

1 **AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE**
2 **CHEROKEE STREET COMMUNITY IMPROVEMENT DISTRICT,**
3 **AUTHORIZING THE DISTRICT TO IMPOSE SPECIAL ASSESSMENTS,**
4 **FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE**
5 **CHEROKEE STREET COMMUNITY IMPROVEMENT DISTRICT, AND**
6 **CONTAINING A SEVERABILITY CLAUSE.**

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

10 **WHEREAS**, a petition (as amended, the “*Petition*”) signed by authorized representatives
11 of the owners of more than fifty percent by assessed value and per capita of property located
12 within the proposed boundaries of the Cherokee Street Community Improvement District has
13 been filed with the City of St. Louis (the “*City*”), requesting formation and establishment of the
14 Cherokee Street Community Improvement District (the “*District*”); and

15 **WHEREAS**, the Register of the City did review and determine that the *Petition*
16 substantially complies with the requirements of the *CID Act*; and

17 **WHEREAS**, a public hearing, duly noticed and conducted as required by and in
18 accordance with the *CID Act* was held at _____ on _____, by the Board of
19 Aldermen;

20 **WHEREAS**, subject to and in accordance with the *CID Act* and the *Petition*, the *District*
21 intends to impose a special assessment against real property benefitted within the *District* for a

1 period of not more than twenty (20) years from the year in which such special assessment is first
2 imposed; and

3 **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this ordinance is
4 in the best interest of the City and that the property owners of the Cherokee Street Community
5 Improvement District, as well as the City as a whole, will benefit from the establishment of the
6 Cherokee Street Community Improvement District.

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

8 **Section One.**

9 (a) A community improvement district, to be known as the “Cherokee Street
10 Community Improvement District” (hereinafter referred to as the “*District*”), is hereby
11 established pursuant to the CID Act to provide services and improvements, impose sales and use
12 taxes and special assessments, and carry out other functions as set forth in the Petition, which is
13 attached hereto as **Appendix A** and incorporated herein by this reference.

14 (b) The District boundaries are set forth in the map and district legal descriptions
15 included in the Petition in Appendix A, and are legally described as follows:

16 A tract of land being part of City Blocks 1493, 1497, 1498, 1502, 1503, 1506, 1507,
17 1510, A tract of land being part of City Blocks 1493, 1497, 1498, 1502, 1503, 1506, 1507, 1510,
18 1511, 1514, 1515, 1518, 1519, 1522, 1560, 1564, 1565, 1568, 1569, 1572, 1573, 1576, 1577,
19 1580, 1581, 1584, 1585 and 1586 all in the City of St. Louis Missouri, being properties along the
20 North and South lines of Cherokee Street and being more particularly described as follows:

21 Beginning at the point of intersection of the centerline of Utah Street, 60 feet wide and
22 the centerline of Jefferson Avenue, 120 feet wide; thence Southerly along said centerline to its
23 point of intersection with the Eastern prolongation of the North line of property conveyed to
24 Mana LLC, parcel ID number 15190002400, having the address of 3343-51 Jefferson Ave, said
25 tract also being in City Block 1519; thence Westerly along said prolongation and property line
26 and its Western prolongation to its point of intersection with the centerline of the 15 foot wide
27 North South Alley in City Block 1519; thence Southerly along said centerline to its point of
28 intersection with the Eastern prolongation of the North line of property conveyed to JAD
29 Productions LLC, parcel ID number 15190003007, having the address of 2613-15 Cherokee
30 Street; thence Westerly along said prolongation and property line and its Western prolongation to
31 is point of intersection with the centerline of Texas Avenue, 60 feet wide; thence Southerly to its
32 point of intersection with the centerline of the 15 foot East West Alley in City Block 1518;

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1 thence Westerly along said alley centerline, along all intervening alleys; to its point of
2 intersection with the centerline of Ohio Avenue, 60 feet wide, thence Northerly along said
3 centerline to its point of intersection with the Eastern prolongation of the North line of property
4 conveyed to the City of St. Louis, parcel ID number 15150002700, having the address of 3333
5 Ohio Avenue, said tract also being in City Block 1515; thence Westerly along said prolongation
6 and property line and its Western prolongation to the centerline of the 20 foot wide North South
7 Alley in City Block 1515; thence Southerly along said centerline to its point of intersection with
8 the centerline of the 20 foot wide East West Alley in City Block 1515; thence Westerly along
9 said centerline to its point of intersection with the centerline of Iowa Avenue, 60 feet wide;
10 thence Northerly along said centerline to its point of intersection with the Eastern prolongation of
11 the North line of property conveyed to Michael & Janet P Coffey, parcel ID number
12 15140002400, having the address of 3333 Iowa Ave, said tract also being in City Block 1514;
13 thence Westerly along said prolongation and property line and its Western prolongation to the
14 centerline of the 20 foot wide, North South Alley in City Block 1514; thence Southerly along
15 said centerline to its point of intersection with the Eastern prolongation of the North line of
16 property conveyed to the City of St. Louis, parcel ID number 15140000100, having the address
17 of 3340 California Avenue; thence Westerly along said prolongation and property line and its
18 Western prolongation to its point of intersection with the centerline of California Avenue, 60 feet
19 wide; thence Southerly along said centerline to its point of intersection with the Eastern
20 prolongation of the North line of property conveyed to Gravois Park Block Link Neighborhood
21 Association, parcel ID number 15110003100, having the address of 3341 California Ave, said
22 tract also being in City Block 1511, thence Westerly along said prolongation and property line
23 and its Western prolongation to its point of intersection with the centerline of the 15 foot wide
24 North South Alley in the City Block 1511; thence Northerly along said centerline to its point of
25 intersection with the Eastern prolongation of the North line of property conveyed to the Salvation
26 Army, parcel ID number 15110000300, having the address of 3340-3342 Oregon Avenue; thence
27 Westerly along said prolongation and property line and its Western prolongation to its point of
28 intersection with the centerline of Oregon Avenue, 60 feet wide; thence Southerly along said
29 centerline to its intersection with the centerline of the 20 foot wide East West Alley in City
30 Block 1510, thence Westerly along said alley centerline, across all intervening alleys; to its
31 intersection with the centerline of Nebraska Avenue, 60 feet wide; thence Northerly along said
32 centerline to its point of intersection with the centerline of an East West Alley being 20 feet
33 wide, thence Westerly along the centerline of said Alley to its intersection with the centerline of
34 Louisiana Avenue being 60 feet wide; thence Northerly along the centerline of said Louisiana
35 Avenue to its intersection with the centerline of Gravois Avenue being 100 feet wide; thence
36 Southwesterly along the centerline of said Gravois Avenue to its intersection with the Northern
37 prolongation of the centerline of Tennessee Avenue being 60 feet wide; thence Southerly along
38 the centerline of said Tennessee Avenue to its intersection with the Western prolongation of the
39 centerline of a 15 foot wide East West Alley in City Block 1586; thence Easterly along the
40 centerline of said 15 foot wide Alley to its intersection with the centerline of Louisiana Avenue
41 being 60 feet wide; thence Southerly along the centerline of said Louisiana Avenue to its
42 intersection with the Western prolongation of the centerline of an East West 20 foot wide Alley
43 in City Block 1585; thence Easterly along the centerline of said Alley to its intersection with
44 centerline of Minnesota Avenue being 60 feet wide; thence Northerly along the centerline of said
45 Minnesota Avenue to its intersection with the Western prolongation of the centerline of a 15 foot
46 wide East West Alley in City Block 1577; thence Easterly along the centerline of said 15 foot
47 wide Alley to its intersection with the centerline of Nebraska Avenue, 60 feet wide; thence
48 Northerly along said centerline to its intersection with the Western prolongation of the South line

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1 of property conveyed to Marchelle Vernell, parcel ID number 1573000100, having the address of
2 2854 Cherokee Street, said tract also being in City Block 1573; thence Easterly along said
3 prolongation and property line and its Eastern prolongation, across the intervening alley to its
4 intersection with the Western prolongation of the South line of property conveyed to Firecracker
5 Press LLC, parcel ID number 15730001400, having the address of 2838 Cherokee Street, said
6 tract also being in City Block 1573; thence Easterly along said prolongation and property line
7 and its Eastern prolongation across Oregon Avenue the intervening 60 foot wide street to its
8 intersection of the Western prolongation of the South line of property conveyed to Rogaciano &
9 Berta Quintana, parcel ID number 15720001900, having the address of 2822-24 Cherokee Street,
10 said tract also being in City Block 1572; thence Easterly along said prolongation and property
11 line and its Eastern prolongation to its intersection with the centerline of the 15 foot wide North
12 South Alley in city block 1572; thence Southerly along said centerline to its point of intersection
13 with the Western prolongation of the South line of property conveyed to The Hat Mart Building
14 LLC, parcel ID number 15720002407, having the address of 3411 California Avenue, said tract
15 also being in City Block 1572; thence Easterly along said prolongation and property line and its
16 Eastern prolongation to its point of intersection with the centerline of California Avenue, 60 feet
17 wide; thence Southerly along said centerline to its point of intersection with the centerline of the
18 20 foot wide, East West Alley in City Block 1569; thence Easterly along said centerline to its
19 point of intersection with the centerline of the 15 foot wide North South Alley in city block
20 1569; thence Southerly along said centerline to its point of intersection with the Western
21 prolongation of the South line of property conveyed to JHL Cherokee LLC, parcel ID number
22 15690002400, having the address of 3419 Iowa Avenue said tract also being in City Block 1569,
23 thence Easterly along said prolongation and property line to its point of intersection with the
24 centerline of Iowa Avenue, 60 feet wide; thence Southerly along said centerline to its point of
25 intersection with the Western prolongation of the South line of property conveyed to WJL
26 Companies Cherokee LLC, parcel ID number 15680001100, having the address of 3422 Iowa
27 Avenue said tract also being in City Block 1568, thence Easterly along said prolongation and
28 property line and its Eastern prolongation across the intervening North South Alley in City Block
29 1568 to its point of intersection with the Western prolongation of the South line of property
30 conveyed to Van Huan & Huyen Thi Dang Le, parcel ID number 15680001800, having the
31 address of 3417-25 Ohio Avenue, said tract also being in City Block 1568; thence Easterly along
32 said prolongation and property line and its Eastern prolongation to its point of intersection with
33 the centerline of Ohio Avenue, 60 feet wide; thence Northerly along said centerline to its point of
34 intersection with the centerline of the 20 foot wide, East West Alley in City Block 1565; thence
35 Easterly along said centerline to its point of intersection of the 20 foot wide, North South Alley
36 in City Block 1565; thence Southerly along said centerline to its point of intersection of the
37 Western prolongation of the South line of property conveyed to the City of St. Louis, parcel ID
38 number 15650002100, having the address of 3417-3429 Texas Avenue, said tract also being in
39 City Block 1565; thence Easterly along said prolongation and property line and its Eastern
40 prolongation to its point of intersection with the centerline of Texas Avenue, 60 feet wide; thence
41 Southerly to its point of intersection with the Western prolongation of the South line of property
42 conveyed to Moran Foods Inc, parcel ID number 15640000401, having the address of 3416-30
43 Texas Avenue, said tract also being in City Block 1564; thence Easterly along said prolongation
44 and property line and its Eastern prolongation to its point of intersection with the centerline of
45 the 20 foot wide North South Alley in City Block 1564; thence Southerly along said centerline to
46 its point of intersection with the Western prolongation of the South line of property conveyed to
47 3449-53 S Jefferson LLC, parcel ID number 15640001207, having the address of 3449-53 S
48 Jefferson Avenue, said tract also being in City Block 1564; thence Easterly along said

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1 prolongation and property line and its Eastern prolongation to its point of intersection with the
2 centerline of Jefferson Avenue, 120 feet wide; thence Northerly along said centerline to its point
3 of intersection with the Western prolongation of the South line of property conveyed to JAD
4 Productions LLC, parcel ID number 15600001000, having the address of 3420-28 Jefferson
5 Avenue, said tract also being in City Block 1560; thence Easterly along said prolongation and
6 property line and its Eastern prolongation to its point of intersection with the centerline of the 15
7 foot wide, North South Alley in City Block 1560; thence Northerly along said centerline to its
8 point of intersection with the centerline of the 15 foot wide, East West Alley in City Block 1560;
9 thence Easterly along said centerline to its point of intersection with the centerline of Indiana
10 Avenue, 60 feet wide; thence Northerly along said centerline, across intervening streets and
11 alleys, to its point of intersection with the Eastern prolongation of the North line of property
12 conveyed to Mark & Sue K Wong Shackelford, parcel ID number 15220002107, having the
13 address of 2301 Cherokee Street, said tract also being in City Block 1522; thence Westerly along
14 the southern prolongation of the property conveyed to Kevin Hampton, parcel ID number
15 152200020000, having the address of 3349 Indiana, said tract also being in City Block 1522 to
16 its point of intersection with the centerline of the 20 foot wide North South Alley in City Block
17 1522; thence Northerly along said centerline to its point of intersection with the centerline of
18 Utah Street, 60 feet wide; thence Westerly along said centerline to its point of intersection with
19 the centerline of Jefferson Avenue, 120 feet wide, the point of the beginning.

20 **Section Two.**

21 The District is authorized by the Petition, in accordance with the CID Act, to impose a
22 sales and use tax at a rate not to exceed one percent (1%) on retail sales within the District and to
23 levy a special assessment on real property located within the District to provide funds to
24 accomplish any power, duty or purpose of the District.

25 **Section Three.**

26 The District is authorized by the CID Act, at any time, to issue obligations, or to enter
27 into agreements with other entities with the authority to issue obligations, for the purpose of
28 carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all,
29 part or any combination of the revenues of the District and may be further secured by all or any
30 part of any property or any interest in any property by mortgage or any other security interest
31 granted. Such obligations shall be authorized by resolution of the District, and if issued by the
32 District, shall bear such date or dates, and shall mature at such time or times, but not more than
33 twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations

1 shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in
2 such place or places, be subject to redemption as such resolution may provide and be sold at
3 either public or private sale at such prices as the District shall determine subject to the provisions
4 of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in
5 whole or part, obligations previously issued by the District.

6 **Section Four.**

7 (a) Pursuant to the Petition, the District shall be in the form of a political
8 subdivision of the State of Missouri, known as the Cherokee Street Community Improvement
9 District.

10 (b) Pursuant to Section 67.1471 of the CID Act, the fiscal year for the District
11 shall be the same as the fiscal year for the City of St. Louis.

12 (c) No earlier than one hundred and eighty (180) days and no later than ninety
13 (90) days prior to the first day of each fiscal year, the District shall submit to the Board of
14 Aldermen a proposed annual budget for the District, setting forth expected expenditures,
15 revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may
16 review and comment on this proposed budget, but if such comments are given, the Board of
17 Aldermen shall provide such written comments no later than sixty (60) days prior to the first day
18 of the relevant fiscal year; such comments shall not constitute requirements, but shall only be
19 recommendations.

20 (d) The District shall hold an annual meeting and adopt an annual budget no later
21 than thirty (30) days prior to the first day of each fiscal year.

22 **Section Five.** The District is authorized to use the funds of the District for any of the
23 improvements, services or other activities authorized under the CID Act.

1 **Section Six.** Pursuant to the CID Act, the District shall have all of the powers necessary
2 to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID
3 Act.

4 **Section Seven.** The City of St. Louis hereby finds that the uses of the District proceeds as
5 provided for in the Petition, attached hereto as **Exhibit A** and incorporated herein by reference,
6 will serve a public purpose.

7 **Section Eight.** Within one hundred twenty (120) days after the end of each fiscal year,
8 the District shall submit a report to the Register of the City and the Missouri Department of
9 Economic Development stating the services provided, revenues collected and expenditures made
10 by the District during such fiscal year, and copies of written resolutions approved by the board of
11 the District during the fiscal year. The Register shall retain this report as part of the official
12 records of the City and shall also cause this report to be spread upon the records of the Board of
13 Aldermen, pursuant to Section 67.1471 of the CID Act.

14 **Section Nine.** The term for the existence of the District shall be as set forth in the
15 Petition, as may be amended from time to time or as such term may be otherwise modified in
16 accordance with the CID Act.

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

22 **Section Eleven.** The Register shall report in writing the creation of the Cherokee Street
23 Community Improvement District to the Missouri Department of Economic Development.

1 **Section Twelve.** The Petition provides that the District shall be governed by a Board of
2 Directors consisting of thirteen (13) individual directors (collectively the “Directors” and each a
3 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
4 Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the
5 Mayor does hereby appoint the following named individuals as Directors of the District for the
6 terms set forth in parentheses below, and by adoption of this ordinance the Board of Aldermen
7 hereby consents to such appointments:

- | | | |
|----|--------------------|--------------|
| 8 | Rebecca Bolte | (Four Years) |
| 9 | Abigail Vargas | (Four Years) |
| 10 | Mark Nevelow | (Four Years) |
| 11 | Kristin Dennis | (Four Years) |
| 12 | John Joern | (Four Years) |
| 13 | Randy Vines | (Four Years) |
| 14 | Jason Deem | (Two Years) |
| 15 | Kaveh Razani | (Two Years) |
| 16 | William Liebermann | (Two Years) |
| 17 | Chris Sabatino | (Two Years) |
| 18 | Josh Grigitas | (Two Years) |
| 19 | Will Porter | (Two Years) |
| 20 | Mike Glodeck | (Two Years) |

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

1 **Section Fourteen.** It is hereby declared to be the intention of the Board of Aldermen that
2 each and every section, subsection, sentence, clause, phrase or portion of this ordinance shall be
3 separate and severable from each and every other section, subsection, sentence, clause, phrase or
4 portion of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this
5 ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of
6 competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate,
7 distinct and independent provision of this ordinance, and such holding or holdings shall not
8 affect the validity of the remaining portions of this ordinance.

APPENDIX A

Cherokee Street Community Improvement District Petition

ON FILE WITH THE CITY OF ST. LOUIS REGISTER'S OFFICE