

1 **BOARD BILL # 515 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

2 AN ORDINANCE APPROVING THE PETITION OF CITY HOSPITAL
3 DEVELOPMENT II, L.L.C., CITY HOSPITAL DEVELOPMENT NEW I, LLC, AND CITY
4 HOSPITAL DEVELOPMENT NEW II, LLC, AS THE OWNERS OF CERTAIN REAL
5 PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT,
6 ESTABLISHING THE GEORGIAN SQUARE COMMUNITY IMPROVEMENT DISTRICT,
7 FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE GEORGIAN
8 SQUARE 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 Georgian Square Community Improvement District, signed by authorized
15 representatives of the owners of more than fifty percent by assessed value and per capita of the
16 property located within the Georgian Square Community Improvement District (as amended, the
17 “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 9:00 a.m. on February 26, 2008, by the Board of
22 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 Georgian Square
3 Community Improvement District, as well as the City as a whole, will benefit from the
4 establishment of the Georgian Square 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 “Georgian Square
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 Petition in Appendix A and are
13 legally described as follows:

14 A TRACT OF LAND BEING PART OF CITY BLOCK 820-N, PART OF CITY BLOCK 820
15 (FORMERLY 820-S), PART OF CITY BLOCK 820-W, PART OF CITY BLOCK 414 PART OF CITY
16 BLOCK 415, ALSO PART OF PICKER STREET (30' WIDE), PART OF HOEHN STREET (30'
17 WIDE), PART OF 14TH STREET (60' WIDE), PART OF 13TH STREET (60' WIDE), PART OF
18 SOULARD STREET (60' WIDE), THAT PORTION OF THE ALLEYS IN THE AFOREMENTIONED
19 CITY BLOCKS AND A PORTION OF THE MISSOURI STATE HIGHWAYS AND
20 TRANSPORTATION RIGHT OF WAY OF THE INTERSECTION OF INTERSTATE HIGHWAYS 55
21 AND 44 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

22
23 BEGINNING AT A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF LAFAYETTE AVE.
24 (120' WIDE) AND THE EASTERN RIGHT OF WAY LINE OF 13 TH STREET (60' WIDE); THENCE
25 SOUTHWARDLY ALONG THE EASTERN RIGHT OF WAY LINE OF 13 TH STREET AND THE
26 EXTENSION THEREOF, SOUTH 35 DEGREES 55 MINUTES 35 SECONDS WEST A DISTANCE
27 OF 820.52 FEET TO A POINT ON THE PROPOSED RIGHT OF WAY LINE OF THE AFORESAID
28 INTERSTATES; THENCE ALONG SAID PROPOSED RIGHT OF WAY, ALONG A CURVE TO
29 THE RIGHT HAVING A RADIUS OF 559.00 FEET, AN ARC LENGTH OF 513.67 FEET, AND A
30 CHORD BEARING AND DISTANCE OF NORTH 27 DEGREES 39 MINUTES 05 SECONDS WEST
31 A DISTANCE OF 495.79 FEET TO A POINT; THENCE NORTH 26 DEGREES 52 MINUTES 56
32 SECONDS WEST A DISTANCE OF 8.80 FEET TO A POINT; THENCE NORTH 03 DEGREES 26
33 MINUTES 46 SECONDS WEST A DISTANCE OF 110.40 FEET TO A POINT; THENCE NORTH 16
34 DEGREES 59 MINUTES 07 SECONDS WEST A DISTANCE OF 33.24 FEET TO A POINT; THENCE
35 NORTH 09 DEGREES 04 MINUTES 03 SECONDS EAST A DISTANCE OF 148.73 FEET TO A
36 POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF

1 40.56 FEET, AN ARC LENGTH OF 63.09 FEET AND A CHORD BEARING AND DISTANCE OF
2 NORTH 54 DEGREES 24 MINUTES 53 SECONDS EAST A DISTANCE OF 56.92 FEET TO A
3 POINT, SAID POINT BEING ON THE SOUTHERN RIGHT OF WAY OF LAFAYETTE AVENUE
4 (120' WIDE); THENCE ALONG SAID SOUTHERN RIGHT OF WAY LINE, SOUTH 81 DEGREES
5 01 MINUTES 31 SECONDS EAST A DISTANCE OF 670.33 FEET TO THE POINT OF BEGINNING,
6 CONTAINING 323,615 SQUARE FEET OR 7.429 ACRES MORE OR LESS, BASED UPON
7 PRELIMINARY CALCULATIONS ON AN ONGOING BOUNDARY SURVEY BY MARLER
8 SURVEYING COMPANY, INC. DURING MARCH 2006 THROUGH MAY 2006, & JANUARY 2007.
9

10 **Section Two.**

11 The District is authorized by the Petition, in accordance with the CID Act to impose a tax
12 upon retail sales within the District, to provide funds to accomplish any power, duty or purpose
13 of the District.

14 **Section Three.**

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

1 **Section Four.**

2 (a) Pursuant to the Petition, the District shall be in the form of a political
3 subdivision of the State of Missouri, known as the Georgian Square Community Improvement
4 District.

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

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

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

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

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

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

1 **Section Eight.** The District is located within the Near Southside Redevelopment Area,
2 which was declared “blighted” under Chapter 99 RSMo. in Ordinance No. 64831 of the City of
3 St. Louis Board of Aldermen, and such designation of blight is hereby reaffirmed.

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

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

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

19 **Section Twelve.** The Register shall report in writing the creation of the Georgian Square
20 Community Improvement District to the Missouri Department of Economic Development.

21 **Section Thirteen.** The Petition provides that the District shall be governed by a Board of
22 Directors consisting of five individual directors (collectively the “Directors” and each a
23 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
24 Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the

1 Mayor does hereby appoint the following named individuals as Directors of the District for the
2 terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen
3 hereby consents to such appointments:

- 4 1. Lynn Shaughnessy (four years)
- 5 2. Mary Ann Goodson (four years)
- 6 3. Pat Goodson (two years)
- 7 4. Ryan Shaughnessy (two years)
- 8 5. Terry Goodson (two years)

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

APPENDIX A

Petition to Establish the Georgian Square Community Improvement District

ON FILE WITH THE CITY REGISTER