

1 **BOARD BILL NO. 234 INTRODUCED BY ALDERWOMAN TRIPLETT**

2

3 **AN ORDINANCE APPROVING THE PETITION OF 1900 LOCUST, LLC,**  
4 **AS OWNER OF CERTAIN REAL PROPERTY, TO ESTABLISH A**  
5 **COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE 1900**  
6 **LOCUST COMMUNITY IMPROVEMENT DISTRICT, FINDING A**  
7 **PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE 1900 LOCUST**  
8 **COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A**  
9 **SEVERABILITY CLAUSE.**

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

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15 **WHEREAS,** a petition (the “Petition”) signed by an authorized representative of  
16 the owner of all property located within the 1900 Locust Community Improvement  
17 District has been filed with the City, requesting formation and establishment of the 1900  
18 Locust Community Improvement District; and

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

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1           **WHEREAS**, a public hearing, duly noticed and conducted as required by and in  
2 accordance with the CID Act was held at \_\_\_\_\_ on \_\_\_\_\_,  
3 2007, by the Board of Aldermen; and

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5           **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this  
6 ordinance is in the best interest of the City of St. Louis and that the property owners of  
7 the 1900 Locust Community Improvement District, as well as the City as a whole, will  
8 benefit from the establishment of the 1900 Locust Community Improvement District.

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

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12           **Section One.**

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14           (a) A community improvement district, to be known as the “1900 Locust  
15 Community Improvement District” (hereinafter referred to as the “District”), is hereby  
16 established pursuant to the CID Act on that real property identified at the time of  
17 adoption of this ordinance by Parcel Identification Number 09000000200 to provide  
18 services, construct improvements, impose taxes and assessments and carry out other  
19 functions as set forth in the Petition, which is attached hereto as Appendix A and  
20 incorporated herein by this reference.

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22           (b) The District boundaries are set forth in the map included in the Petition in  
23 Appendix A and are legally described as follows:

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A lot in Block 900 of the City of St. Louis, Missouri, fronting 69 feet on the South line of Locust Street by a depth Southwardly of 155 feet to an alley. Bounded on the East by 19<sup>th</sup> Street.

**Section Two**

(a) The District is authorized by the CID Act to use any one or more of the taxes, including sales taxes, real estate taxes, assessments or other funding mechanisms specifically authorized by the CID Act to provide funds to accomplish any power, duty or purpose of the District; provided, however, the District shall not have the authority to impose any assessment on any real property located in a special business district authorized pursuant to Mo. Rev. Stat. §71.790 et seq. or on any business or individual doing business in such special business district until the taxes imposed by such special business district have been repealed by such special business district.

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

(c) The District shall have no power to levy any real property tax upon real property within its boundaries.

1           **Section Three**

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

17           **Section Four**

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19           (a) Pursuant to the Petition, the District shall be in the form of a political  
20 subdivision of the State of Missouri, known as the 1900 Locust Community Improvement  
21 District.

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1 (b) Pursuant to §67.1471 of the CID Act, the fiscal year of the District shall be  
2 the same as the fiscal year for the City of St. Louis.

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

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

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16 **Section Five**

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18 The District is authorized to use the funds of the District for any of the  
19 improvements, services or other activities authorized under the CID Act.

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21 **Section Six**

1 Pursuant to the CID Act, the District shall have all the powers necessary to carry  
2 out and effectuate the purposes of the District and the CID Act as set forth in the CID  
3 Act.

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5 **Section Seven**

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

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11 **Section Eight**

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

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22 **Section Nine**

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1           The term for the existence of the District shall begin on the date this ordinance  
2 becomes effective and shall continue for the term set forth in the Petition.

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4           **Section Ten**

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

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13           **Section Eleven**

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15           The Register shall report in writing the creation of the 1900 Locust Community  
16 Improvement District to the Missouri Department of Economic Development.

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18           **Section Twelve**

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20           If any section, subsection, sentence, clause, phrase or portion of this ordinance is  
21 held to be invalid or unconstitutional, or unlawful for any reason, by any court of  
22 competent jurisdiction, such portion shall be deemed and is hereby declared to be a

1 separate, distinct and independent provision of this ordinance, and such holding or  
2 holdings shall not affect the validity of the remaining portions of this ordinance.

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**APPENDIX A**

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4

1900 Locust Community Improvement District Petition

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**ON FILE WITH THE CITY OF ST. LOUIS REGISTER'S OFFICE**

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