

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 Chemical Building
3 Community Improvement District, as well as the City as a whole, will benefit from the
4 establishment of the Chemical Building 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 “Chemical Building
8 Community Improvement District” (hereinafter referred to as the “District”), is hereby
9 established pursuant to the CID Act on certain real property described below to provide services,
10 construct improvements, impose assessments and taxes and carry out other functions as set forth
11 in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

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

14 That property commonly known and numbered as 715-727 Olive, City of St.
15 Louis Parcel 0180000801 described as: CB 181 Olive St. 127 FT 6 IN X 114 FT JB C Lucas
16 Addn BND W-By 8th St.

17 **Section Two.**

18 The District is authorized by the Petition, in accordance with the CID Act to
19 impose special assessments against real property within and a tax upon retail sales within the
20 District, to provide funds to accomplish any power, duty or purpose of the District. It is
21 anticipated that the District will establish two (2) classes of real property within the District for
22 purposes of the Special Assessments, which classes will be distinguished on the basis of the use
23 of each parcel of property as residential or commercial classification by the Assessor of the City
24 of St. Louis (the “Assessor”). The first class shall consist of all separate tax parcels classified as

1 “Residential” by the Assessor (the “Residential Class”). The second class shall consist of all
2 separate tax parcels classified as “Commercial” by the Assessor (the “Commercial Class”).

3 Special assessments applicable to the Residential Class shall not exceed \$2.50 per each
4 \$100 of the Original Sales Price (as hereinafter defined). The “Original Sales Price” shall be the
5 price paid at the first arms-length sale following establishment of the CID of each separate tax
6 parcel of property within the District Property. For any such tax parcels for which no sale has
7 occurred as of the date on which the special assessment commences, the Original Sales Price
8 shall be determined by the District based on the price paid for similarly sized or equipped units
9 that have been sold. Subject to voter approval as provided in the CID Act, the CID is authorized,
10 by the Petition, to impose a sales and use tax at a rate not to exceed one percent (1%) on retail
11 sales within the District.

12 The Commercial Class shall consist of all property located in the District used primarily
13 for commercial purposes (the “Commercial Class”). Special assessments applicable to the
14 Commercial Class will be calculated on the basis of square footage. The maximum rate shall be
15 \$4.00 per square foot.

16 **Section Three.**

17 The District is authorized by the CID Act, at any time, to issue obligations, or to enter
18 into agreements with other entities with the authority to issue obligations, for the purpose of
19 carrying out any of its powers, duties, or purposes. Such obligations shall be payable out of all,
20 part or any combination of the revenues of the District and may be further secured by all or any
21 part of any property or any interest in any property by mortgage or any other security interest
22 granted. Such obligations shall be authorized by resolution of the District, and if issued by the
23 District, shall bear such date or dates, and shall mature at such time or times, but not more than
24 twenty (20) years from the date of issuance, as the resolution shall specify. Such obligations

1 shall be in such denomination, bear interest at such rate or rates, be in such form, be payable in
2 such place or places, be subject to redemption as such resolution may provide and be sold at
3 either public or private sale at such prices as the District shall determine subject to the provisions
4 of Mo. Rev. Stat. §108.170. The District is also authorized to issue such obligations to refund, in
5 whole or part, obligations previously issued by the District.

6 **Section Four.**

7 (a) Pursuant to the Petition, the District shall be in the form of a political
8 subdivision of the State of Missouri, known as the Chemical Building Community Improvement
9 District.

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

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

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

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

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

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

7 **Section Eight.** The District is located within in the 721 Olive Street Area, which was
8 declared “blighted” under Chapter 99 RSMo. in Ordinance No. 66864 of the City of St. Louis
9 Board of Aldermen, and such designation of blight is hereby reaffirmed.

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

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

20 **Section Eleven.** Pursuant to the CID Act, the Board of Aldermen shall not decrease the
21 level of publicly funded services in the District existing prior to the creation of the District or
22 transfer the burden of providing the services to the District unless the services at the same time
23 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision
24 of the publicly funded services between areas included in the District and areas not so included.

1 **Section Twelve.** The Register shall report in writing the creation of the Chemical
2 Building Community Improvement District to the Missouri Department of Economic
3 Development.

4 **Section Thirteen.** The Petition provides that the District shall be governed by a Board of
5 Directors consisting of five individual directors (collectively the “Directors” and each a
6 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
7 Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the
8 Mayor does hereby appoint the following named individuals as Directors of the District for the
9 terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen
10 hereby consents to such appointments:

11 1. Jeff Crossland (four years) as legally authorized representative of 721
12 Olive, LLC.

13 2. Curt Schroeder (four years) as a legally authorized representative of
14 Chemical Building Tenant, LP.

15 3. Ted Fundoukos (three years) as a legally authorized representative of
16 Chemical Building Developer, LLC.

17 4. Rob McRitchie (three years) as a legally authorized representative of
18 Chemical Building Acquisition, LLC.

19 5. Alice Longoria (three years) as a legally authorized representative of 721
20 Olive Leasing, LLC.

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

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

APPENDIX A

Chemical Building Community Improvement District Petition

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