to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, petitions signed by property owners in downtown St. Louis hereinafter described have been filed with the City, requesting formation of a Community Improvement District; and

WHEREAS, the Board of Aldermen did on June 25, 1999, introduce Resolution No.106 declaring its intention to establish a Community Improvement District in downtown St. Louis and calling for a public hearing on the matter; and

WHEREAS, such public hearing, duly noticed, was held at 10:00 a.m. on Wednesday, July 14, 1999, by the Board of Aldermen; and

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

WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the property owners, residents and persons engaging in business or visiting downtown St. Louis, and the public in general will benefit by the establishment of said Community Improvement District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. (a) A Community Improvement District, to be known as the "Downtown St. Louis Partnership, Inc. Community Improvement District" (hereinafter referred to as the "District"), is hereby established within a 225-

block area divided into four benefit zones (the "Subdistricts") established to receive different levels of service, benefit and assessment as set forth in Appendix A.

(b) The District boundaries are set forth on the map in Appendix A and are described as follows: Beginning at the intersection of the center lines of Chouteau Avenue and 18th Street; thence eastwardly along the center line of Chouteau Avenue across all intervening streets to the banks of the Mississippi River; thence northwardly across all intervening streets along the banks of the Mississippi River, to the central line of Interstate 64/40; thence westwardly along the center line of Interstate 64/40 across all intervening streets to the center line of Interstate 70; thence northwardly along the center line of Interstate 70 across all intervening streets to the center line of Cole; thence westwardly along the center line of Cole Street across all intervening streets to the center point of the intersection of 14th Street and Cole Street; thence southwardly along the center line of 14th Street across all intervening streets to the center lines of the intersection of Delmar and 14th Street; thence westwardly along the center line of Delmar across all intervening streets to the intersection of the center lines of Delmar and 18th Street; thence southwardly along the center line of 18th Street across all intervening streets to Market Street; thence westwardly along the center line of Market Street across all intervening streets to the intersection of the center lines of Market Street and 21st Street; thence southwardly along the center line of 21st Street across all intervening streets to a point below the center line of Interstate 64/40; thence eastwardly along the center line of Interstate 64/40 to 18th Street and a point below the center line of Interstate 64; thence southwardly along 18th Street across all intervening streets to the intersection of the center lines of Chouteau and 18th Street, the point of beginning.

(c) The Subdistrict boundaries are set forth on the map in Appendix A and are described as follows:

(i) Subdistrict A: Beginning at the intersection of the center lines of Chouteau Avenue and 18th Street; thence eastwardly along the center line of Chouteau Avenue across all intervening streets to the banks of the Mississippi River; thence northwardly across all intervening streets along the banks of the Mississippi River to a point below the center line of Interstate 64/40; thence westwardly across all intervening streets along the center line of Interstate 64/40 to the intersection of the center lines of Interstate 64/40 and 18th Street; thence southwardly across all intervening streets along 18th Street to the intersection of the center lines of Chouteau Avenue and 18th Street, the point of beginning.

(ii) Subdistrict B: Beginning at the intersection of the center lines of 21st Street and a line under the center line of Interstate 64/40; thence eastwardly along the center line of Interstate 64/40 across all intervening streets to the intersection of the center lines of Interstate 64/40 and 14th Street; thence northwardly along the center line of 14th Streets across all intervening streets to the intersection of the center lines of 14th Street and Chestnut Street; thence westwardly along the center line of Chestnut Street across all intervening streets to the intersection of the center lines of Chestnut Street and 18th Street; thence southwardly along the center line of 18th Street across all intervening streets to the intersection of the center lines of 18th Street and Market Street; thence westwardly along the center line of Market Street to the intersection of the center lines of Market Street and 21st Street; thence southwardly along the center line of 21st Street across all intervening streets to the intersection of the center lines of 21st Street and Interstate 64/40, the point of beginning.

(iii) Subdistrict E: Beginning at the intersection of the center lines of Chestnut Street and 18th Street; thence northwardly along the center line of 18th Street across all intervening streets to the intersection of the center lines of 18th Street and Delmar; thence eastwardly along the center line of Delmar across all intervening streets to the intersection of the center lines of Delmar and 14th Street; thence northwardly along the center line of 14th Street across all intervening streets to the intersection of the center lines of 14th Street and Cole Street; thence eastwardly along the center line of Cole Street across all intervening streets to the intersection of the center lines of Cole Street and Tucker Boulevard; thence southwardly along the center line of Tucker Boulevard across all intervening streets to the intersection of the center lines of Tucker Boulevard and Pine Street; thence westwardly along the center line of Pine Street across all intervening streets to the intersection of the center lines of 14th Street and Pine Street; thence southwardly along the center line of Pine Street across all intervening streets to the intersection of the center lines of 14th Street and Chestnut Street; thence westwardly along the center line of Chestnut Street across all intervening streets to the intersection of the center lines of Chestnut Street and 18th Street, the point of beginning.

(iv) Subdistrict F: Beginning at the intersection of the center lines of Chestnut Street and Tucker Boulevard; thence northwardly across all intervening streets to the intersection of the center lines of Tucker Boulevard and Cole Street; thence eastwardly along the center line of Cole Street across all intervening streets to the intersection of the center line of Cole Street and a point below the center line of Highway 70; thence southwardly along the center line of Highway 70 across all intervening streets to a point below the intersection of the center lines of Highway 70 and Interstate 64/40; thence westwardly along

the center line of Interstate 64/40 to a point below the intersection of the center lines of Interstate 64/40 and 14th Street; thence northwardly along the center line of 14th Street across all intervening streets to the intersection of the center lines of 14th Street and Spruce Street; thence eastwardly along the center line of Spruce Street across all intervening streets to the intersection of the center lines of Spruce Street and 11th Street; thence northwardly along the center line of 11th Street across all intervening streets to the intersection of the center lines of 11th Street and Chestnut Street; thence westwardly along the center line of Chestnut Street across all intervening streets to the intersection of the center lines of Chestnut Street and Tucker Boulevard, the point of beginning.

SECTION TWO. (a) The District is authorized by the Act to use any one or more of the assessments or other funding methods specifically authorized by the Act to provide funds to accomplish any power, duty or purpose of the District; provided, however, the District shall not have the authority to impose any such assessment on any real property located in a special business district authorized pursuant to Section 71.790 et seq. RSMo. or on any business or individual doing business in such special business district until the taxes imposed by such special business district have been repealed by such special business district.

(b) The District is authorized by the Act to establish different classes of real property within the District for purposes of special assessments. The levy rate for special assessments may vary for each class or subclass based on the level of benefit derived from services or improvements funded, provided or caused to be provided by the District.

(c) The District is authorized by the Act to assess and collect an annual calculation of lot gross square footage and building gross square footage above the first floor.

(d) The District is authorized by the Act and the Petitions when approved by the Board of Aldermen to assess and collect annual yearly assessments not to exceed the rates described as follows:

	Sub District A	Sub District B	Sub District E	Sub District F
Lot Square Footage	\$ 0.0495	\$0.0260	\$ 0.0740	\$0.0750
Building Square Footage	\$ 0.0000	\$0.0280	\$ 0.0350	\$0.0411

(e) Notwithstanding anything to the contrary, the District shall have no power to levy any tax but shall only have the power to levy special assessments in accordance with the Act.

SECTION THREE. The District is authorized by the Act, at any time, to issue obligations for the purpose of carrying out any of its powers, duties or purposes. Such obligations shall be payable out of all, part of any combination of the revenues of the District and may be further secured by all or any part of any property or any interest in any property by mortgage or any other security interest granted. Such obligations shall be authorized by resolution of the District, and if issued by the District, shall bear such date or dates, and shall mature at such time or times, but not more than 20 years from the date of issuance, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in such place or places, be subject to redemption as such resolution may provide and be sold at either public or private sale at such prices as the District shall determine subject to the provisions of Section 108.170, RSMo. The District is also authorized to issue such obligations to refund, in whole or in part, obligations previously issued by the District.

SECTION FOUR. (a) Pursuant to the Petitions, the District shall be administered by the Downtown St. Louis Partnership, Inc.

(b) Pursuant to the Act, the fiscal year for the District shall begin on July 1.

(c) No earlier than 180 days and no later than 90 days prior to the first day of each fiscal year, the Downtown St. Louis Partnership, Inc. shall submit to the Board of Aldermen a proposed annual budget for the District, setting forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may review and comment on this proposed budget, but if such comments are given, the Board of Aldermen shall provide such written comments no later than 60 days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements but shall only be recommendations.

(d) The Downtown St. Louis Partnership, Inc. shall hold an annual meeting for the District and adopt an annual budget no later than 30 days prior to the first day of each fiscal year.

SECTION FIVE. The District is authorized by the Act to use the funds of the District for any of the improvements and activities authorized by the Act.

SECTION SIX. Pursuant to the Act, the District shall have all the powers necessary to carry out and effectuate the purposes of this act as set forth in the Act.

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

SECTION EIGHT. The term for the existence of the District begins on January 1, 2000, and ends on December 31, 2005.

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

SECTION TEN. The Register shall report in writing the creation of the Downtown St. Louis Partnership, Inc. Community Improvement District to the Missouri Department of Economic Development.

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

SECTION TWELVE. Being necessary for the immediate preservation of the public health, welfare and safety, it is declared to be an emergency measure within the Charter of the City of St. Louis and shall become effective immediately upon its passage and approval by the Mayor.

<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>06/25/99</b>	<b>06/25/99</b>	<b>w&amp;m</b>		
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>07/16/99</b>			<b>07/23/99</b>	<b>07/23/99</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>64724</b>				