

2 An ordinance affirming that the area blighted by Ordinance 67346, known as the 2622-24  
3 Louisiana Avenue ("Area") as described in Exhibit "A" attached hereto and incorporated by  
4 reference, is a blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1994,  
5 as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), affirming that  
6 redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals  
7 and general welfare of the people of the City of St. Louis ("City"); approving the Amended  
8 Blighting Study and Plan dated September 26, 2006 for the Area ("Amended Plan"), incorporated  
9 herein by Exhibit "B" for an Amended Area ("Amended Area"), incorporated herein by Exhibit  
10 "A," pursuant to Section 99.430; finding that **no** property in the Area may be acquired by the Land  
11 Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of  
12 eminent domain; finding that the property within the Area is currently **occupied**, and the  
13 Redeveloper shall be responsible for providing relocation assistance pursuant to the Amended Plan  
14 to any eligible occupants displaced as a result of implementation of the Amended Plan; finding that  
15 financial aid may be necessary to enable the Area to be redeveloped in accordance with the  
16 Amended Plan; finding that there shall be available up to **five (5) year** tax abatement; and pledging  
17 cooperation of the Board of Aldermen and requesting various officials, departments, boards and  
18 agencies of the City to cooperate and exercise their respective powers in a manner consistent with  
19 the Plan.

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22 WHEREAS, there is a need for the LCRA, a public body corporate and politic created  
23 under Missouri law, to undertake the development of the above described Area as a Land

1 Clearance Project under said Statute, pursuant to plans by or presented to the LCRA under Section  
2 99.430.1 (4); and

3 WHEREAS, by Ordinance 67346, this Board found the property located in the 2622-24  
4 Louisiana Avenue Area to be a "blighted area" as defined in Section 99.320 (3) of the Statute and  
5 said property remains blighted; and

6 WHEREAS, by Ordinance 67346, this Board also approved a Redevelopment Plan for the  
7 Area, dated September 26, 2006; and

8 WHEREAS, it is desirable and in the public interest to amend the Redevelopment Plan  
9 approved by Ordinance 67346 by approving an Amended Area; and

10 WHEREAS, the LCRA has recommended such an amended plan to the Planning  
11 Commission of the City of St. Louis ("Planning Commission") and to this St. Louis Board of  
12 Aldermen ("Board"), titled "Amended Blighting Study and Plan for 2622-24 Louisiana Avenue",  
13 dated September 26, 2006, amended December 29, 2006, consisting of a Title Page, a Table of  
14 Contents Page, and thirteen (13) numbered pages, attached hereto and incorporated herein as  
15 Exhibit "B" ("Amended Plan"); and

16 WHEREAS, under the provisions of the Statute, and of the federal financial assistance  
17 statutes, it is required that this Board take such actions as may be required to approve the Amended  
18 Plan; and

19 WHEREAS, it is desirable and in the public interest that a public body, the LCRA,  
20 undertake and administer the Plan in the Amended Area; and

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1           WHEREAS, the LCRA and the Planning Commission have made and presented to this  
2 Board the studies and statements required to be made and submitted by Section 99.430 and this  
3 Board has been fully apprised by the LCRA and the Planning Commission of the facts and is fully  
4 aware of the conditions in the Amended Area; and

5           WHEREAS, the Amended Plan has been presented and recommended by LCRA and the  
6 Planning Commission to this Board for review and approval; and

7           WHEREAS, a general plan has been prepared and is recognized and used as a guide for the  
8 general development of the City and the Planning Commission has advised this Board that the Plan  
9 conforms to said general plan; and

10          WHEREAS, this Board has duly considered the reports, recommendations and  
11 certifications of the LCRA and the Planning Commission; and

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

15          WHEREAS, this Board is cognizant of the conditions which are imposed on the  
16 undertaking and carrying out of a redevelopment project, including those relating to prohibitions  
17 against discrimination because of race, color, creed, national origin, sex, marital status, age, sexual  
18 orientation or physical handicap; and

19          WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this  
20 Board advertised that a public hearing would be held by this Board on the Amended Plan, and said  
21 hearing was held at the time and place designated in said advertising and all those who were  
22 interested in being heard were given a reasonable opportunity to express their views; and

1           WHEREAS, it is necessary that this Board take appropriate official action respecting the  
2 approval of the Amended Plan.

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

5           **SECTION ONE.** The finding of the Board of Aldermen, by St. Louis Ordinance 67346 ,  
6 that certain property described therein (and described herein as Exhibit "A-1" attached hereto and  
7 incorporated herein) is a blighted area, as defined in Section 99.320(3) of the Revised Statutes of  
8 Missouri, 1994, as amended (the "Statute" being Section 99.300 to 99.715 inclusive, as amended)  
9 is hereby confirmed.

10           **SECTION TWO.** The redevelopment of the Amended Area as described in Exhibit "A",  
11 as provided by the Statute, is necessary and in the public interest, and is in the interest of the public  
12 health, safety, morals and general welfare of the people of the City of St. Louis ("City").

13           **SECTION THREE.** The Amended Area qualifies as a redevelopment area in need of  
14 redevelopment under the provision of the Statute, and the additional property included in the  
15 Amended Area is also blighted as defined in Section 99.320 of the Statute.

16           **SECTION FOUR.** The Amended Blighting Study and Plan for the Area, amended  
17 December 29, 2006 ("Amended Plan") having been duly reviewed and considered, is hereby  
18 approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board  
19 of Aldermen ("Board") is hereby directed to file a copy of said Amended Plan with the Minutes of  
20 this meeting.

21           **SECTION FIVE.** The Amended Plan for the Amended Area is feasible and conforms to  
22 the general plan for the City.

1           **SECTION SIX.** The financial aid provided and to be provided for financial assistance  
2 pertaining to the Amended Area is necessary to enable the redevelopment activities to be  
3 undertaken in accordance with the Amended Plan for the Amended Area, and the proposed  
4 financing plan for the Area is feasible.

5           **SECTION SEVEN.** The Amended Plan for the Amended Area will afford maximum  
6 opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the  
7 Amended Area by private enterprise, and private developments to be sought pursuant to the  
8 requirements of the Statute.

9           **SECTION EIGHT.** The Amended Plan for the Amended Area provides that the Land  
10 Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") **may not** acquire any  
11 property in the Amended Area by the exercise of eminent domain.

12           **SECTION NINE.** The property within the Amended Area is currently **occupied**. All  
13 eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Thirteen,  
14 below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with  
15 all applicable federal, state and local laws, ordinances, regulations and policies.

16           **SECTION TEN.** The Amended Plan for the Amended Area gives due consideration to the  
17 provision of adequate public facilities.

18           **SECTION ELEVEN.** In order to implement and facilitate the effectuation of the  
19 Amended Plan hereby approved it is found and determined that certain official actions must be  
20 taken by this Board and accordingly this Board hereby:

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

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

4 (c) Stands ready to consider and take appropriate action upon proposals and measures  
5 designed to effectuate the Amended Plan.

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

14 **SECTION THIRTEEN.** In all contracts with private and public parties for redevelopment  
15 of any portion of the Amended Area, all Redevelopers shall agree:

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

18 (b) That in undertaking construction under the agreement with the LCRA and the  
19 Amended Plan, bona fide Minority Business Enterprise ("MBE's") and Women Business  
20 Enterprise ("WBE's") will be solicited and fairly considered for contracts, subcontracts and  
21 purchase orders;

22 (c) To be bound by the conditions and procedures regarding the utilization of MBE's  
23 and WBE's established by the Community Development Commission of the City;

1 (d) To adhere to the requirements of the Executive Order of the Mayor of the City,  
2 dated July 24, 1997.

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

4 (f) To cooperate with those programs and methods supplied by the City with the  
5 purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and  
6 material supplier participation in the construction under this Agreement. The Redeveloper will  
7 report semi-annually during the construction period the results of its endeavors under this  
8 paragraph, to the Office of the Mayor and the President of this Board; and

9 (g) That the language of this Section Fourteen shall be included in its general  
10 construction contract and other construction contracts let directly by Redeveloper.

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

1           The term "Redeveloper" as used in this Section shall include its successors in interest and  
2 assigns.

3 SECTION FOURTEEN.

4           **A Redeveloper which is an urban redevelopment corporation formed pursuant to**  
5 **Chapter 353 of the Missouri Statutes shall hereby be entitled to real property ad**  
6 **valorem tax abatement which shall not include any Special Business District taxes**  
7 **which may be assessed for the property located in a Special Business District for a**  
8 **total period of up to five (5) years from the commencement of such tax abatement, in**  
9 **accordance with the following provisions this Plan:**

10           **If property in the Amended Area is sold by the LCRA to an urban**  
11 **redevelopment corporation formed pursuant to Chapter 353 of the Missouri Statutes,**  
12 **or if any such corporation shall own property within the Amended Area, then for the**  
13 **first five (5) years after the date the redevelopment corporation shall acquire title to**  
14 **such property, taxes on such property shall be based upon the assessment of land,**  
15 **exclusive of any improvements thereon, as of January 1, 2004. In addition to such**  
16 **taxes, any such corporation shall for the same five (5) year period make a payment in**  
17 **lieu of taxes to the Collector of Revenue of the City of St. Louis in an amount based**  
18 **upon the assessment on the improvements located on the property as of January 1,**  
19 **2004. If property shall be tax-exempt because it is owned by the LCRA and leased to**  
20 **any such corporation, then such corporation for five (5) years of such lease shall make**  
21 **payments in lieu of taxes to the Collector of Revenue of the City in an amount based**  
22 **upon the assessment on the property, including land and improvements as of January**  
23 **1, 2004.**

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

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

16           The Amended Plan may be otherwise modified (e.g. urban design regulations, development  
17 schedule) by the LCRA, provided that such revisions shall be effective only upon the consent of the  
18 the Planning Commission of the City. Changes which are not substantial are those that do not go to  
19 the crux of the Amended Plan.

20           **SECTION SIXTEEN.** The sections of this Ordinance shall be severable. In the event that  
21 any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the  
22 remaining sections of this Ordinance are valid, unless the court finds the valid sections of the  
23 Ordinance are so essential and inseparably connected with and dependent upon the void section

1 that it cannot be presumed that this Board would have enacted the valid sections without the void  
2 ones, or unless the court finds that the valid sections standing alone are incomplete and are  
3 incapable of being executed in accordance with the legislative intent.

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