

ORDINANCE #65505
Board Bill No. 28

An Ordinance recommended and approved by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment amending Section One of the Berkeley Campus Acquisition Ordinance 64435 approved July 29, 1998 as amended by Ordinance 64597 approved February 5, 1999, which authorized and establishing a multi-year public work and improvement program (the "Project") at Lambert- St. Louis International Airport, providing for the acquisition of certain real and personal property rights for noise mitigation purposes and other necessary and related work and services for the development, implementation and administration or monitoring of the Project more fully described therein; increasing the total estimated cost of the Project by Seven Million Five Hundred Thousand Dollars (\$7,500,000)to Forty Two Million Five Hundred Thousand Dollars (\$42,500,000); and containing an emergency clause.

WHEREAS, the City of St. Louis (the "City") is the owner and operator of Lambert- St. Louis International Airport (the "Airport") and is committed to mitigating the impact of noise on communities near the Airport with federally approved programs including the acquisition of certain real and personal property;

WHEREAS, the City sought and has obtained Federal Aviation Administration (the "FAA") approval of the City's Updated FAR Part 150 Noise Study;

WHEREAS, the Berkeley Campus Acquisition Ordinance No. 64435 approved July 29, 1998, authorized and establishing a multi-year public work and improvement program (the "Project") at the Airport providing for the acquisition of certain real and personal property for noise mitigation proposes and other necessary and related work and services for the development, implementation and administration or monitoring of the Project more fully described therein at a total estimated cost of Thirty Five Million Dollars (\$35,000,000), made an initial appropriation of Four Million Dollars (\$4,000,000) from the Passenger Facility Charge Fund Account, and contained a severability clause and an emergency clause;

WHEREAS, Ordinance 64597 approved February 5, 1999, amended Section Ten of the Berkeley Campus Acquisition Ordinance 64435, authorizing the deposit of certain funds under the Airport Improvement Program, the Passenger Facility Charge Program or other local, state, or federal programs for projects therein authorized into the Berkeley Campus Acquisition Ordinance 64435 for the purpose of reimbursing in part the costs of the Project, authorized a First Supplemental Appropriation in the amount of Three Million Dollars (\$3,000,000) from the Passenger Facility Charge Fund Account into the Berkeley Campus Acquisition Ordinance 64435 in order to continue the Project, and contained an emergency clause; and

WHEREAS, it is now necessary to increase the total estimated cost of the Project by Seven Million Five Hundred Thousand Dollars (\$7,500,000) to Forty Two Million Five Hundred Thousand Dollars (\$42,500,000).

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

SECTION ONE. Section One of the Berkeley Campus Acquisition Ordinance 64435 approved July 29, 1998, as amended by Ordinance 64597 approved February 5, 1999 is hereby amended by deleting the following words and figures:

"Project at a total estimated cost of Thirty Five Million Dollars (\$35,000,000)."

and replacing them with the following words and figures:

"Project at a total estimated cost of Forty Two Million Five Hundred Thousand Dollars (\$42,500,000).

SECTION TWO. 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's Charter and shall become effective immediately upon its approval by the Mayor of the City of St. Louis.

Approved: May 20, 2002