An ordinance approving the Petition of an owner of certain real property to establish a Community Improvement District, establishing the Sweetie Pie's Community Improvement District; finding a public purpose of the establishment of Sweetie Pie's Community Improvement District, and containing a severability clause.

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

WHEREAS, a petition has been filed with the City, requesting formation and establishment of the Sweetie Pie's Community Improvement District (the "CID"), signed by the authorized representative of the owner of more than fifty percent by assessed value and per capita of the property located within the proposed boundaries of the CID (the "Petition"); 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, a public hearing, duly noticed as required by the Act, was held at _____ on _____, 2014, by the Board of Aldermen; and

WHEREAS, this Board of Alderman hereby finds that the adoption of this ordinance is in the best interest of the City of St. Louis and that the property owner, and the City of St. Louis, as a whole, will benefit from the establishment of Sweetie Pie's Community Improvement District.

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

SECTION ONE.

(a) A Community Improvement District, to be known as the "Sweetie Pie's Community Improvement District" (hereinafter referred to as the "CID"), is hereby established pursuant to the CID Act on certain real property described below to provide services, construct improvements, impose assessments, impose a sales tax, and carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

(b) The CID boundaries are set forth in the Petition as Exhibit A and are described as follows:

Parcel Number 22881900700 commonly known as 3643-3653 Delmar Boulevard in the City of St. Louis, Missouri 63108.

SECTION TWO. The CID is authorized by the CID Petition, in accordance with the CID Act, to impose a tax upon retail sales within the CID to provide funds to accomplish any power, duty, or purpose of the CID.

SECTION THREE. The CID is authorized by the CID Act, at any time, to issue obligations, or to enter into agreements with outer entities with the authority to issue obligations, for the purpose of carrying out any of its powers, duties or purposes. Such obligations shall by payable out of all, part or any combination of the revenues of the CID 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 CID, and if issued by the CID, shall bear such date or dates, and shall mature at such time or times, but not more than twenty (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 CID shall determine subject to the provision of Mo. Rev. Stat. § 108.170. The CID is also authorized to issue such obligations to refund, in whole or part, obligations previously issued by the CID.

SECTION FOUR.

(a) Pursuant to the CID Petition, the CID shall be in the form of a political subdivision of the State of Missouri, known as the "Sweetie Pie's Community Improvement District".

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

(c) No earlier than one hundred and eighty (180) days and no later than ninety (90) days prior to the first day of each fiscal year, the CID shall submit to the Board of Alderman a proposed annual budget for the CID, setting forth expected expenditures, revenues, and rates of assessments, if any, for such fiscal year. The Board of Alderman may review and comment on this proposed budget, but if such comments are given, the Board of Alderman shall provide such written comments no later than sixty (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 CID shall hold an annual meeting and adopt an annual budget no later than thirty (30) days prior to the first day of each fiscal year.

SECTION FIVE. The CID is authorized to use the funds of the CID for any of the improvements, service, or other activities authorized under the CID Act.

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

SECTION SEVEN. The City of St. Louis hereby finds that the uses of the CID proceeds as provided for in the Petition will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the CID.

SECTION EIGHT. Within one hundred twenty (120) days after the end of each fiscal year, the CID 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 CID during such fiscal year, and copies of written resolutions approved by the board of directors of the CID during the fiscal year. The Register shall retain this report as part of the official records of the City of St. Louis and shall also cause this report to be spread upon the records of the Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

SECTION NINE. The term for the existence of the CID shall be as set forth in the CID Petition, as may be amended from time to time, or as such term may be otherwise modified in accordance with the CID Act.

SECTION TEN. Pursuant to the CID Act, the Board of Alderman shall not decrease the level of publicly funded services in the CID existing prior to the creating of the CID or transfer the burden of providing the services to the CID unless the services at the same time are decreased

throughout the City of St. Louis, nor shall the Board of Alderman discriminate in the provision of the publicly funded services between areas included in the District and areas not so included.

SECTION ELEVEN. The Register shall report in writing the creation of Sweetie Pie's Community Improvement District to the Missouri Department of Economic Development.

SECTION TWELVE. The Petition provides that the CID shall be governed by a Board of Directors consisting of five (5) individual directors (collectively the "Directors" and each a "Director"), such Directors to be appointed by the Mayor of the City of St. Louis with the consent of the Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the Mayor does hereby appoint the following named individuals as Directors of the CID for the terms set forth below, and by adoption of this ordinance, the Board of Aldermen hereby consents to such appointments: Charles Crenshaw, 2 years; Janice O'Bannon, 2 years; Robbie Montgomery, 4 years; Tim Norman, 4 years; and Linda Montgomery, 4 years.

SECTION THIRTEEN. 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 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.