

1 An ordinance approving the petition to establish the North Broadway Carrie Community  
2 Improvement District, establishing the North Broadway Carrie Community Improvement  
3 District finding a public purpose for the establishment of the North Broadway Carrie Community  
4 Improvement District, and containing a severability clause.

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

7 WHEREAS, a petition has been filed with the City, requesting formation and establishment of  
8 the North Broadway Carrie Community Improvement District, signed by authorized  
9 representatives of the owners of more than fifty percent by assessed value and per capita of the  
10 property located within the North Broadway Carrie Community Improvement District (as  
11 revised, the “Petition”); and

12 WHEREAS, the Register of the City of St. Louis did review and determine that the Petition  
13 substantially complies with the requirements of the CID Act; and

14 WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with  
15 the CID Act was held at \_\_\_\_\_ on \_\_\_\_\_, 2011 by the Board of Aldermen; and

16 WHEREAS, this Board of Aldermen hereby finds that the adoption of this Ordinance is in the  
17 best interest of the City of St. Louis and that the property owners of the North Broadway Carrie  
18 Community Improvement District, as well as the City as a whole, will benefit from the  
19 establishment of the North Broadway Carrie Community Improvement District.

20 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

21 SECTION ONE.

22 (a) A community improvement district, to be known as the “North Broadway Carrie Community  
23 Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant  
24 to the CID Act on certain real property to provide services, construct improvements, impose  
25 taxes and carry out other functions as set forth in the Petition, which is attached hereto as  
26 Appendix A and incorporated herein by this reference.

27 (b) The District boundaries are set forth in the map included in the Petition in Exhibit B and are  
28 generally described as follows (and are more particularly described in the Petition):

29 A tract of land being all or parts of City Blocks 3458, 3459, 3461, 3462 and 3463  
30 and parts of Pope Avenue, 60 feet wide, Prescott Avenue, 80 feet wide and Ouida  
31 Avenue, 50 feet wide located in the City of St. Louis, Missouri being more particularly  
32 described as follows:  
33

34 Beginning at the northwestern corner of above said City Block 3461, said point  
35 also being the intersection of the northeastern right-of-way line of Broadway 80 feet

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Sponsor: Alderwoman Flowers

1 wide with the southern right-of-way line of Carrie Avenue, 60 feet wide; thence along  
2 said southern right-of-way line 1215.51 feet, more or less, to the northeastern corner of  
3 above said City Block 3463, said point also being located on the western right-of-way  
4 line of Bulwer Avenue, 80 feet wide; thence along said western right-of-way line 681.00  
5 feet, more or less, to the southeastern corner of above said City Block 3458, said point  
6 also being located on the northern right-of-way line of Clarence Avenue; thence along  
7 said northern right-of-way line 908.18 feet to the southwestern corner of above said City  
8 Block 3459, said point also being located on the eastern right-of-way line of above said  
9 Ouida Avenue; thence along said eastern right-of-way line and its direct northerly  
10 prolongation to the southwestern corner of above said City Block 3462, a distance of  
11 370.64 feet, more or less, said point also being located on the northern right-of-way line  
12 of above said Pope Avenue; thence along said northern right-of-way line and its direct  
13 westerly prolongation 115 feet, more or less, then north 211 feet to a point, then west  
14 127.5 feet to a point on the east line of Broadway, then northwest to the south line of  
15 Carrie Avenue, the Point of Beginning.

16 Above description subject to an actual boundary survey.

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

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

33 SECTION FOUR.

34 (a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State  
35 of Missouri, known as the North Broadway Carrie Community Improvement District.

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

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

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

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

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

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

18 SECTION EIGHT. The District has been declared to be a “blighted” area as defined in Section  
19 67.1401.2(3)(b) of the Act by the City's adoption of Ordinance No. 68877 (2011), which  
20 declared the District Property to be a “blighted area” under Chapter 99 of the Revised Statutes of  
21 Missouri, and such designation of blight is hereby reaffirmed.

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

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

32 SECTION ELEVEN. Pursuant to the CID Act, the Board of Aldermen shall not decrease the  
33 level of publicly funded services in the District existing prior to the creation of the District or  
34 transfer the burden of providing the services to the District unless the services at the same time  
35 are decreased throughout the City, nor shall the Board of Aldermen discriminate in the provision  
36 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 North Broadway  
2 Carrie Community Improvement District to the Missouri Department of Economic Development.

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

10 Sam Luten (four years)  
11 Phil Hulse (four years)  
12 Brian Pratt (two years)  
13 Chris Hulse (two years)  
14 Peder Hulse (two years)

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

20 490346

**APPENDIX A**

**North Broadway Carrie Community Improvement District**

**(Petition on File in City Register's Office)**