

2 An Ordinance approving the petition of City Hospital Development III, L.L.C. and ELG
3 Palladium Group, LLC, as the owners of certain real property, to establish a Community
4 Improvement District, establishing the City Hospital RPA 2 – Phase 1 Community Improvement
5 District, finding a public purpose for the establishment of the City Hospital RPA 2 – Phase 1
6 Community Improvement District, and 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 has been filed with the City, requesting formation and
11 establishment of the City Hospital RPA 2 – Phase 1 Community Improvement District, signed by
12 authorized representatives of the owners of more than fifty percent by assessed value and per
13 capita of the property located within the City Hospital RPA 2 – Phase 1 Community
14 Improvement District (as amended, the “Petition”); and

15 **WHEREAS**, the Register of the City of St. Louis did review and determine that the
16 Petition 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 9:00 a.m. on June 30, 2009, by the Board of Aldermen;
19 and

20 **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this ordinance is
21 in the best interest of the City of St. Louis and that the owners of real property located within the
22 City Hospital RPA 2 – Phase 1 Community Improvement District, as well as the City as a whole,

1 will benefit from the establishment of the City Hospital RPA 2 – Phase 1 Community
2 Improvement District.

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

4 **Section One.**

5 (a) A community improvement district, to be known as the “City Hospital RPA 2
6 – Phase 1 Community Improvement District” (hereinafter referred to as the “District”), is hereby
7 established pursuant to the CID Act on certain real property described below to provide services,
8 construct improvements, impose a sales tax and carry out other functions as set forth in the
9 Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

10 (b) The District boundaries are set forth in the map included in the Petition in
11 Appendix A and are generally described as follows (and are more particularly described in the
12 Petition): that real property located at 1411 Carroll, 1400 Park Avenue, and 1414 Park Avenue,
13 generally bounded on the west by a portion of the vacated Dillon Street and the eastern line of
14 the parcel located at 1419 Carroll Street; on the south by the northern line of the parcel located at
15 1419 Carroll Street and the northern line of Carroll Street; on the east by the western line of the
16 parcels located at 1401 S. 14th Street and 1415 S. 14th Street; on the north by the southern line of
17 Park Avenue.

18 **Section Two.**

19 (a) The District is authorized by the Petition, in accordance with the CID Act, to
20 impose a tax upon retail sales within the District, at a rate not to exceed one percent (1%), to
21 provide funds to accomplish any power, duty or purpose of the District.

22 **Section Three.**

23 The District is authorized by the CID Act, at any time, to issue obligations, or to enter
24 into agreements with other entities with the authority to issue obligations, for the purpose of

1 carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all,
2 part or any combination of the revenues of the District and may be further secured by all or any
3 part of any property or any interest in any property by mortgage or any other security interest
4 granted. Such obligations shall be authorized by resolution of the District, and if issued by the
5 District, shall bear such date or dates, and shall mature at such time or times, but not more than
6 twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations
7 shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in
8 such place or places, be subject to redemption as such resolution may provide and be sold at
9 either public or private sale at such prices as the District shall determine subject to the provisions
10 of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in
11 whole or part, obligations previously issued by the District.

12 **Section Four.**

13 (a) Pursuant to the Petition, the District shall be in the form of a political
14 subdivision of the State of Missouri, known as the City Hospital RPA 2 – Phase 1 Community
15 Improvement District.

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

18 (c) No earlier than one hundred and eighty (180) days and no later than ninety
19 (90) days prior to the first day of each fiscal year, the District shall submit to the Board of
20 Aldermen a proposed annual budget for the District, setting forth expected expenditures,
21 revenues, and rates of assessments and taxes, if any, for such fiscal year. The Board of
22 Aldermen may review and comment on this proposed budget, but if such comments are given,
23 the Board of Aldermen shall provide such written comments no later than sixty (60) days prior to

1 the first day of the relevant fiscal year; such comments shall not constitute requirements, but
2 shall only be recommendations.

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

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

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

10 **Section Seven.** The City of St. Louis hereby finds that the uses of the District proceeds as
11 provided for in the Petition hereto will serve a public purpose by remediating blight and
12 encouraging the redevelopment of real property within the District.

13 **Section Eight.** The District has been declared “blighted” under Chapter 99 RSMo. in
14 Ordinance No. 64831 of the City of St. Louis Board of Aldermen, and such designation of blight
15 is hereby reaffirmed.

16 **Section Nine.** Within one hundred twenty (120) days after the end of each fiscal year, the
17 District shall submit a report to the Register of the City and the Missouri Department of
18 Economic Development stating the services provided, revenues collected and expenditures made
19 by the District during such fiscal year, and copies of written resolutions approved by the board of
20 directors of the District during the fiscal year. The Register shall retain this report as part of the
21 official records of the City and shall also cause this report to be spread upon the records of the
22 Board of Aldermen, pursuant to Section 67.1471 of the CID Act.

1 **Section Ten.** The term for the existence of the District shall be as set forth in the Petition,
2 as may be amended from time to time or as such term may be otherwise modified in accordance
3 with the CID Act.

4 **Section Eleven.** Pursuant to the CID Act, the Board of Aldermen shall not decrease the
5 level of publicly funded services in the District existing prior to the creation of the District or
6 transfer the burden of providing the services to the District unless the services at the same time
7 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision
8 of the publicly funded services between areas included in the District and areas not so included.

9 **Section Twelve.** The Register shall report in writing the creation of the City Hospital
10 RPA 2 – Phase 1 Community Improvement District to the Missouri Department of Economic
11 Development.

12 **Section Thirteen.** The Petition provides that the District shall be governed by a Board of
13 Directors consisting of five individual directors (collectively the “Directors” and each a
14 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
15 Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the
16 Mayor does hereby appoint the following named individuals as Directors of the District for the
17 terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen
18 hereby consents to such appointments:

- 19 1. Chris Goodson _____ (four years)
- 20 2. Mary Ann Goodson _____ (four years)
- 21 3. Patricia Goodson _____ (two years)
- 22 4. Mike Hayo _____ (two years)
- 23 5. Stacy Hastie _____ (two years)

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

APPENDIX A

Petition to Establish the City Hospital RPA 2 – Phase 1 Community Improvement District
(as may be amended)

ON FILE WITH THE CITY REGISTER

June 26, 2009

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BB # _____ Sponsor: Alderwoman Young