

## *St. Louis City Ordinance 63169*

FLOOR SUBSTITUTE

BOARD BILL NO. [94] 83

INTRODUCED BY ALDERMAN JOANNE WAYNE

An Ordinance recommended and approved by the Airport Commission, the Board of Public Service and the Board of Estimate and Apportionment authorizing and directing the Mayor and the Comptroller to enter into an easement agreement with the Bi-State Development Agency ("Bi-State") granting easements across certain real property and air space owned by the City of St. Louis (the "City") and located in Lambert-St. Louis International Airport the (the "Airport") for the operation of a light rail urban mass public transportation system (the "Light Rail System") under the terms and conditions of the Easement Agreement set forth in "Attachment A" to Section One of this Ordinance (the "Easement Agreement"); ratifying and approving the actions of the Airport Director (the "Director") and other City officers and employees in the issuance of permits and such other actions taken to implement the Light Rail System; authorizing and directing the Director to negotiate and enter into an Operation and Maintenance Plan and such other agreements and take other actions necessary to implement the Easement Agreement; providing that the City's obligations under the Easement Agreement are contingent on subsequent appropriations; and containing an emergency clause.

WHEREAS, the City and Bi-State have determined that service to the Airport provided by a Light Rail System benefits and is in the best interest of the City, the residents of the greater St. Louis metropolitan area, and the traveling public; and,

WHEREAS, pursuant to permits issued by various officers and employees of the City and other actions taken by them Bi-State has undertaken construction of the Light Rail System which is projected for completion by December 31, 1996; and,

WHEREAS, under the terms of the Easement Agreement the City is to provide for the construction of Station Improvements as defined in the Easement Agreement ("Station Improvements"); and,

WHEREAS, Station Improvements and other public works and improvements needed to complement the Light Rail System were authorized and funded by

Ordinance 62652, approved June 5, 1992, and are being constructed by the City at the Airport; and,

WHEREAS, it is in the best interest of the City, Bi-State, the residents of the greater St. Louis metropolitan area, and persons the Airport serves that the Easement Agreement be authorized and executed by the parties thereto.

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

**SECTION ONE.** The Mayor and the Comptroller of the City are hereby authorized and directed to enter into an Easement Agreement with Bi-State which is marked "Attachment A" affixed hereto and made a part hereof.

**SECTION TWO.** The actions of the Director and other officers, employees and agents of the City in issuing permits and taking other actions necessary to implement the Light Rail System are hereby ratified and approved.

**SECTION THREE.** The Director is hereby authorized and directed as agent for the City to negotiate and enter into an Operation and Maintenance Plan between the City and Bi-State, enter into such other agreements, grant approvals and consents and take such other actions as are necessary, under terms which are in the best interests of the City, to implement the provisions of the Easement Agreement.

**SECTION FOUR.** The obligations of the City in the Easement Agreement requiring the expenditure of funds in addition to the funds previously appropriated in Ordinance No. 62652 are contingent on the subsequent appropriation of funds by the City.

**SECTION FIVE.** 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.

| <b>Legislative History</b> |                    |                  |                 |                   |
|----------------------------|--------------------|------------------|-----------------|-------------------|
| <b>1ST READING</b>         | <b>REF TO COMM</b> | <b>COMMITTEE</b> | <b>COMM SUB</b> | <b>COMM AMEND</b> |
| <b>05/13/94</b>            | <b>05/13/94</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>05/26/94</b>  |               |  | <b>06/03/94</b> | <b>06/03/94</b> |
| <b>ORDINANCE</b> | <b>VETOED</b> |  | <b>VETO OVR</b> |                 |
| <b>63169</b>     |               |  |                 |                 |

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