

1     **BOARD BILL # 67**                     **INTRODUCED BY ALDERWOMAN DIONNE FLOWERS**

2             **AN ORDINANCE APPROVING THE PETITION OF GREEN PARK**  
3             **BROADWAY INVESTORS, L.L.C., AS OWNERS OF CERTAIN**  
4             **REAL PROPERTY, TO ESTABLISH A COMMUNITY**  
5             **IMPROVEMENT DISTRICT, ESTABLISHING THE 840 EAST**  
6             **TAYLOR COMMUNITY IMPROVEMENT DISTRICT, FINDING A**  
7             **PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE 840**  
8             **EAST TAYLOR COMMUNITY IMPROVEMENT DISTRICT, AND**  
9             **CONTAINING A SEVERABILITY CLAUSE.**

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

13            **WHEREAS**, a petition has been filed with the City, requesting formation and  
14 establishment of the 840 East Taylor Community Improvement District, signed by  
15 authorized representatives of the owners of more than fifty percent by assessed value and  
16 per capita of the property located within the 840 East Taylor Community Improvement  
17 District (as amended, the “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 \_\_\_\_\_ on \_\_\_\_\_, 2009 by the Board  
22 of Aldermen; and

1           **WHEREAS**, this Board of Aldermen hereby finds that the adoption of this  
2 Ordinance is in the best interest of the City of St. Louis and that the property owners of the  
3 840 East Taylor Community Improvement District, as well as the City as a whole, will  
4 benefit from the establishment of the 840 East Taylor 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 “840 East Taylor  
8 Community Improvement District” (hereinafter referred to as the “District”), is hereby  
9 established pursuant to the CID Act on certain real property to provide services, construct  
10 improvements, impose taxes and carry out other functions as set forth in the Petition, which  
11 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 Exhibit B and are generally described as follows (and are more particularly described in the  
14 Petition):

15           A tract of land being part of City Block 4398 of the City of St. Louis, Missouri,  
16 whose external boundaries are described as follows:

17  
18           BEGINNING at the intersection of the West line of North Broadway Street  
19 and the South line of Carrie Avenue, on the Southeast corner of that certain  
20 parcel owned now or formerly by Green Park Broadway Investors, L.L.C.  
21 (located at 840-880 East Taylor Avenue, and having a City of St. Louis  
22 Assessor’s Office tax identification parcel number of 43980000500). Thence  
23 proceeding Southwestwardly 411.96 feet to the Mark Twain Expressway,  
24 also known as Interstate 70. Thence continuing Westwardly 862.75 feet along  
25 the Northern line of said Mark Twain Expressway to a point 122 feet  
26 Southeast of East Taylor Avenue. Thence Northwestwardly 122 feet to a  
27 point on the South line of East Taylor Avenue. Thence Northeastwardly  
28 along the South line of East Taylor Avenue to a point 101.83 feet Southwest  
29 of the intersection of the West line of Broadway Street and the South line of  
30 East Taylor Avenue and on the Northwest corner of that certain parcel owned  
31 now or formerly by Bi State Development Agency (located at 800 East  
32 Taylor Avenue, and having a City of St. Louis Assessor’s Office tax

1 identification parcel number of 43980000400). Thence South 178.25 feet  
2 along the West line of aforesaid parcel. Thence East 114.11 feet along the  
3 South line of aforesaid parcel to a point along the West line of Broadway  
4 Street. Thence 364.83 feet Southeastwardly along the west line of Broadway  
5 Street to the POINT OF BEGINNING.  
6

7 **SECTION TWO.** The District is authorized by the Petition, in accordance with the  
8 CID Act to impose a tax upon retail sales within the District, to provide funds to  
9 accomplish any power, duty or purpose of the District.

10 **SECTION THREE.** The District is authorized by the CID Act, at any time, to  
11 issue obligations, or to enter into agreements with other entities with the authority to issue  
12 obligations, for the purpose of carrying out any of its powers, duties, or purposes. Such  
13 obligations shall be payable out of all, part or any combination of the revenues of the  
14 District and may be further secured by all or any part of any property or any interest in any  
15 property by mortgage or any other security interest granted. Such obligations shall be  
16 authorized by resolution of the District, and if issued by the District, shall bear such date or  
17 dates, and shall mature at such time or times, as the resolution shall specify. Such  
18 obligations shall be in such denomination, bear interest at such rate or rates, be in such  
19 form, be payable in such place or places, be subject to redemption as such resolution may  
20 provide and be sold at either public or private sale at such prices as the District shall  
21 determine subject to the provisions of Mo. Rev. Stat. §108.170. The District is also  
22 authorized to issue such obligations to refund, in whole or part, obligations previously  
23 issued by the District.

24 **SECTION FOUR.**

1 (a) Pursuant to the Petition, the District shall be in the form of a political  
2 subdivision of the State of Missouri, known as the 840 East Taylor Community  
3 Improvement District.

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

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

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

16 **SECTION FIVE.** The District is authorized to use the funds of the District for any  
17 of the improvements, services or other activities authorized under the CID Act.

18 **SECTION SIX.** Pursuant to the CID Act, the District shall have all of the powers  
19 necessary to carry out and effectuate the purposes of the District and the CID Act as set  
20 forth in the CID Act, except as may be limited in the Petition.

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

1           **SECTION EIGHT.** The District has been declared to be a “blighted” area as  
2 defined in Section 67.1401.2(3)(b) of the Act by the City’s adoption of Ordinance No.  
3 68031 (2008), which declared the District Property to be a “blighted area” under Chapter  
4 99 of the Revised Statutes of Missouri, and such designation of blight is hereby reaffirmed.

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

13           **SECTION TEN.** The term for the existence of the District shall be as set forth in  
14 the Petition, as may be amended from time to time or as such term may be otherwise  
15 modified in accordance with the CID Act.

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

1           **SECTION TWELVE.** The Register shall report in writing the creation of the 840  
2 East Taylor Community Improvement District to the Missouri Department of Economic  
3 Development.

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

- 12           1.     Mike Clark (four years)
- 13           2.     Phil Hulse (four years)
- 14           3.     Russ Smith (two years)
- 15           4.     Doug Rasmussen (two years)
- 16           5.     Sam Luten (two years)

17           **SECTION FOURTEEN.** If any section, subsection, sentence, clause, phrase or  
18 portion of this ordinance is held to be invalid or unconstitutional, or unlawful for any  
19 reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby  
20 declared to be a separate, distinct and independent provision of this ordinance, and such  
21 holding or holdings shall not affect the validity of the remaining portions of this ordinance.

**APPENDIX A**

840 East Taylor Community Improvement District Petition

**ON FILE WITH THE CITY REGISTER**