

2 An ordinance approving a development Plan for the Hall Street Industrial Area ("Area")
3 after finding that a blighted, insanitary, undeveloped industrial area as defined in Sections 100.310
4 (2), (11), (18) of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections
5 100.300 to 100.620 inclusive), exists in the City of St. Louis ("City") and containing a description
6 of the boundaries of said blighted area, attached hereto and incorporated herein as Exhibit "A",
7 finding that industrial development and rehabilitation of the Area is in the interest of the public
8 health, safety, morals and general welfare of the people of the City; approving the Blighting Study
9 and Plan dated September 22, 2006, for the Area, incorporated herein by attached Exhibit "B";
10 finding that there is a feasible financial plan for the development of the Area which affords
11 maximum opportunity for development of the Area by private enterprise; finding that **no** property
12 in the Area may be acquired by the Planned Industrial Expansion Authority of the City of St. Louis
13 ("PIEA") through the exercise of eminent domain; finding that the property within the Area is
14 **partially occupied**, and that the Developer shall be responsible for relocating any eligible
15 occupants displaced as a result of implementation of the Plan; finding that financial aid may be
16 necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there
17 should be available a **ten (10) year** tax abatement; **and** pledging cooperation of the Board of
18 Aldermen ("Board") and requesting various officials, departments, boards and agencies of the City
19 to cooperate and to exercise their respective powers in a manner consistent with the Plan.

20 WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary
21 or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting
22 or other conditions in the Area which retard the provision of housing accommodations; or because
23 there is a predominance of buildings and improvements in the Area, which, by reason of

1 dilapidation, deterioration, and or obsolescence, inadequate provision for ventilation, light, air,
2 sanitation or open spaces, high density of population and overcrowding of buildings or land, are
3 conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime; or
4 because the Area, by reason of defective and inadequate street layout or location of physical
5 improvements, obsolescence and inadequate subdivision and platting, contains vacant parcels of
6 land not used economically, or contains structures whose operation is not economically feasible, or
7 contains intermittent commercial and industrial structures in a primarily industrial and commercial
8 area, or contains insufficient space for the expansion and efficient use of land for industrial plants
9 and commercial uses amounting to conditions which retard economic or social growth, result in
10 economic waste and social liabilities and represent an inability to pay reasonable taxes; or because
11 of the existence of a combination of such conditions in the Area or other conditions which
12 endanger life or property by fire or other causes, the Area constitutes an economic or social liability
13 or a menace to the public health, safety, morals or welfare in the present condition and use of the
14 Area, said Area being more fully described in Exhibit "A"; and

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

18 WHEREAS, there is a need for the PIEA, a public body corporate and politic created under
19 Missouri law, to undertake the development of the above described Area as a "Project", as
20 described in said Statute, pursuant to plans by or presented to the PIEA in accordance with Section
21 100.400.1(4); and

22 WHEREAS, the PIEA has recommended such a plan to the Planning and Urban Design
23 Agency (PDA) and to this St. Louis Board of Aldermen ("Board"), titled

1 "Blighting Study and Plan for the Hall Street Industrial Area" dated September 26, 2006,
2 consisting of a Title Page, a Table of Contents Page, and fifteen (15) numbered pages attached
3 hereto and incorporated herein as Exhibit "B" ("Plan"); and

4 WHEREAS, under the provisions of the Statute, it is required that this Board take such
5 actions as may be required to approve the Plan; and

6

7 WHEREAS, it is desirable and in the public interest that a public body, the PIEA,
8 undertake and administer the Plan in the Area; and

9 WHEREAS, the PIEA and the PDA have made and presented to this Board the studies and
10 statements required to be made and submitted by Section 100.400 and this Board has been fully
11 apprised by the PIEA and the PDA of the facts and is fully aware of the conditions in the Area; and

12 WHEREAS, the Plan has been presented and recommended by the PIEA and the PDA to
13 this Board for review and approval; and

14 WHEREAS, a general plan has been prepared and is recognized and used as a guide for the
15 general development of the City and the PDA has advised this Board that the Plan conforms to said
16 general plan; and

17 WHEREAS, this Board has duly considered the reports, recommendations and
18 certifications of the PIEA and the CDC; and

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

22 WHEREAS, this Board is cognizant of the conditions which are imposed on the
23 undertaking and carrying out of a development project, including those relating to prohibitions

1 against discrimination because of race, color, creed, national origin, sex, age, sexual orientation,
2 marital status or physical handicap; and

3 WHEREAS, in accordance with the requirements of Section 100.400 of the Statute, this
4 Board advertised that a public hearing would be held by this Board on the Plan, and said hearing
5 was held at the time and place designated in said advertising and all those who were interested in
6 being heard were given a reasonable opportunity to express their views; and

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

9

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, insanitary, or
12 undeveloped industrial area, as defined by Sections 100.310 (2), (11), and (18) of the Revised
13 Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 100.300 to 100.620
14 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the Hall
15 Street Industrial Area ("Area").

16 SECTION TWO. Industrial development of the above described Area, as provided by the
17 Statute, is necessary and in the public interest, and is in the interest of the public health, safety,
18 morals and general welfare of the people of the City of St. Louis ("City").

19 SECTION THREE. The Area qualifies as an industrial development area in need of
20 industrial development under the provisions of the Statute, and the Area is blighted as defined in
21 Sections 100.310 (2), (11), (18).

22 SECTION FOUR. The Blighting Study and Plan for the Area, dated September 26, 2006,
23 (Plan") having been duly reviewed and considered, is hereby approved and incorporated herein by

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1 reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby
2 directed to file a copy of said Plan with the Minutes of this meeting.

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

5 SECTION SIX. The financial aid provided and to be provided for financial assistance
6 pertaining to the Area is necessary to enable the development activities to
7 be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the
8 Area is feasible.

9 SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent
10 with the sound needs of the City as a whole, for the development of the Area by private enterprise,
11 and private developments to be sought pursuant to the requirements of the Statute.

12

13 SECTION EIGHT. The Plan for the Area provides that the Planned Industrial Expansion
14 Authority of the City of St. Louis ("PIEA") **may not** acquire any property in the Area by the
15 exercise of eminent domain.

16 SECTION NINE. The property within the Area is currently **partially occupied**. All
17 eligible occupants displaced by the developer ("Developer" being defined in Section Twelve,
18 below) for the implementation of this Plan shall be given relocation assistance by the Developer at
19 its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations
20 and policies. In addition, the Developer shall provide timely notice of development activities to all
21 occupants.

22 SECTION TEN. The Plan for the Area gives due consideration to the provision of
23 adequate public facilities.

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

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

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

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

10 SECTION TWELVE. All parties participating as owners or purchasers of property in the
11 Area for development ("Developer") shall agree for themselves and their heirs,
12 successors and assigns that they shall not discriminate on the basis of race, color,
13 creed, national origin, sex, marital status, sexual orientation, age or physical handicap in the sale,
14 lease, or rental of any property or improvements erected or to be erected in the Area or any part
15 thereof and those covenants shall run with the land, shall remain in effect without limitation of
16 time, shall be made part of every contract for sale, lease, or rental of property to which Developer is
17 a party, and shall be enforceable by the PIEA, the City and the United States of America.

18 SECTION THIRTEEN. In all contracts with private and public parties for development of
19 any portion of the Area, all Developers shall agree:

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

22 (b) That in undertaking construction under the agreement with the PIEA and the Plan,
23 bona fide minority and women subcontractors and material suppliers will be solicited and fairly

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1 considered for subcontracts and purchase orders by the general contractor and other subcontractors
2 under the general construction contracts let

3 directly by the Developer;

4 (c) To be bound by the conditions and procedures regarding the utilization of minority
5 and women business enterprises established by the City.

6 (d) To adhere to the requirements of the Executive Orders of the Mayor of the City,
7 July 24, 1997.

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

9 (f) To cooperate with those programs and methods supplied by the City with the
10 purpose of accomplishing minority and women subcontractors and material supplier participation
11 in the construction pursuant to the Plan. The Developer will report semi-annually during the
12 construction period the results of its endeavors under this paragraph, to the Office of the Mayor and
13 the President of this Board; and

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

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

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

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

8 SECTION FOURTEEN. A Developer shall hereby be entitled to the ad valorem tax
9 abatement which shall not include any Special Business District, Neighborhood Improvemnet
10 district, Commercial District, or any other single local taxing district created in accordance with
11 Missouri Law, whether now existing or later created, for a period of ten (10) years from the
12 commencement of such tax abatement. If property is sold by the PIEA to an urban redevelopment
13 corporation formed pursuant to Chapter 353 of the Missouri Statutes, or if such corporation shall
14 own property within the Area, then for up to ten (10) years after the date the redevelopment
15 corporation shall acquire title to such property, taxes on such property shall be based upon the
16 assessment of land, exclusive of any improvements thereon during the calendar year preceding the
17 calendar year during which such corporation shall have acquired title to such property. In addition
18 to such taxes, any such corporation shall for up to the same ten (10) year period make a payment in
19 lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based upon the
20 assessment on the improvements located on the property during the calendar year preceding the
21 calendar year during which such corporation shall have acquired title to such property. If property
22 shall be tax-exempt because it is owned by the PIEA and leased to any such corporation then such
23 corporation for up to the first ten 10 years of such lease shall make payments in lieu of taxes to the

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1 Collector of Revenue of the City of St. Louis in an amount based upon the assessment on the
2 property, including land and improvements, during the calendar year preceding the calendar year
3 which such corporation shall lease such property.

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

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

17

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

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

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

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