

1 **BOARD BILL NO. 228** **INTRODUCED BY ALDERWOMAN DIONNE FLOWERS**

2
3 AN ORDINANCE TO ESTABLISH A BOARD TO REVIEW AND RECOMMEND PUBLIC
4 WORK PROJECTS TO BE APPROVED BY THE BOARD OF PUBLIC SERVICE
5 PURSUANT TO SECTION 3.16 OF THAT CERTAIN DEVELOPMENT AGREEMENT
6 DATED OCTOBER 19, 2010 BETWEEN THE PORT AUTHORITY OF THE CITY OF ST.
7 LOUIS AND CASINO CELEBRATION, LLC WHICH DEVELOPMENT AGREEMENT
8 APPROVED A NEW CITY GAMING DEVELOPMENT PLAN; AUTHORIZING CERTAIN
9 ACTIONS BY CITY OFFICIALS; AND CONTAINING A SEVERABILITY CLAUSE.

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11 WHEREAS, the Port Authority (“Port”) of the City of St. Louis is a political subdivision of the
12 State of Missouri organized and existing under Chapter 68 of the Revised Statutes of Missouri,
13 as amended; and

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15 WHEREAS, Casino Celebration, LLC (“Developer”), in response to the solicitation of proposals
16 from developers, submitted its development proposal dated June 30, 2010, as amended, and
17 proposed the development of a mixed-use gaming, recreation, entertainment and dining facility
18 on certain real property located at or near Interstate 270 and Riverview Boulevard in the City of
19 St. Louis (“City”); and

20
21 WHEREAS, the Port is authorized, pursuant to Chapter 68 of the Revised Statutes of Missouri,
22 as amended, to enter into development agreements pertaining to redevelopment of the Area and
23 the Port authorized the execution of a development agreement, as amended, (“Development
24 Agreement”) by Resolutions No. 10-PT-31 and No. 10-PT-35; and

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26 WHEREAS, the City affirmed the actions of the Port to execute the Development Agreement;
27 and

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29 WHEREAS, the Development Agreement in Section 3.16 states, as follows:

30 The Developer shall pay to the City an amount equal to Two
31 Hundred Thousand Dollars and no/100 (\$200,000.00) annually,
32 payable on or before December 31st of each year commencing in

1 the first calendar year of the Project's licensure by the MGC
2 (prorated as necessary for the first year) as a gaming facility
3 towards public works improvements located within the City north
4 of Halls Ferry Circle along Riverview Drive to the City's limit on
5 the north, the Mississippi River on the east and two blocks to the
6 west of Riverview Drive. In addition the public
7 works improvements may include the corridors along Hall Street
8 between Riverview Drive and Grand and along Broadway north to
9 the City's limit and south to Taylor Ave within two blocks on
10 either side of the Riverview, Hall or Broadway streets (hereinafter
11 described in this Board Bill as said "Area"). The improvements
12 shall include but not be limited to upgrades to that certain City
13 park known as the North Riverfront Park Master Plan and other
14 public works improvements projects approved by the Board of
15 Public Service. The funds shall not be paid to the City's General
16 Fund but shall be deposited in a segregated account dedicated to
17 the improvements described in this Section 3.16. The Developer
18 shall have the right to make suggestions and participate in
19 decisions concerning appropriate improvements to be funded.
20 Such amount shall be paid annually until the Project no longer
21 operates as a licensed gaming facility.

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22 WHEREAS, the Alderman or Alderwoman of said Area desires to create a board to include the
23 Developer's representative and constituents within or near the Area to review and recommend
24 public work projects to the Board of Public Service within the Area.

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

28 **SECTION ONE.** The Alderman or Alderwoman of the Area shall create a board to include the
29 Developer's representative and constituents within or near the Area to review and recommend
30 public work projects to the Board of Public Service within the Area.

32 **SECTION TWO.** It is hereby declared to be the intention of the Board of Aldermen that each
33 and every part, section and subsection of this Ordinance shall be separate and severable from
34 each and every other part, section and subsection hereof and that the Board of Aldermen intends
35 to adopt each said part, section and subsection separately and independently of any other part,
36 section and subsection. In the event that any part, section or subsection of this Ordinance shall
37 be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections

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1 and subsections shall be and remain in full force and effect, unless the court making such finding
2 shall determine that the valid portions standing alone are incomplete and are incapable of being
3 executed in accord with the legislative intent.