

2 An ordinance approving an amended redevelopment plan for the Manchester/Mitchell  
3 Area, ("Area") after affirming that the Area blighted by Ordinance 65421 as described in Exhibit  
4 "A" attached hereto and incorporated by reference, is a blighted area as defined in Section 99.320  
5 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to  
6 99.715 inclusive), affirming that redevelopment and rehabilitation of the Area is in the interest of  
7 the public health, safety, morals and general welfare of the people of the City; approving the  
8 Amended Blighting Study and Plan dated June 20, 2006 for the Area ("Amended Plan"),  
9 incorporated herein by Exhibit "B", pursuant to Section 99.430; finding that no property in the  
10 Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis  
11 ("LCRA") through the exercise of eminent domain; finding that the property within the Area is  
12 currently partially occupied and the Redeveloper shall be responsible for providing relocation  
13 assistance pursuant to the Amended Plan to any eligible occupants displaced as a result of  
14 implementation of the Amended Plan; finding that financial aid may be necessary to enable the  
15 Area to be redeveloped in accordance with the Amended Plan; finding that there shall be available  
16 up to **five (5) year** tax abatement; and pledging cooperation of the Board of Aldermen and  
17 requesting various officials, departments, boards and agencies of the City to cooperate and exercise  
18 their 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 65421, this Board found the property located in the  
2 Manchester/Mitchell Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute  
3 and said property remains blighted; and

4           WHEREAS, by Ordinance 65421, this Board also approved a Redevelopment Plan for the  
5 Area, dated November 27, 2001; and

6           WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan  
7 approved by Ordinance 65421 by reducing tax abatement to up to five (5) years, eliminating  
8 authorization to use eminent domain and providing only for industrial and commercial use of the  
9 property in the Area; and;

10           WHEREAS, the LCRA has recommended such an amended plan to the Planning  
11 Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of  
12 Aldermen ("Board"), titled "Amended Blighting Study and Plan for the Manchester/Mitchell  
13 Area", dated November 27, 2001 , amended June 20, 2006, consisting of a Title Page, a Table of  
14 Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as  
15 Exhibit "B" ("Amended Plan"); and

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

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

21           WHEREAS, the LCRA and the Planning Commission have made and presented to this  
22 Board the studies and statements required to be made and submitted by Section 99.430 and this

1 Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully  
2 aware of the conditions in the Area; and

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

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

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

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

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

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

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

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

3           **SECTION ONE.** The finding of the Board of Aldermen, by St. Louis Ordinance 65421,  
4 that certain property described therein (and described herein as Exhibit "A" attached hereto and  
5 incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of  
6 Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended)  
7 is hereby confirmed.

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

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

14           **SECTION FOUR.** The Amended Blighting Study and Plan for the Area, amended June  
15 20, 2006 ("Amended Plan") having been duly reviewed and considered, is hereby approved and  
16 incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen  
17 ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of this meeting.

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

20           **SECTION SIX.** The financial aid provided and to be provided for financial assistance  
21 pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in  
22 accordance with the Amended Plan for the Area, and the proposed financing plan for the Area is  
23 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.

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

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

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

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

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

21           (c)     Stands ready to consider and take appropriate action upon proposals and measures  
22 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;

1 (f) To cooperate with those programs and methods supplied by the City with the  
2 purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and  
3 material supplier participation in the construction under this Agreement. The Redeveloper will  
4 report semi-annually during the construction period the results of its endeavors under this  
5 paragraph, to the Office of the Mayor and the President of this Board; and

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

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

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

1           **SECTION FOURTEEN.**     A Redeveloper which is an urban redevelopment  
2 corporation formed pursuant to Chapter 353 of the Missouri Statutes shall hereby be  
3 entitled to real property ad valorem tax abatement which shall not include taxes collected  
4 for any Special Business District, Neighborhood Improvement District, Commercial  
5 Improvement District or any single local taxing district created in accordance with Missouri  
6 law, which may be assessed for the property located in a Special Business District for a  
7 total period of up to five (5) years from the commencement of such tax abatement, in  
8 accordance with the following provisions:

9           If property in the Area is sold by the LCRA to an urban redevelopment  
10 corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if any such  
11 corporation shall own property within the Area, then for up to the first five (5) years  
12 after the date the redevelopment corporation shall acquire title to such property,  
13 taxes on such property shall be based upon the assessment of land, exclusive of any  
14 improvements thereon, during the calendar year preceding the calendar year during  
15 which such corporation shall have acquired title to such property. In addition to  
16 such taxes, any such corporation shall for up to the same five (5) year period make a  
17 payment in lieu of taxes to the Collector of Revenue of the City of St. Louis in an  
18 amount based upon the assessment on the improvements located on the property  
19 during the calendar year preceding the calendar year during which such corporation  
20 shall have acquired title to such property. If property shall be tax-exempt because it  
21 is owned by the LCRA and leased to any such corporation, then such corporation  
22 for up to the first five (5) years of such lease shall make payments in lieu of taxes to  
23 the Collector of Revenue of the City in an amount based upon the assessment on the

1 property, including land and improvements, during the calendar year preceding the  
2 calendar year during which such corporation shall lease such property.

3 All payments in lieu of taxes shall be a lien upon the property and, when  
4 paid to the Collector of Revenue of the City shall be distributed as all other property  
5 taxes. These partial tax relief and payment in lieu of taxes provisions, during up to  
6 said five (5) year period, shall inure to the benefit of all successors in interest in the  
7 property of the redevelopment corporation, so long as such successors shall  
8 continue to use such property as provided in this Plan and in any contract with the  
9 LCRA. In no event shall such benefits extend beyond five (5) years after the  
10 redevelopment corporation shall have acquired title to the property.

11 **SECTION FIFTEEN.** Any proposed modification which will substantially change the  
12 Amended Plan, shall be approved by the St. Louis Board of Aldermen in the same manner as the  
13 Amended Plan was first approved. Modifications which will substantially change the Amended  
14 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  
16 intent of the Amended Plan.

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

21 **SECTION SIXTEEN.** The sections of this Ordinance shall be severable. In the event that  
22 any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the  
23 remaining sections of this Ordinance are valid, unless the court finds the valid sections of the

1 Ordinance are so essential and inseparably connected with and dependent upon the void section  
2 that it cannot be presumed that this Board would have enacted the valid sections without the void  
3 ones, or unless the court finds that the valid sections standing alone are incomplete and are  
4 incapable of being executed in accordance with the legislative intent.