

BOARD BILL NO. 170 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An ordinance approving the Petition of various owners of certain real property to
2 establish the Grand Center Area Community Improvement District; establishing the
3 Grand Center Area Community Improvement District; finding a public purpose for
4 the establishment of the Grand Center Area Community Improvement District; and
5 containing a severability clause and an emergency clause.

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

9 WHEREAS, the petition (the "Petition") signed by the property owners in the Grand
10 Center area, hereinafter described, has been filed with the City, requesting formation
11 of a Community Improvement District; and

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

14 WHEREAS, such public hearing, duly noticed, was held at _____ on
15 _____, 2011, by the Board of Aldermen; and

16 WHEREAS, this Board of Aldermen hereby finds that the adoption of this ordinance
17 is in the best interest of the City of St. Louis and that the property owners, residents,
18 and persons engaging in business or visiting the Grand Center area, and the public in

September 30, 2011

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1 general will benefit by the establishment of said Grand Center Area Community
2 Improvement District.

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

4 **SECTION ONE.**

5 (a) A Community Improvement District, to be known as the "Grand Center Area
6 Community Improvement District" (hereinafter referred to as the "District"), is hereby
7 established within an 9-block area to receive services, benefits, and assessments as set
8 forth in the Petition attached hereto as Appendix A and incorporated herein by
9 reference.

10 (b) The District boundaries are set forth on the map in Appendix A and are described
11 as follows:

12 A tract of land being all of City Blocks 1054, 1055, 1056, 1057, 1060, 1061, 1062
13 and part of City Blocks 2287 and 2288 with parts of adjoining streets, all in the city
14 of St. Louis, Missouri, being more particularly described as follows:

15 Beginning at the intersection of the centerline of Spring Avenue and the centerline
16 of Delmar Boulevard; thence Southeasterly along said centerline to its intersection
17 with the centerline of Josephine Baker Boulevard; thence Southerly along said

1 centerline to its intersection with the centerline of Lindell Boulevard; thence
2 Westerly along said centerline to its intersection with the centerline of Olive
3 Boulevard; thence Westerly along said centerline to the its intersection with the
4 centerline of Spring Avenue; thence Northerly along centerline to its intersection
5 with the centerline of Delmar Boulevard and the Point of Beginning.

6 **SECTION TWO.**

7 (a) The District is authorized by the Act to use any one or more of the assessments or
8 other funding methods specifically authorized by the Act to provide funds to
9 accomplish any power, duty or purpose of the District.

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

15 (c) The District is authorized by the Act and the Petition to assess and collect an
16 annual special assessments.

1 (d) (i) The District is authorized by the Act and the Petition when approved by the
2 Board of Aldermen to assess and collect annual yearly special assessments not to
3 exceed the rate described as follows:

4 Per Square Footage of Lot \$0.26, except in the case of single family owner occupied
5 buildings which shall be \$500.00 without regard to square footage, each as adjusted,
6 beginning in the year 2011, to reflect the annual percentage increase in the Consumer
7 Price Index (CPI) for all Urban Consumers: U.S. City Average for all items (prepared
8 by the United States Department of Labor, Bureau of Labor Statistics), or 3 percent,
9 whichever is less.

10 (ii) Special assessments shall be levied in advance beginning in 2011 so that funds
11 will be available for operations on January 1, 2012.

12 (iii) The special assessments levied and collected by the District represent the costs of
13 the services and improvements described in the Petition to each property owner within
14 the District. Each property owner's special assessment shall represent that owner's
15 share of the benefit and the cost of such services and improvements.

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

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

18 **SECTION FOUR.**

1 (a) Pursuant to the Petition, the District shall be administered by the Grand Center
2 Area Community Improvement District, Inc., a Missouri not-for-profit corporation.

3 (b) Pursuant to the Act, the fiscal year for the District shall be the same as the fiscal
4 year of the City of St. Louis.

5 (c) No earlier than 180 days and no later than 90 days prior to the first day of each
6 fiscal year, the Grand Center Area Community Improvement District, Inc. shall
7 submit to the Board of Aldermen a proposed annual budget for the District, setting
8 forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal
9 year. The Board of Aldermen may review and comment on this proposed budget, but
10 if such comments are given, the Board of Aldermen shall provide such written
11 comments no later than 60 days prior to the first day of the relevant fiscal year; such
12 comments shall not constitute requirements but shall only be recommendations.

13 (d) The Grand Center Area Community Improvement District, Inc. shall hold an
14 annual meeting for the District and adopt an annual budget no later than 30 days prior
15 to the first day of each fiscal year.

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

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

3 **SECTION SEVEN.** Within 120 days after the end of each fiscal year, the District
4 shall submit a report to the Register of the City and the Missouri Department of
5 Economic Development stating the services provided, revenues collected and
6 expenditures made by the District during such fiscal year, and copies of written
7 resolutions approved by the board 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
9 this report to be spread upon the records of the Board of Aldermen.

10 **SECTION EIGHT.** The term for the existence of the District begins on the date this
11 ordinance is enacted by the Board of Aldermen, and ends on December 31, 2016.
12 Special assessments shall be levied in advance beginning in 2011 so that funds will be
13 available for operations on January 1, 2012.

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

1 **SECTION TEN.** The Register shall report in writing the creation of the Grand Center
2 Area Community Improvement District to the Missouri Department of Economic
3 Development.

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

10 **SECTION TWELVE.** Being necessary for the immediate preservation of the public
11 health, welfare and safety, it is declared to be an emergency measure as defined by
12 Article IV, Sections 19 and 20 of the Charter of the City of St. Louis and shall take
13 effect and be in force from and after its adoption and approval by the Mayor.