

# CLINICAL LAW OFFICES

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April 6, 2015

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Mr. Winston Calvert  
City Counselor  
St. Louis City Counselor's Office  
1200 Market St., City Hall, Room 314  
St. Louis, Missouri 63103

Re: Stadium Project for a National Football League Team

Dear Mr. Calvert:

We represent Mr. William White, a City resident and taxpayer. Mr. White likes the St. Louis Rams and enjoys football generally. However, as a formerly homeless individual, he wants to ensure that the City complies with its own City Code before it commits to using an enormous amount of public funding for the proposed Stadium Project on the North St. Louis riverfront, the project intended for use by an NFL team.

If the City has determined it won't be providing any financial assistance, direct or indirect, to the Stadium Project, please advise us and the public of that position.

If, however, the City has plans to provide public financial assistance to the Stadium Project, as the Mayor and other City officials have publicly said it would, then Section 3.91.1010 through 3.91.030 of the City Code require that there be a fiscal note, public hearing and public vote prior to that assistance being provided. And as you know, "financial assistance" is defined broadly and includes site preparation, which includes "any work of any kind at or related to the site of a professional sport facility," including work on streets.

Mr. White believes that to ensure the possibility of the City providing assistance to the Stadium Project, it must begin compliance with the City Code immediately.

The City's Code is nearly identical to the St. Louis County Charter provision, Section 11.160 through Section 11.180. St. Louis County Executive Steve Stenger has stated that public spending on a new stadium would require a public hearing and a vote. Surely, the City would also need public hearing and a vote before it could provide financial assistance to the stadium.

The public statements by all parties involved, from the NFL to Mr. Peacock to the labor unions and City officials, indicate that time is of the essence in breaking ground on a new stadium. This being so, Mr. White demands that the City comply with the City Code and direct the Comptroller to immediately prepare the fiscal note required, and that a public hearing be scheduled as soon as that fiscal note is prepared. The public vote should also be scheduled quickly due to the preparation time needed to place an issue on the ballot.

Mr. White would like the public hearing to be held soon so taxpayers can voice their opinions. If the community believes the stadium is a good idea, the approval process should get started quickly. With the NFL's quick timeline, any delay would be problematic. A hearing soon would allow a vote to happen in time; otherwise, the City risks litigation that would cause unwanted delay.


Mr. White believes a public hearing would allow for a thorough public discussion about community priorities, and allow him to make his request that the City spend at least 2% of the public funds it plans to use for the Stadium Project to address homelessness in the City, and he means City funds and not federal funds. The City rarely uses general revenue to fund homelessness programs, and Mr. White believes there should be a discussion of how the community can address serious human needs, while it also considers spending hundreds of millions of dollars in public funds for the Stadium Project. His goal is to garner public support for a variety of other community initiatives if the community is also being asked to fund the Stadium Project.


It would appear that the Stadium Project will not move forward without financial assistance from the City. The longer the City waits before complying with Section 3.91 of the City Code, the greater the urgency for Mr. White to bring legal action to ensure the City complies.


If we do not receive a response from you that the City has begun compliance with Chapter. 3.91 by April 12, we will advise Mr. White to take all appropriate legal action.

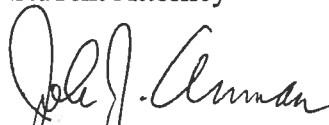
Thank you for your consideration, and we look forward to the fiscal note, public hearing and public vote that will allow the community to decide the priorities it wants to fund.

Sincerely,

  
Zachary Merkle <sup>ZM</sup>  
Student Attorney

  
Marie DeFer  
Student Attorney

  
Erica Mazzotti <sup>ZM</sup>  
Student Attorney

  
John J. Ammann  
Attorney at Law