

1 said east-west alleyway to its intersection of the centerline of Roger Place; thence
2 southwardly along the centerline of said place to the intersection of the centerline of
3 Phillips Avenue; thence southwardly along the centerline of said avenue to the
4 intersection of the centerline of Gravois Avenue; thence eastwardly along the centerline
5 of said avenue to the intersection of the centerline of Grand Boulevard; thence
6 northwardly along the boulevard to the point of its beginning.

7 **SECTION TWO.** Taxes for the District shall be assessed and collected as follows:

8 A. For the purpose of paying for costs and expenses incurred in the establishment and
9 operation of the District, the provision of services and facilities and improvements
10 authorized in Sections Five and Six of this ordinance, and incidental to the leasing,
11 construction, acquisition and maintenance of any improvements authorized herein or for
12 paying principal and interest on bonds or notes authorized for the construction or
13 acquisition of any said improvement, there may be imposed a tax upon all real property
14 within the District which shall not exceed sixty-eight cents (\$.68) on the one hundred
15 dollars (\$100.00) assessed valuation, subject to the provisions of Section Nine. Such tax
16 shall be imposed during the 2014, 2015, 2016, 2017 and 2018 tax years only subject to
17 the renewal of such tax by the qualified voters of the District pursuant to the procedure
18 set forth in Section 71.800 RSMo. (2000).

19 B. If the proposition submitted to the qualified voters residing in the District receives in
20 its favor the votes of the majority of the qualified voters voting at the election conducted
21 pursuant to Section Nine, the initial rate of levy which shall be imposed upon real
22 property within the District shall be sixty-eight cents (\$.68) on the one hundred dollars
23 (\$100.00) assessed valuation.

1 C. Real property subject to partial tax abatement under the provisions of Chapter 353,
2 R.S.Mo., shall, for the purpose of assessment and collection of ad valorem real estate
3 taxes levied under the District, be assessed and ad valorem real estate taxes shall be
4 collected upon the same assessed value on which its ad valorem real estate taxes and
5 payment in lieu of taxes are based in the Ordinance adopted by the City of St. Louis
6 approving the development plan of any such corporation and authorizing tax abatement;
7 provided, however, that the owners at such real property are strongly encouraged to make
8 additional equitable, annual donations to the District in lieu of the additional District
9 taxes.

10 D. The levy shall not be imposed upon real property exempt from ad valorem real estate
11 taxes because of charitable, religious, educational or other public or private uses;
12 provided, however, that the owners of such real property are strongly encouraged to make
13 equitable, annual donations to the District in lieu of District taxes.

14 E. The tax provided for by this ordinance shall be collected by the Collector of Revenue
15 and held in a special account to be used only for all purposes authorized hereunder, as
16 provided by law.

17 F. If the District for any reason is dissolved, all delinquent taxes collected after the date
18 of dissolution shall be credited and forwarded to the general fund of the City of St. Louis
19 after all debts of the District, if any, are discharged.

20 **SECTION THREE.** For the purposes of paying costs and expenses to be incurred in the
21 acquisition, construction, improvement, expansion and/or maintenance of any facilities of
22 the District, the District may incur indebtedness and issue bonds or notes for the payment
23 thereof under the terms of, and subject to, the requirements set forth by law.

1 **SECTION FOUR.** There shall be a Board of Commissioners to administer the District.

2 The Board of Commissioners shall be selected as follows:

3 A. Membership: The Board of Commissioners shall consist of seven (7) members, and
4 shall be appointed by the Mayor with the advice and consent of the Board of Aldermen,
5 of whom five (5) members shall be owners of real property within the District or their
6 representatives and two (2) members shall be renters within the District or their
7 representatives; provided, however, that no employee or elected official of the City of St.
8 Louis shall be a member of the Board of Commissioners.

9 B. Term of Office: Each member of the Board of Commissioners shall serve for a four
10 (4) year term (except as provided herein with respect to the initial members), with terms
11 expiring as of December 31st of the designated year or when their successors are
12 appointed as provided herein, whichever is later.

13 C. Initial Members and Terms: The initial members shall be appointed for the terms set
14 forth as follows: one (1) member shall be appointed for a term expiring December 31,
15 2009; two (2) members shall be appointed for a term expiring December 31, 2010; two
16 (2) members shall be appointed for a term expiring December 31, 2011; and two (2)
17 members shall be appointed for a term expiring December 31, 2012.

18 D. Removal: The Mayor with approval of the Board of Aldermen may remove any
19 member of the Board of Commissioners for misconduct or neglect of duty upon written
20 charges and after a public hearing.

21 E. Vacancies: Vacancies on the Board of Commissioners, occasioned by removal,
22 resignation, expiration of term, or otherwise, shall be reported in writing to the Mayor by
23 the Board of Commissioners. The vacancy shall be filled in like manner as an original

1 appointment no later than thirty (30) days after the date of said report to the Mayor.

2 Appointments to fill vacancies shall be for the unexpired portion of a term only.

3 F. Compensation: The members of the Board of Commissioners shall serve without
4 compensation of any kind.

5 **SECTION FIVE.** All District revenues collected hereunder by the Collector of Revenue,
6 except for those revenues expended for the necessary costs of the establishment and
7 administration of the District, and for collection fees for tax revenue collected hereunder,
8 may be used to carry out any and all of the following improvements, services and
9 activities of the District:

10 A. To provide special police and/or security facilities, equipment, vehicles and/or
11 personnel for the protection and enjoyment of the property owners and the general public
12 within the District;

13 B. To construct, install, improve and/or maintain useful, or necessary, or desired, security
14 related improvements;

15 **SECTION SIX.** The District shall have all the powers necessary to carry out any and all
16 activities and improvements authorized by law and may:

17 A. Cooperate with any public agencies and with any industry or business located within
18 the District in the implementation of any project within the District;

19 B. Enter into any agreement with the City, any other public agency, any person, firm, or
20 corporation to effect any of the provisions contained in Sections 71.790 through 71.808
21 R.S.Mo.;

22 C. Contract and be contracted with, sue and be sued and provide for insurance of all
23 projects and property owned or managed by the District and for insurance covering all

1 members of the Board of Commissioners and employees and agents of the District,
2 providing for coverage of such risks and with such limits as the Board of Commissioners
3 may deem proper;

4 D. Accept gifts, grants, loans or contributions from the City, the United States of
5 America, the State of Missouri, political subdivisions, foundations, other public or private
6 agencies, individuals, partnerships, or corporations; and

7 E. Employ such managerial, engineering, legal, technical, clerical, accounting, and other
8 assistance as the Board of Commissioners may deem advisable; the District may also
9 contract with independent contractors for any such assistance.

10 **SECTION SEVEN.** A. Annual Budget. The Board of Commissioners shall file with the
11 Board of Aldermen an annual budget for the District, which shall set forth the projected
12 revenues and expenditures for the ensuing year, not later than the first day of November
13 each year; provided, however, that no such proposed annual budget shall be filed with the
14 Board of Aldermen until after the date the Board of Commissioners conducts a public
15 hearing within the District on any such proposed annual budget. Notice of any such
16 public hearing shall be published at least ten (10) days prior to the hearing in a daily,
17 twice-weekly, weekly or bi-weekly newspaper of general circulation within the District;
18 and provided further, that in addition to showing the time, date and place of the hearing,
19 the notice shall also show the complete proposed annual budget. The Board of
20 Commissioners shall not expend any funds collected by the Collector of Revenue
21 inconsistent with or until an annual budget for the expenditure of such funds is approved
22 by the Board of Aldermen by Resolution. If the Board of Aldermen does not act on said

1 budget by Resolution within thirty (30) days of its filing, said budget will presume to
2 have been approved by the Board of Aldermen.

3 B. Annual Report. The Board of Commissioners shall also file an annual report with the
4 Board of Aldermen, which shall set forth the programs, revenues and expenditures of the
5 District for the previous calendar year, not later than the first day of March each year.

6 **SECTION EIGHT.** The City shall not decrease the level of municipally funded services
7 in the District existing prior to the creation of the District, unless the services at the same
8 time are decreased throughout the City, nor shall the City discriminate in the provision of
9 new municipally funded services between areas included in the District and areas not so
10 included.

11 **SECTION NINE.** The tax levy authorized in Section Two shall not be effective unless
12 and until the following proposition, submitted to the qualified voters residing in the
13 District at a special election in the District to be held on November 4, 2008, shall receive
14 in its favor the votes of the majority of the qualified voters voting at said election for or
15 against said proposition. Said proposition shall be in substantially the following form:

16 OFFICIAL BALLOT

17

18 Shall a tax not to exceed sixty-eight cents (\$.68) per \$100.00 valuation be imposed for
19 the tax years, 2014, 2015, 2016, 2017 and 2018 on all real property located in the Tower
20 Grove South Concerned Citizens Special Business District as defined in Ordinance
21 No._____, approved _____, (Board Bill No. --) for the purposes as set forth in
22 said Ordinance?

23

1 ___ YES

2 ___ NO

3 **SECTION TEN.** If any section, subsection, sentence, clause, phrase, or portion of this
4 ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any
5 court of competent jurisdiction, such portion shall be deemed and is hereby declared to be
6 separate, distinct and independent provisions of this ordinance, and such holding or
7 holdings shall not affect the validity of the remaining portions of this ordinance.

8 **SECTION ELEVEN:** This being an ordinance for the immediate preservation of public
9 peace, health and safety, it is declared to be an emergency measure within the meaning of
10 Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this
11 ordinance shall become effective upon its passage and approval by the Mayor.