

1 **BOARD BILL #215 INTRODUCED BY ALDERWOMAN TRIPLETT**

2 **AN ORDINANCE APPROVING THE PETITION OF PELICAN COURT,**
3 **LLC, AS OWNER OF CERTAIN REAL PROPERTY, TO ESTABLISH A**
4 **COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE**
5 **GRAND AND SHENANDOAH COMMUNITY IMPROVEMENT**
6 **DISTRICT, FINDING A PUBLIC PURPOSE FOR THE**
7 **ESTABLISHMENT OF THE GRAND AND SHENANDOAH**
8 **COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A**
9 **SEVERABILITY CLAUSE.**

10 **WHEREAS**, Mo. Rev. Stat. §67.1400 *et seq.* (the “CID Act”) authorized the Board of
11 Aldermen to approve the petitions of property owners to establish a Community Improvement
12 District; and

13 **WHEREAS**, a petition has been filed with the City, requesting formation and
14 establishment of the Grand and Shenandoah Community Improvement District, signed by
15 authorized representatives of the owners of more than fifty percent by assessed value and per
16 capita of the property located within the Grand and Shenandoah Community Improvement
17 District (as amended, the “Petition”); and

18 **WHEREAS**, the Register of the City of St. Louis did review and determine that the
19 Petition substantially complies with the requirements of the CID Act; and

20 **WHEREAS**, a public hearing, duly noticed and conducted as required by and in
21 accordance with the CID Act was held at _____ a.m. on July _____, 2007, by the Board
22 of Aldermen; and

1 **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this ordinance is
2 in the best interest of the City of St. Louis and that the property owners of the Grand and
3 Shenandoah Community Improvement District, as well as the City as a whole, will benefit from
4 the establishment of the Grand and Shenandoah Community Improvement District.

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

6 **Section One.**

7 (a) A community improvement district, to be known as the “Grand and
8 Shenandoah Community Improvement District” (hereinafter referred to as the “District”), is
9 hereby established pursuant to the CID Act on certain real property described below to provide
10 services, construct improvements, impose assessments and taxes and carry out other functions as
11 set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this
12 reference.

13 (b) The District boundaries are set forth in the map included in the Petition in
14 Exhibit B and are generally described as follows: that real property bounded generally by Grand
15 on the West, Shenandoah on the South, Vanderburgh on the West, and 3550 Longfellow to the
16 North.

17 **Section Two.** The District is authorized by the Petition, in accordance with the CID Act
18 to impose a tax upon retail sales within the District, to provide funds to accomplish any power,
19 duty or purpose of the District.

20 **Section Three.** The District is authorized by the CID Act, at any time, to issue
21 obligations, or to enter into agreements with other entities with the authority to issue obligations,
22 for the purpose of carrying out any of its powers, duties, or purposes. Such obligations shall be
23 payable out of all, part or any combination of the revenues of the District and may be further
24 secured by all or any part of any property or any interest in any property by mortgage or any

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

9 **Section Four.**

10 (a) Pursuant to the Petition, the District shall be in the form of a political
11 subdivision of the State of Missouri, known as the Grand and Shenandoah Community
12 Improvement District.

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

15 (c) No earlier than one hundred and eighty (180) days and no later than ninety
16 (90) days prior to the first day of each fiscal year, the District shall submit to the Board of
17 Aldermen a proposed annual budget for the District, setting forth expected expenditures,
18 revenues, and rates of assessments, if any, for such fiscal year. The Board of Aldermen may
19 review and comment on this proposed budget, but if such comments are given, the Board of
20 Aldermen shall provide such written comments no later than sixty (60) days prior to the first day
21 of the relevant fiscal year; such comments shall not constitute requirements, but shall only be
22 recommendations.

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

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

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

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

9 **Section Eight.** The District is located within the Grand and Shenandoah Redevelopment
10 Area, which was declared “blighted” under Chapter 99 RSMo. in Ordinance No. 67491 of the
11 City of St. Louis Board of Aldermen, and such designation of blight is hereby reaffirmed.

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

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

22 **Section Eleven.** Pursuant to the CID Act, the Board of Aldermen shall not decrease the
23 level of publicly funded services in the District existing prior to the creation of the District or
24 transfer the burden of providing the services to the District unless the services at the same time

1 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision
2 of the publicly funded services between areas included in the District and areas not so included.

3 **Section Twelve.** The Register shall report in writing the creation of the Grand and
4 Shenandoah Community Improvement District to the Missouri Department of Economic
5 Development.

6 **Section Thirteen.** The Petition provides that the District shall be governed by a Board of
7 Directors consisting of five individual directors (collectively the “Directors” and each a
8 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
9 Board of Aldermen, in accordance with the CID Act and the qualifications set forth in the
10 Petition.

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

APPENDIX A

Grand and Shenandoah Community Improvement District Petition

ON FILE WITH THE CITY REGISTER