

## *St. Louis City Ordinance 63937*

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 247

INTRODUCED BY ALDERMAN MARY ROSS

An Ordinance recommended and approved by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment establishing a multi-year Expansion and Improvement Program (the "Program") at Lambert-St. Louis International Airport (the "Airport"), providing for the acquisition of certain real and personal property rights for noise mitigation purposes, said acquisitions being in fee simple title or avigational easements relative to approximately 100 parcels of land more or less constituting approximately 65 acres of real property as described in Section One of this Ordinance and located in the City of Ferguson, Missouri, such authorization to include avigational easements, surveying cost, relocation assistance, removal of structures, utilities, obstructions, and trees, the grading and seeding of disturbed areas, the maintenance of the real property, the securing of services for security and legal services, and other necessary work and services related to the Program at a total estimated cost of Twelve Million Dollars (\$12,000,000); authorizing an initial appropriation of One Million Five Hundred Thousand Dollars (\$1,500,000) from the Airport Development Fund established under authority of Ordinance 59286, Section 13, approved October 26, 1984 to be expended for payments of cost authorized herein and providing for supplemental appropriation into this Ordinance as funds become available to continue the Program; authorizing the City Counselor to acquire said real and personal property rights including easements by purchase, lease or condemnation; authorizing the Board of Public Service to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the removal of structures, obstructions and utilities on the acquired real property; authorizing the Airport Commission to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the removal of trees and shrubbery, grading and seeding, and other maintenance of the real property; providing that any contract let hereunder, shall be subject to the Charter of the City of St. Louis and any Missouri State laws or regulations applicable thereto; authorizing and directing the Comptroller of the City of St. Louis to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the

Comptroller; authorizing the Director of Airports to make such applications and provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program or other programs for which these authorized expenditures might qualify; directing that all contracts let under authority of this ordinance be in compliance with all applicable minority and women or disadvantaged business enterprise requirements and in compliance with all applicable Federal, State, and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity; and containing an emergency clause.

WHEREAS, Ordinance 58638 approved August 20, 1982, as amended by Ordinance 58846 approved June 23, 1983, and Ordinance 62397 approved October 21, 1991, established and provided for the payment of the costs of an Expansion and Improvement Program at Lambert-St. Louis International Airport (the "Airport") which provided for the acquisition of real property rights for the purposes of noise mitigation, aviation obstruction removals, land use compatibility, the disinterment and reinterment of human remains from a portion of the Washington Park Cemetery as described therein and other related work, on property located proximate to existing Airport property in St. Louis County as described therein;

WHEREAS, for operational and accounting purposes it is in the best interest of the City of St. Louis hereafter to separate additional legislation pertaining to the multi-year Expansion and Improvement Program (the "Program") at the Airport, providing for the acquisition of certain real and personal property rights for noise mitigation purposes, said acquisition being in fee simple title or avigational easements relative to approximately 100 parcels of land more or less constituting approximately 65 acres of real property as described in Section One of this Ordinance and located in the City of Ferguson, Missouri, from Ordinance No. 58638 approved August 20, 1982, as amended by Ordinance 58846 approved June 23, 1983 and Ordinance 62397 approved October 21, 1991, and to obtain renewed ordinance authority for the Program independent of Ordinance 58638 as amended;

WHEREAS, the St. Louis Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment have recommended and approved this Program authorized herein at a total estimated cost of Twelve Million Dollars (\$12,000,000); and

WHEREAS, it is necessary to appropriate One Million Five Hundred Thousand Dollars (\$1,500,000) from the Airport Development Fund established under

authority of Ordinance 59286, Section 13, approved October 26, 1984 to be expended for payment of costs authorized herein.

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

**SECTION ONE.** There is hereby established a multi-year Expansion and Improvement Program (the "Program") at Lambert-St. Louis International Airport (the "Airport"), providing for the acquisition of certain real and personal property rights for noise mitigation purposes, said acquisitions being in fee simple title or avigational easements relative to approximately 100 parcels of land more or less constituting approximately 65 acres of real property located in the City of Ferguson, Missouri, as described herein, such authorization to include avigational easements, surveying cost, relocation assistance, removal of structures, utilities, obstructions and trees, the grading and seeding of disturbed areas, the maintenance of the real property, the securing of services for security and legal services, and other necessary services and work related to said Program or to said parcels in the area generally located in the following described boundaries for a total estimated cost of Twelve Million Dollars (\$12,000,000):

Beginning at the intersection of the centerline of Hern Drive and the extended centerline of Grove Avenue in the City of Ferguson; thence southerly along the centerline of Hern Drive to the intersection of said centerline and the extended south property line of Lot 1 of the Amended Plat of part of Wyndhurst; thence westwardly along the southern property lines of Lots 1 through 19 of the Amended Plat of Part of Wyndhurst to the Ferguson City limits; thence northerly and easterly following the city limits of Ferguson to where these city limits intersect with the centerline of Suburban Avenue; thence northeasterly along the centerline of Suburban Avenue to the point of intersection with the extended centerline of Hern Drive (paper street); thence southwesterly along the centerline of Hern Drive (paper street) to the point of beginning. Said parcel of land is approximately 65 acres of land and is comprised of approximately 100 parcels of land.

**SECTION TWO.** There is hereby authorized an initial appropriation of One Million Five Hundred Thousand Dollars (\$1,500,000) from the Airport Development Fund established under Ordinance No. 59286, Section 13, approved October 26, 1984 to be expended for payment of costs authorized herein and providing for the receipt of supplemental appropriations when authorized by ordinance into this ordinance as funds become available to continue the Program.

SECTION THREE. The City Counselor of the City of St. Louis is hereby authorized to acquire said property rights including easements by purchase, lease, or condemnation.

SECTION FOUR. The Board of Public Service is hereby authorized to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the removal of structures, obstructions and utilities on the acquired real property.

SECTION FIVE. The Airport Commission is hereby authorized to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the removal of trees and shrubbery, grading and seeding, and other maintenance of the real property.

SECTION SIX. It is hereby provided that any contract let hereunder, shall be subject to the Charter of the City of St. Louis and Missouri State Laws or Regulations applicable thereto.

SECTION SEVEN. The Comptroller of the City of St. Louis is hereby authorized to draw warrants from time to time on the Treasurer of the City of St. Louis for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the Comptroller of the City of St. Louis.

SECTION EIGHT. The Director of Airports is hereby authorized to make such applications, to provide such data, and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program or other programs for projects herein authorized where such costs are deemed eligible and monies made available for reimbursement under Federal law or contract.

SECTION NINE. All contracts let under authority of this ordinance shall be in compliance with all applicable minority and women or disadvantage business enterprise requirements and in compliance with all applicable Federal, State and local laws, ordinances, regulations, court decisions, and executive orders relating to equal employment opportunity.

SECTION TEN. This being an ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV., Section 20, of the City Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

**Legislative History**

<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>
<b>10/25/95</b>	<b>10/25/95</b>	<b>T&amp;C</b>		
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>PERFECTN</b>	<b>PASSAGE</b>
<b>11/22/96</b>			<b>12/06/96</b>	<b>12/06/96</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>	
<b>63937</b>				