

1 BOARD BILL NO. 113 INTRODUCED BY ALDERWOMAN APRIL FORD GRIFFIN

2 An ordinance affirming that the area blighted by Ordinance #62800, known as the
3 Blair/Clinton ("Area") as described in Exhibit "A" attached hereto and incorporated by reference,
4 is a blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1994, as
5 amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), affirming that redevelopment
6 and rehabilitation of the Area is in the interest of the public health, safety, morals and general
7 welfare of the people of the City; approving the Amended Blighting Study and Plan April 26, 2005
8 for the Area ("Amended Plan"), incorporated herein by Exhibit "B", pursuant to Section 99.430;
9 finding that **certain** property in the Area may be acquired by the Land Clearance for
10 Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent
11 domain **or otherwise**; finding that the property within the Area is currently **unoccupied, but if it**
12 **should become occupied** the Redeveloper shall be responsible for providing relocation assistance
13 pursuant to the Amended Plan to any eligible occupants displaced as a result of implementation of
14 the Amended Plan; finding that financial aid may be necessary to enable the Area to be
15 redeveloped in accordance with the Amended Plan; finding that there shall be available up to **ten**
16 **(10) year** tax abatement; and pledging cooperation of the Board of Aldermen and requesting
17 various officials, departments, boards and agencies of the City to cooperate and exercise their
18 respective powers in a manner consistent with the Plan.

19 WHEREAS, there is a need for the LCRA, a public body corporate and politic created
20 under Missouri law, to undertake the development of the above described Area as a Land
21 Clearance Project under said Statute, pursuant to plans by or presented to the LCRA under Section
22 99.430.1 (4); and

1 WHEREAS, by Ordinance 62800, this Board found the property located in the
2 Blair/Clinton Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and said
3 property remains blighted; and

4 WHEREAS, by Ordinance 62800, this Board also approved a Redevelopment Plan for the
5 Area, dated April 26, 2005; and

6 WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan
7 approved by Ordinance 62800 by adding the addresses 1401-25 Clinton Street; and

8 WHEREAS, the LCRA has recommended such an amended plan to the Planning
9 Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of
10 Aldermen ("Board"), titled "Amended Blighting Study and Plan for Blair Clinton", dated April 26,
11 2005, amended Blair/Clinton, consisting of a Title Page, a Table of Contents Page, and fourteen
12 (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Amended Plan");
13 and

14 WHEREAS, under the provisions of the Statute, and of the federal financial assistance
15 statutes, it is required that this Board take such actions as may be required to approve the Amended
16 Plan; and

17 WHEREAS, it is desirable and in the public interest that a public body, the LCRA,
18 undertake and administer the Plan in the Area; and

19 WHEREAS, the LCRA and the Planning Commission have made and presented to this
20 Board the studies and statements required to be made and submitted by Section 99.430 and this
21 Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully
22 aware of the conditions in the Area; and

1 WHEREAS, the Amended Plan has been presented and recommended by LCRA and the
2 Planning Commission to this Board for review and approval; and

3 WHEREAS, a general plan has been prepared and is recognized and used as a guide for the
4 general development of the City and the Planning Commission has advised this Board that the Plan
5 conforms to said general plan; and

6 WHEREAS, this Board has duly considered the reports, recommendations and
7 certifications of the LCRA and the Planning Commission; and

8 WHEREAS, the Amended Plan does prescribe land use and street and traffic patterns
9 which may require, among other things, the vacation of public rights-of-way, the establishment of
10 new street and sidewalk patterns or other public actions; and

11 WHEREAS, this Board is cognizant of the conditions which are imposed on the
12 undertaking and carrying out of a redevelopment project, including those relating to prohibitions
13 against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual
14 orientation or physical handicap; and

15 WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this
16 Board advertised that a public hearing would be held by this Board on the Amended Plan, and said
17 hearing was held at the time and place designated in said advertising and all those who were
18 interested in being heard were given a reasonable opportunity to express their views; and

19 WHEREAS, it is necessary that this Board take appropriate official action respecting the
20 approval of the Amended Plan.

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

1 **SECTION ONE.** The finding of the Board of Aldermen, by St. Louis Ordinance 62800,
2 that certain property described therein (and described herein as Exhibit "A" attached hereto and
3 incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of
4 Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended)
5 is hereby confirmed.

6 **SECTION TWO.** The redevelopment of the Area as described in Exhibit "A", as
7 provided by the Statute, is necessary and in the public interest, and is in the interest of the public
8 health, safety, morals and general welfare of the people of the City.

9 **SECTION THREE.** The Area qualifies as a redevelopment area in need of
10 redevelopment under the provision of the Statute, and the Area is blighted as defined in Section
11 99.320 of the Statute.

12 **SECTION FOUR.** The Amended Blighting Study and Plan for the Area, amended
13 Blair/Clinton ("Amended Plan") having been duly reviewed and considered, is hereby approved
14 and incorporated herein by reference, and the President or Clerk of this St. Louis Board of
15 Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of
16 this meeting.

17 **SECTION FIVE.** The Amended Plan for the Area is feasible and conforms to the general
18 plan for the City.

19 **SECTION SIX.** The financial aid provided and to be provided for financial assistance
20 pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in
21 accordance with the Amended Plan for the Area, and the proposed financing plan for the Area is
22 feasible.

1 **SECTION SEVEN.** The Amended Plan for the Area will afford maximum opportunity,
2 consistent with the sound needs of the City as a whole, for the redevelopment of the Area by
3 private enterprise, and private developments to be sought pursuant to the requirements of the
4 Statute.

5 **SECTION EIGHT.** The Amended Plan for the Area provides that the Land Clearance for
6 Redevelopment Authority of the City of St. Louis ("LCRA") **may not** acquire any property in the
7 Area by the exercise of eminent domain **or otherwise.**

8 **SECTION NINE.** The property within the Area is currently **unoccupied.** If it should
9 become occupied, all eligible occupants displaced by the Redeveloper ("Redeveloper" being
10 defined in Section Thirteen, below) shall be given relocation assistance by the Redeveloper at its
11 expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and
12 policies.

13 **SECTION TEN.** The Amended Plan for the Area gives due consideration to the provision
14 of adequate public facilities.

15 **SECTION ELEVEN.** In order to implement and facilitate the effectuation of the
16 Amended Plan hereby approved it is found and determined that certain official actions must be
17 taken by this Board and accordingly this Board hereby:

18 (a) Pledges its cooperation in helping to carry out the Amended Plan;

19 (b) Requests the various officials, departments, boards and agencies of the City, which
20 have administrative responsibilities, likewise to cooperate to such end and to execute their
21 respective functions and powers in a manner consistent with the Amended Plan; and

22 (c) Stands ready to consider and take appropriate action upon proposals and measures
23 designed to effectuate the Amended Plan.

1 **SECTION TWELVE.** All parties participating as owners or purchasers of property in the
2 Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and
3 assigns that they shall not discriminate on the basis of race, color, creed, national origin, sex,
4 marital status, age, sexual orientation or physical handicap in the sale, lease, or rental of any
5 property or improvements erected or to be in the Area or any part thereof and those covenants shall
6 run with the land, shall remain in effect without limitation of time, shall be made part of every
7 contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be
8 enforceable by the LCRA, the City and the United States of America.

9 **SECTION THIRTEEN.** In all contracts with private and public parties for redevelopment
10 of any portion of the Area, all Redevelopers shall agree:

11 (a) To use the property in accordance with the provisions of the Amended Plan, and be
12 bound by the conditions and procedures set forth therein and in this Ordinance;

13 (b) That in undertaking construction under the agreement with the LCRA and the
14 Amended Plan, bona fide Minority Business Enterprise ("MBE's") and Women Business
15 Enterprise ("WBE's") will be solicited and fairly considered for contracts, subcontracts and
16 purchase orders;

17 (c) To be bound by the conditions and procedures regarding the utilization of MBE's
18 and WBE's established by the Community Development Commission of the City;

19 (d) To adhere to the requirements of the Executive Order of the Mayor of the City,
20 dated July 24, 1997.

21 (e) To comply with the requirements of Ordinance No. 60275 of the City;

22 (f) To cooperate with those programs and methods supplied by the City with the
23 purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and

1 material supplier participation in the construction under this Agreement. The Redeveloper will
2 report semi-annually during the construction period the results of its endeavors under this
3 paragraph, to the Office of the Mayor and the President of this Board; and

4 (g) That the language of this Section Fourteen shall be included in its general
5 construction contract and other construction contracts let directly by Redeveloper.

6 The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-
7 profit organization owned, operated and controlled by minority group members who have at least
8 fifty-one percent (51%) ownership. The minority group member(s) must have operational and
9 management control and interest in capital and earnings commensurate with their percentage of
10 ownership. The term Minority Group Member(s) shall mean persons legally residing in the United
11 States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut or Native
12 Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines,
13 Vietnam, Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or
14 Taiwan) or Asian Indian American (persons with origins from India, Pakistan or Bangladesh). The
15 term WBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit
16 organization owned, operated and controlled by a woman or women who have at least fifty-one
17 percent (51%) ownership. The woman or
18 women must have operational and managerial control and interest in capital and earnings
19 commensurate with their percentage of ownership.

20
21 The term "Redeveloper" as used in this Section shall include its successors in interest and
22 assigns.

1 SECTION FOURTEEN. The Redeveloper may seek ten (10) year real estate tax
2 abatement pursuant to Sections 99.700 - 99.715, Revised Statutes of Missouri, 1994, as amended,
3 upon application as provided therein. Such real estate tax abatement shall not include any Special
4 Business District taxes which may be assessed for the property located in a Special Business
5 District.

6 In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an
7 urban redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes
8 shall hereby be entitled to real property ad valorem tax abatement which shall not include
9 any Special Business District taxes which may be assessed for the property located in a
10 Special Business District for a total period of up to ten (10) years from the commencement
11 of such tax abatement, in accordance with the following provisions:

12 If property in the Area is sold by the LCRA to an urban redevelopment
13 corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such
14 corporation shall own property within the Area, then for the first ten (10) years after
15 the date the redevelopment corporation shall acquire title to such property, taxes on
16 such property shall be based upon the assessment of land, exclusive of any
17 improvements thereon, during the calendar year preceding the calendar year during
18 which such corporation shall have acquired title to such property. In addition to
19 such taxes, any such corporation shall for the same ten (10) year period make a
20 payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an
21 amount based upon the assessment on the improvements located on the property
22 during the calendar year preceding the calendar year during which such corporation
23 shall have acquired title to such property. If property shall be tax-exempt because it

1 is owned by the LCRA and leased to any such corporation, then such corporation
2 for the first ten (10) years of such lease shall make payments in lieu of taxes to the
3 Collector of Revenue of the City in an amount based upon the assessment on the
4 property, including land and improvements, during the calendar year preceding the
5 calendar year during which such corporation shall lease such property.

6 For the ensuing period of up to fifteen (15) years following the original
7 period stated above, any such corporation shall pay taxes and payments in lieu of
8 taxes as provided above in an amount based upon fifty percent (50%) of the then
9 normal assessment of the land and improvements.

10 Thereafter any such corporation shall pay the full amount of taxes.

11 All payments in lieu of taxes shall be a lien upon the property and, when
12 paid to the Collector of Revenue of the City shall be distributed as all other property
13 taxes. These partial tax relief and payment in lieu of taxes provisions, during up to
14 said ten (10) year period, shall inure to the benefit of all successors in interest in the
15 property of the redevelopment corporation, so long as such successors shall
16 continue to use such property as provided in this Plan and in any contract with the
17 LCRA. In no event shall such benefits extend beyond ten (10) years after the
18 redevelopment corporation shall have acquired title to the property.

19 **SECTION FIFTEEN.** Any proposed modification which will substantially change the
20 Amended Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the
21 Amended Plan was first approved. Modifications which will substantially change the Amended
22 Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the

1 length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or
2 intent of the Amended Plan.

3 The Amended Plan may be otherwise modified (e.g. urban design regulations, development
4 schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of
5 the the Planning Commission of the City. Changes which are not substantial are those that do not
6 go to the crux of the Amended Plan.

7 **SECTION SIXTEEN.** The sections of this Ordinance shall be severable. In the event that
8 any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the
9 remaining sections of this Ordinance are valid, unless the court finds the valid sections of the
10 Ordinance are so essential and inseparably connected with and dependent upon the void section
11 that it cannot be presumed that this Board would have enacted the valid sections without the void
12 ones, or unless the court finds that the valid sections standing alone are incomplete and are
13 incapable of being executed in accordance with the legislative intent.

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