

2 An ordinance approving a redevelopment plan for the Vandeventer/Finney/Washington/Taylor Area ("Area") after
3 finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as
4 amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of
5 said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that
6 redevelopment 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 Blighting Study and Plan dated October 28, 2003 for the Area
8 ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible
9 financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the
10 Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for
11 Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that
12 the property within the Area is partly occupied and the Redeveloper shall be responsible for relocating any eligible
13 occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable
14 the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate
15 tax abatement; and pledging cooperation of the St. Louis Board of Aldermen ("Board") and requesting various
16 officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a
17 manner consistent with the Plan.

18 WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe
19 conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions
20 which endanger life or property by fire or other causes and constitute an economic or social liability or a menace to
21 the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully
22 described in Exhibit "A"; and

23 WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of
24 the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the
25 Statute; and

1 WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law,
2 to undertake the redevelopment of the above described Area as a land clearance project under said Statute, pursuant
3 to plans by or presented to the LCRA under Section 99.430.1 (4); and

4 WHEREAS, the LCRA has recommended such a plan to the Planning Commission of the City of St. Louis
5 ("Planning Commission") and to this Board, titled "Blighting Study and Plan for
6 Vandeventer/Finney/Washington/Taylor Redevelopment Area," dated October 28, 2003; consisting of a Title Page, a
7 Table of Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as Exhibit "B"
8 ("Plan"); and

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

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

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

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

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

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

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

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

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

8 WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the
9 Plan.

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

11 **SECTION ONE.** There exists within the City of St. Louis ("City") a blighted area, as defined by Section
12 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715
13 inclusive, as amended) described in Exhibit "A", attached hereto and incorporated herein, known as the
14 Vandeventer/Finney/Washington/Taylor Area ("Area").

15 **SECTION TWO.** The redevelopment of the above described Area, as provided by the Statute, is
16 necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of
17 the people of the City.

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

20 **SECTION FOUR.** The Blighting Study and Plan for the Area, dated October 28, 2003 ("Plan") having
21 been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or
22 Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes
23 of this meeting.

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

25 **SECTION SIX.** The financial aid provided and to be provided for financial assistance pertaining to the
26 Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area,
27 and the proposed financing plan for the Area is feasible.

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

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

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

11 **SECTION TEN.** The Plan for the Area gives due consideration to the provision of adequate public
12 facilities.

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

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

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

20 (c) Stands ready to consider and take appropriate action upon proposals and measures designed to
21 effectuate the Plan.

22 **SECTION TWELVE.** All parties participating as owners or purchasers of property in the Area for
23 redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not
24 discriminate on the basis of race, color, creed, national origin, sex, marital status, age, sexual orientation or physical
25 handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any
26 part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be

1 made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be
2 enforceable by the LCRA, the City and the United States of America.

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

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

7 (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide
8 Minority Business Enterprises ("MBE's") and Women's Business Enterprises ("WBE's") will be solicited and fairly
9 considered for contracts, subcontracts and purchase orders;

10 (c) To be bound by the conditions and procedures regarding the utilization of MBE's and WBE's
11 established by the City;

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

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

15 (f) To cooperate with those programs and methods supplied by the City with the purpose of
16 accomplishing, pursuant to this paragraph, minority and women contractors, subcontractors and material supplier
17 participation in the construction pursuant to the Plan. The Redeveloper will report semi-annually during the
18 construction period the results of its endeavors under this paragraph, to the Contracts Administration Manager of
19 the City and the President of this Board; and

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

22 The term MBE shall mean a sole proprietorship, partnership, corporation, profit or non-profit organization
23 owned, operated and controlled by minority group members who have at least fifty-one percent (51%) ownership.
24 The minority group member(s) must have operational and management control, interest in capital and earnings
25 commensurate with their percentage of ownership. The term Minority Group Member(s) shall mean persons
26 legally residing in the United States who are Black, Hispanic, Native American (American Indian, Eskimo, Aleut
27 or Native Hawaiian), Asian Pacific American (persons with origins from Japan, China, the Philippines, Vietnam,

1 Korea, Samoa, Guam, U.S. Trust Territory of the Pacific Islands, Laos, Cambodia or Taiwan) or Asian Indian
2 American (persons with origins from India, Pakistan or Bangladesh). The term WBE shall mean a sole
3 proprietorship, partnership, corporation, profit or non-profit organization owned, operated and controlled by a
4 woman or women who have at least fifty-one percent (51%) ownership. The woman or women must have
5 operational and managerial control, interest in capital and earnings commensurate with their percentage of
6 ownership.

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

8 **SECTION FOURTEEN.** The Redeveloper may seek ten (10) year real estate tax abatement pursuant to
9 Sections 99.700 - 99.715, Revised Statutes of Missouri, 2000, as amended, upon application as provided therein.
10 Such real estate tax abatement shall not include any Special Business District, Neighborhood Improvement District,
11 Commercial Improvement District, or any other similar local taxing district created in accordance with Missouri
12 law, whether now existing or later created.

13 In lieu of the ten (10) year abatement outlined above, a Redeveloper which is an urban redevelopment
14 corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad
15 valorem tax abatement which shall not include any Special Business District, Neighborhood Improvement District,
16 Commercial Improvement District, or any other single local taxing district created in accordance with Missouri
17 law, whether now existing or later created, for a total period of up to ten (10) years from the commencement of
18 such tax abatement, in accordance with the following provisions:

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

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

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

12 **SECTION FIFTEEN.** Any proposed modification which will substantially change the Plan must be
13 approved by this Board in the same manner as the Plan was first approved. Modifications which will substantially
14 change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the
15 length of tax abatement, to the boundaries of the Area, or to other items which alter the nature or intent of the Plan.

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

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