

**BOARD BILL # 199     INTRODUCED BY ALDERWOMAN TAMMIKA HUBBARD,  
ALDERMAN ALFRED WESSELS, ALDERMAN JEFFREY BOYD, ALDERMAN  
FRANK WILLIAMSON, ALDERMAN FREEMAN BOSLEY, ALDERMAN KENNETH  
ORTMANN**

1    AN ORDINANCE ADOPTING AND APPROVING AN AMENDMENT TO THE  
2    NORTHSIDE REGENERATION TAX INCREMENT FINANCING (TIF)  
3    REDEVELOPMENT PLAN PURSUANT TO THE REAL PROPERTY TAX INCREMENT  
4    ALLOCATION REDEVELOPMENT ACT; APPROVING REDEVELOPMENT PROJECTS  
5    FOR REDEVELOPMENT PROJECT AREA C AND REDEVELOPMENT PROJECT AREA D  
6    OF THE NORTHSIDE REGENERATION REDEVELOPMENT AREA; ADOPTING TAX  
7    INCREMENT FINANCING WITH RESPECT TO REDEVELOPMENT PROJECT AREA C  
8    AND REDEVELOPMENT PROJECT AREA D OF THE NORTHSIDE REGENERATION  
9    REDEVELOPMENT AREA; MAKING FINDINGS WITH RESPECT THERETO;  
10    AUTHORIZING CERTAIN ACTIONS BY CITY OFFICIALS; AND CONTAINING A  
11    SEVERABILITY CLAUSE.

12            **WHEREAS**, the City of St. Louis, Missouri (the “City”), is a body corporate and a  
13    political subdivision of the State of Missouri, duly created, organized and existing under and by  
14    virtue of its charter, the Constitution and laws of the State of Missouri; and

15            **WHEREAS**, on December 20, 1991, pursuant to Ordinance No. 62477, the Board of  
16    Aldermen of the City created the Tax Increment Financing Commission of the City of St. Louis,  
17    Missouri (the “TIF Commission”); and

18            **WHEREAS**, the TIF Commission is duly constituted according to the Real Property Tax  
19    Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of  
20    Missouri (2000), as amended (the “TIF Act”), and is authorized to hold public hearings with

1 respect to proposed redevelopment areas, redevelopment plans and redevelopment projects and  
2 to make recommendations thereon to the City; and

3 **WHEREAS**, by Ordinance No. 68484, the City, upon the recommendation of the TIF  
4 Commission, approved the Northside Regeneration Tax Increment Financing (TIF)  
5 Redevelopment Plan, dated September 8, 2009, as amended on September 16, 2009 (the  
6 “Original Plan”), regarding the plan for redevelopment by Northside Regeneration, LLC, a  
7 Missouri limited liability company (the “Developer”), of Redevelopment Project Area A,  
8 Redevelopment Project Area B, Redevelopment Project Area C, and Redevelopment Project  
9 Area D (sometimes hereinafter collectively referred to as the “Redevelopment Area”), which  
10 areas are more fully described in the Original Plan; and

11 **WHEREAS**, staff and consultants of the City and representatives of the Developer  
12 prepared that certain 2013 Amendment to Northside Regeneration Tax Increment Financing  
13 (TIF) Redevelopment Plan, dated August 28, 2013 (the “Amendment”), which amends the  
14 Original Plan (the Original Plan as so amended, and as may be further amended from time to  
15 time, being sometimes hereinafter collectively referred to as the “Redevelopment Plan”), such  
16 Amendment being attached hereto and incorporated herein as Exhibit A; and

17 **WHEREAS**, the Amendment includes certain limited amendments and clarifications  
18 relating to structures to be demolished or rehabilitated, the workforce diversity program being  
19 implemented in association with the Redevelopment Plan, and financing commitments for the  
20 redevelopment projects described in the Redevelopment Plan; and

21 **WHEREAS**, on August 28, 2013, after all proper notice was given, the TIF Commission  
22 held a public hearing in conformance with the TIF Act and received comments from all  
23 interested persons and taxing districts relative to the Amendment, the approval of redevelopment  
24 projects for Redevelopment Project Area C and Redevelopment Project Area D, and the adoption

1 of tax increment financing with respect to Redevelopment Project Area C and Redevelopment  
2 Project Area D; and

3 **WHEREAS**, on September 11, 2013, the TIF Commission found that completion of the  
4 redevelopment projects for Redevelopment Project Area C and Redevelopment Project Area D  
5 would provide a substantial and significant public benefit through the elimination of blight, the  
6 creation of new jobs in the City, the strengthening of the employment and economic base of the  
7 City, increased property values and tax revenues, stabilization of the Redevelopment Area, and  
8 facilitation of the economic stability of the City as a whole; and

9 **WHEREAS**, on September 11, 2013, the TIF Commission voted to recommend that the  
10 Board of Aldermen adopt an ordinance in the form required by the TIF Act approving the  
11 Amendment, approving redevelopment projects for Redevelopment Project Area C and  
12 Redevelopment Project Area D, and adopting tax increment financing within Redevelopment  
13 Project Area C and Redevelopment Project Area D; and

14 **WHEREAS**, the Developer has demonstrated that without the assistance of tax  
15 increment financing, the redevelopment projects for Redevelopment Project Area C and  
16 Redevelopment Project Area D are not feasible and would not otherwise be completed; and

17 **WHEREAS**, the Board of Aldermen has received the recommendation of the TIF  
18 Commission regarding the adoption of the Amendment, the approval of the redevelopment  
19 projects for Redevelopment Project Area C and Redevelopment Project Area D and the adoption  
20 of tax increment financing within Redevelopment Project Area C and Redevelopment Project  
21 Area D; and

22 **WHEREAS**, the Redevelopment Area qualifies for the use of tax increment financing to  
23 alleviate the conditions that qualify it as a “blighted area” as provided in the TIF Act; and

24 **WHEREAS**, the Board of Aldermen has determined that adoption of the Amendment,  
25 implementation of the redevelopment projects for Redevelopment Project Area C and

1 Redevelopment Project Area D, and adoption of tax increment financing with respect to  
2 Redevelopment Project Area C and Redevelopment Project Area D would provide a substantial  
3 and significant public benefit through the creation of new jobs, the elimination of blight, the  
4 strengthening of the employment and economic base of the City, increased property values and  
5 tax revenues, stabilization of the Redevelopment Area, and facilitation of economic stability for  
6 the City as a whole; and

7 **WHEREAS**, it is necessary and desirable and in the best interests of the City to approve  
8 the Amendment with respect to the Redevelopment Plan; and

9 **WHEREAS**, it is necessary and desirable and in the best interests of the City to approve  
10 the redevelopment projects for Redevelopment Project Area C and Redevelopment Project Area  
11 D in order to encourage and facilitate the redevelopment of Redevelopment Project Area C and  
12 Redevelopment Project Area D; and

13 **WHEREAS**, it is necessary and desirable and in the best interests of the City to adopt tax  
14 increment financing within Redevelopment Project Area C and Redevelopment Project Area D  
15 and to establish one or more sub-accounts of the existing Northside Regeneration Special  
16 Allocation Fund for Redevelopment Project Area C and Redevelopment Project Area D in order  
17 to provide for the promotion of the general welfare through redevelopment of such areas in  
18 accordance with the Redevelopment Plan, which redevelopment includes, but is not limited to,  
19 enhancement of the tax base, promotion of health, safety, order, convenience, prosperity and  
20 general welfare, stimulation of employment opportunities, providing for a stabilized population  
21 and plan for the optimal growth of the City, encouragement of a sense of community identity,  
22 safety and civic pride, and the elimination of impediments to land disposition and development  
23 in the City.

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

1           **SECTION ONE.** The Amendment is hereby adopted and approved. A copy of the  
2 Amendment is attached hereto as Exhibit A and incorporated herein by reference.

3           **SECTION TWO.** The redevelopment projects for Redevelopment Project Area C and  
4 Redevelopment Project Area D are hereby adopted and approved.

5           **SECTION THREE.** There is hereby created and ordered to be established within the  
6 treasury of the City sub-accounts of the existing fund known as the “Northside Regeneration  
7 Special Allocation Fund,” such sub-accounts to be known as the “RPA C Sub-Account” and the  
8 “RPA D Sub-Account.” To the extent permitted by law and except as otherwise provided in the  
9 Redevelopment Plan, the City hereby pledges funds in the Northside Regeneration Special  
10 Allocation Fund for the payment of redevelopment project costs and obligations incurred in the  
11 payment thereof.

12           **SECTION FOUR.** Tax increment financing is hereby adopted within Redevelopment  
13 Project Area C and Redevelopment Project Area D. After the total equalized assessed valuation  
14 of the taxable real property in Redevelopment Project Area C exceeds the certified total initial  
15 equalized assessed valuation of the taxable real property in Redevelopment Project Area C, and  
16 the total equalized assessed valuation of the taxable real property in Redevelopment Project Area  
17 D exceeds the certified total initial equalized assessed valuation of the taxable real property in  
18 Redevelopment Project Area D, the ad valorem taxes, and payments in lieu of taxes, if any,  
19 arising from the levies upon taxable real property in Redevelopment Project Area C or  
20 Redevelopment Project Area D, as applicable, by taxing districts and tax rates determined in the  
21 manner provided in Section 99.855.2 of the TIF Act each year after the effective date of this  
22 Ordinance until redevelopment costs have been paid shall be divided as follows:

23           A. That portion of taxes, penalties and interest levied upon each taxable lot, block,  
24 tract, or parcel of real property which is attributable to the initial equalized assessed value of  
25 each such taxable lot, block, tract, or parcel of real property in the area selected for

1 Redevelopment Project Area C and Redevelopment Project Area D shall be allocated to and,  
2 when collected, shall be paid by the City Collector to the respective affected taxing districts in  
3 the manner required by law in the absence of the adoption of tax increment financing;

4       B.       Payments in lieu of taxes attributable to the increase in the current equalized  
5 assessed valuation of each taxable lot, block, tract, or parcel of real property in Redevelopment  
6 Project Area C and/or Redevelopment Project Area D, as applicable, and any applicable penalty  
7 and interest over and above the initial equalized assessed value of each such unit of property in  
8 the Redevelopment Project Area C and/or Redevelopment Project Area D, as applicable, shall be  
9 allocated to and, when collected, shall be paid to the City Treasurer, who shall deposit such  
10 payments in lieu of taxes into the Northside Regeneration Special Allocation Fund, or any  
11 subaccounts thereof, for the purpose of paying redevelopment costs and obligations incurred in  
12 the payment thereof and for the purpose of making other payments as may be specified in  
13 agreements to be executed by the City in furtherance of the Redevelopment Plan. Payments in  
14 lieu of taxes which are due and owing shall constitute a lien against the real estate from which  
15 they are derived and shall be collected in the same manner as the real property tax, including the  
16 assessment of penalties and interest where applicable.

17       **SECTION FIVE.** In addition to the payments in lieu of taxes described in Section Four  
18 of this Ordinance, fifty percent (50%) of the total additional revenue from taxes, penalties and  
19 interest which are imposed by the City or other taxing districts, and which are generated by  
20 economic activities within Redevelopment Project Area C and/or Redevelopment Project Area  
21 D, as applicable, over the amount of such taxes generated by economic activities within the area  
22 of Redevelopment Project Area C and/or Redevelopment Project Area D, as applicable, in the  
23 calendar year prior to the adoption of the redevelopment project for Redevelopment Project Area  
24 C and Redevelopment Project Area D, as applicable, by ordinance, while tax increment  
25 financing remains in effect, but excluding personal property taxes, taxes imposed on sales or

1 charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to  
2 Section 70.500 of the Revised Statutes of Missouri (2000), as amended, or taxes levied for the  
3 purpose of public transportation pursuant to Section 94.660 of the Revised Statutes of Missouri,  
4 as amended, licenses, fees or special assessments other than payments in lieu of taxes and  
5 penalties and interest thereon, and any other taxes or fees excluded from tax increment financing  
6 by Missouri law, shall be allocated to, and paid by the collecting officer to the City Treasurer or  
7 other designated financial officer of the City, who shall deposit such funds in a separate  
8 segregated account within the Northside Regeneration Special Allocation Fund and any  
9 subaccounts thereof.

10 **SECTION SIX.** The Comptroller of the City is hereby authorized to enter into  
11 agreements or contracts with other taxing districts as necessary to ensure the allocation and  
12 collection of the taxes and payments in lieu of taxes described in Sections Four and Five of this  
13 Ordinance and the deposit of said taxes or payments in lieu of taxes into the Northside  
14 Regeneration Special Allocation Fund and any subaccounts thereof for the payment of  
15 redevelopment project costs and obligations incurred in the payment thereof and for the purpose  
16 of making other payments as may be specified in agreements to be executed by the City in  
17 furtherance of the Redevelopment Plan, all in accordance with the TIF Act.

18 **SECTION SEVEN.** The City Register is hereby directed to submit a certified copy of  
19 this Ordinance to the City Assessor, who is directed to determine the total equalized assessed  
20 value of all taxable real property within Redevelopment Project Area C and Redevelopment  
21 Project Area D as of the date of this Ordinance, by adding together the most recently ascertained  
22 equalized assessed value of each taxable lot, block, tract or parcel of real property within such  
23 Redevelopment Project Area C and Redevelopment Project Area D, and shall certify such

1 amount as the total initial equalized assessed value of the taxable real property within  
2 Redevelopment Project Area C and Redevelopment Project Area D.

3 **SECTION EIGHT.** The Mayor and Comptroller of the City or their designated  
4 representatives are hereby authorized and directed to take any and all actions, and to execute and  
5 deliver for and on behalf of the City any and all additional certificates, documents, agreements or  
6 other instruments, as may be necessary and appropriate in order to carry out the matters herein  
7 authorized, with no such further action of the Board of Aldermen necessary to authorize such  
8 action by the Mayor and the Comptroller or their designated representatives.

9 **SECTION NINE.** The Mayor and the Comptroller or their designated representatives,  
10 with the advice and concurrence of the City Counselor and after approval by the Board of  
11 Estimate and Apportionment, are hereby further authorized and directed to make any changes to  
12 the documents, agreements and instruments approved and authorized by this Ordinance as may  
13 be consistent with the intent of this Ordinance and necessary and appropriate in order to carry  
14 out the matters herein authorized, with no such further action of the Board of Aldermen  
15 necessary to authorize such changes by the Mayor and the Comptroller or their designated  
16 representatives.

17 **SECTION TEN.** The use of eminent domain will not be allowed pursuant to the  
18 Redevelopment Plan. However, the use of eminent domain may be allowed (a) for a public use,  
19 as such term is used in Article XXI of the City's Charter in accordance with additional  
20 legislation of the Board of Aldermen or (b) pursuant to existing or additional legislation of the  
21 Board of Aldermen, if the Developer has pursued and exhausted efforts to voluntarily acquire  
22 property the Board of Aldermen deems necessary to implement one or more portions of the  
23 Redevelopment Plan and deems critical to the Redevelopment Plan's success.

24 **SECTION ELEVEN.** In adopting this Ordinance, including the approval of the  
25 Amendment and the adoption of tax increment financing with respect to Redevelopment Project

1 Area C and Redevelopment Project Area D, and in measuring the reasonableness of the rate of  
2 return to be achieved by the Developer in implementing the Redevelopment Plan with said  
3 adoption of tax increment financing, the City has considered the amount of tax credits expected  
4 to be requested by the Developer pursuant to the Distressed Areas Land Assemblage Tax Credit  
5 Act, Section 99.1205 of the Revised Statutes of Missouri, as amended, or under any substantially  
6 similar successor state tax credit program enacted in the future.

7 **SECTION TWELVE.** It is hereby declared to be the intention of the Board of  
8 Aldermen that each and every part, section and subsection of this Ordinance shall be separate  
9 and severable from each and every other part, section and subsection hereof and that the Board  
10 of Aldermen intends to adopt each said part, section and subsection separately and independently  
11 of any other part, section and subsection. In the event that any part, section or subsection of this  
12 Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining  
13 parts, sections and subsections shall be and remain in full force and effect, unless the court  
14 making such finding shall determine that the valid portions standing alone are incomplete and  
15 are incapable of being executed in accord with the legislative intent.

## EXHIBIT A

### 2013 AMENDMENT TO NORTHSIDE REGENERATION TAX INCREMENT FINANCING (TIF) REDEVELOPMENT PLAN

This 2013 Amendment to the Northside Regeneration Tax Increment Financing (TIF) Redevelopment Plan (this “Amendment”) is submitted to the Tax Increment Financing Commission of the City of St. Louis (the “TIF Commission”) on August 28, 2013.

By Ordinance No. 68484, the City of St. Louis (“City”), upon the recommendation of its TIF Commission, approved the Northside Regeneration Tax Increment Financing (TIF) Redevelopment Plan dated as submitted September 8, 2009 and amended September 16, 2009 (the “Plan”). This Amendment provides for the following revisions to the Plan:

1. Page 15, Section entitled “*Compliance with Equal Opportunity and Non-Discrimination Laws and Regulations*”. The final paragraph of this section shall be amended to read as follows:

“In addition to the foregoing goals, the Developer has established the new, additional goal that at least 25% of the overall construction workforce will be comprised of residents residing in the Redevelopment Area. The Developer understands that workforce development and training are an integral part of the effort to achieve all of these goals, and, accordingly, the Developer has established the Northside Regeneration Workforce Coalition (“NSRWC”) in partnership with various community based training organizations noted below. Ultimately, the NSRWC will provide residents of the Redevelopment Area with employment opportunities in a wide range of fields, such as manufacturing, service industries and hospitality, although the immediate need will be for construction related skills.

“Training organizations participating in the NSRWC include: the St. Louis Agency on Training and Employment (“SLATE”), St. Patrick Center, Better Family Life, St. Louis Job Corps Center, Construction Prep Center, Construction Careers Center and Rankin Technical College. In anticipation of future job needs, several of these training organizations have begun providing fundamental skills training for such anticipated job needs. In regard to construction job needs, such training organizations and selected construction companies have been working with SLATE to ensure an orderly hiring process to match resources to needs.

“In implementing the NSRWC program, SLATE will develop a database to track participating individuals, and all such participants will be provided with information outlining the complete program process. Available job positions will be posted on the [jobs.mo.gov](http://jobs.mo.gov) website (and/or similar employment websites) along with information on how to apply.”

2. Page 16, Section entitled “*Maintenance of Owned Parcels and Buildings; Demolition of Certain Owned Buildings*”. The second paragraph of this section shall be amended to read as follows:

“The redevelopment agreement shall include: (a) a list identifying any buildings that Developer owns and which Developer proposes for demolition, and, if such demolition is approved by the City, Developer’s agreement to demolish such buildings no later than December 31, 2016; and (b) a list identifying any buildings that Developer owns and which Developer proposes for rehabilitation, and Developer’s agreement to weather-secure such buildings to preserve them for future rehabilitation by Developer or others.”

3. Page 32, Section entitled “*Evidence of Commitments to Finance the Project Costs*”. The first two sentences of this section shall be amended to read as follows:

“Appendix B contains a commitment letter from the Bank of Washington to provide financing for RPA A and RPA B. Appendix B also contains a commitment letter from the Bank of Washington to provide financing for RPA C and RPA D.”

4. *Appendix B* shall be amended to add a copy of the commitment letter from the Bank of Washington to provide financing for RPA C and RPA D.