

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 Soda Fountain
3 Square Community Improvement District, as well as the City as a whole, will benefit from the
4 establishment of the Soda Fountain 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 “Soda Fountain
8 Square 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 **Parcel #1:**

15 A PARCEL OF LAND LOCATED IN THE STATE OF MO, COUNTY OF ST LOUIS CITY, WITH A
16 SITUS ADDRESS OF 1407 S 18TH ST CURRENTLY OWNED BY WIREWORKS LOFTS LLC &
17 NEAR SOUTHSIDE & HAVING A TAX ASSESSOR NUMBER OF 1809-00-0055-0 AND BEING
18 THE SAME PROPERTY MORE FULLY DESCRIBED AS C.B. 1809 18TH ST 98.01/99.13 FT X
19 258.90/270.17 IRREGULAR 0.600 ACS PLAZA @ LAFAYETTE SQUARE PLAT ONE PARCEL 2.

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21 **Parcel #2:**

22 A PARCEL OF LAND LOCATED IN THE STATE OF MO, COUNTY OF ST LOUIS CITY, WITH A
23 SITUS ADDRESS OF 1415 S 18TH ST CURRENTLY OWNED BY WIREWORKS IN THE SQUARE
24 & HAVING A TAX ASSESSOR NUMBER OF 1808-00-0026-1 AND BEING THE SAME
25 PROPERTY MORE FULLY DESCRIBED AS C.B. 1808 18TH ST 184 FT 4 IN X 130 FT BRYANDS /
26 MCCUNE ADDN.

27
28 **Parcel #3:**

29 THE SOUTHEASTERN PORTION OF A PARCEL OF LAND LOCATED IN THE STATE OF MO,
30 COUNTY OF ST LOUIS CITY, WITH A SITUS ADDRESS OF 1801 PARK AV CURRENTLY
31 OWNED BY 1801 PARK AVENUE CONDOMINIUM & HAVING A TAX ASSESSOR NUMBER OF
32 0484-00-0141-0 AND BEING THE SAME PROPERTY MORE FULLY DESCRIBED AS C.B. 0484
33 PARK AVENUE, 1801 PARK AVENUE CONDO UNIT 1.

34
35 And

February 22, 2008

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BB #525 Sponsor: Alderwoman Triplett

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Parcel #4:

BEGINNING AT THE SOUTHEAST POINT OF PARCEL 2 (C.B. 1808), CONTINUING EASTWARDLY TO THE EAST LINE OF 18TH STREET, THENCE CONTINUING NORTHWARDLY ALONG THE EAST LINE OF 18TH STREET FOR APPROXIMATELY 470 FEET, THENCE CONTINUING WESTWARDLY TO THE NORTHEAST POINT OF PARCEL 3, THENCE CONTINUING SOUTHWARDLY ALONG THE WEST LINE OF 18TH STREET CONTINUING FOR APPROXIMATELY 470 FEET TO THE POINT OF BEGINNING.

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 Soda Fountain Square Community
4 Improvement 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 encouraging the redevelopment
24 of real property within the District.

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

8 **Section Nine.** The term for the existence of the District shall be as set forth in the
9 Petition, as may be amended from time to time or as such term may be otherwise modified in
10 accordance with the CID Act.

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

16 **Section Eleven.** The Register shall report in writing the creation of the Soda Fountain
17 Square Community Improvement District to the Missouri Department of Economic
18 Development.

19 **Section Twelve.** The Petition provides that the District shall be governed by a Board of
20 Directors consisting of five individual directors (collectively the “Directors” and each a
21 “Director”), such Directors to be appointed by the Mayor of the City with the consent of the
22 Board of Aldermen, in accordance with the CID Act. By his approval of this ordinance, the
23 Mayor does hereby appoint the following named individuals as Directors of the District for the

1 terms set forth in parentheses below, and by adoption of this ordinance, the Board of Aldermen
2 hereby consents to such appointments:

- 3 1. Bethany Ann Budde (four years)
- 4 2. Richard Anthony Hasley (four years)
- 5 3. Thomas Hilton Cohen (two years)
- 6 4. Erin Kathleen Budde (two years)
- 7 5. Patricia Jean Budde (two years)

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

APPENDIX A

Petition to Establish the Soda Fountain Square Community Improvement District

ON FILE WITH THE CITY REGISTER