

St. Louis City Ordinance 63998

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 281

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 amending Sections One, Four, and Six of the Southeast Berkeley Land Acquisition Ordinance 60542 approved November 4, 1987, as amended by Ordinance 62262 approved March 8, 1991, Ordinance 62487 approved December 20, 1991, and Ordinance 63494 approved July 1, 1995, which established a multi-year Expansion Improvement Program (the "Program") at Lambert-St. Louis International Airport for noise mitigation purposes; amending Section One of Ordinance 60542 as amended, providing for the acquisition of certain real and personal property for noise mitigation purposes as described in Section One herein and providing for avigational easements, surveying cost, relocation assistance, removal of structures, utilities, obstructions, and trees, the grading and seeding of described areas, the maintenance of the real property, the modification, renovation and construction of office facilities for the administration of the Program, the securing of services for security and legal services, and other necessary work and services related to the Program; amending Section Four of Ordinance 60542 as amended, authorizing the City Counselor to acquire said property rights including easement by purchase, lease, or condemnation; amending Section Six of Ordinance 60542 as amended, to direct 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; authorizing an Eleventh Supplemental Appropriation in the amount of Two Million Dollars (\$2,000,000) from the Airport Development Fund into the Southeast Berkeley Land Acquisition Ordinance 60542 as amended, for the payment of cost authorized therein; and containing an emergency clause.

WHEREAS, the Southeast Berkeley Land Acquisition Ordinance 60542 approved November 4, 1987 authorized a multi-year Expansion and Improvement Program (the "Program") at Lambert-St. Louis International Airport (the "Airport") for the acquisition of certain real property for noise mitigation purposes at a total estimated cost of Forty Eight Million Eight

Hundred Thousand Dollars (\$48,800,000), made an initial appropriation of Three Million Dollars (\$3,000,000) for cost authorized therein, made provision for supplemental appropriations as needed, and contained an emergency clause;

WHEREAS, Ordinance 62262 approved March 8, 1991, which amended Section Five of Ordinance 60542 approved November 4, 1987, authorized the Board of Public Service to let contracts for the removal of structures and utilities on the acquired real property, and authorized the Airport Commission to let contracts and otherwise provide for ground maintenance, and contained an emergency clause;

WHEREAS, Ordinance 62487 approved December 20, 1991, amended the legal description as contained in Section One of Ordinance 60542 approved November 4, 1987, as amended by Ordinance 62262 approved March 8, 1991, to include a certain parcel of real property, and contained an emergency clause;

WHEREAS, Ordinance 63494 approved July 1, 1995, amended the legal description as contained in Section One of Ordinance 60542 approved November 4, 1987, as amended by Ordinances 62262 and 62487, to include certain parcels of real property, and contained an emergency clause;

WHEREAS, for operational purposes, it is in the best interest of the City of St. Louis to amend Sections One, Four, and Six of the Southeast Berkeley Land Acquisition Ordinance 60542 approved November 4, 1987, as amended;

WHEREAS, Ordinances 60804, 61489, 61956, 62024, 62107, 62911, 63083, 63329, 63646 authorized supplemental appropriations in the total amount of Twenty One Million Five Hundred Thousand Dollars (\$21,500,000) to continue the Program;

WHEREAS, Board Bill 168, which was recommended and approved by the Airport Commission and the Board of Estimate and Apportionment and is currently before the Board of Aldermen, authorizes a Tenth Supplemental Appropriation for One Million Dollars (\$1,000,000) to continue the Program; and

WHEREAS, it is now necessary to authorize an Eleventh Supplemental Appropriation in the amount of Two Million Dollars (\$2,000,000), into the Southeast Berkeley Land Acquisition Ordinance 60542, as amended, in order to continue the payment of cost authorized therein.

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

SECTION ONE. Section One of the Southeast Berkeley Land Acquisition Ordinance 60542 approved November 4, 1987, as amended by Ordinance 62262 approved March 8, 1991, Ordinance 62487 approved December 20, 1991, and Ordinance 63494 approved July 1, 1995, is hereby deleted in its entirety and the following is substituted in its place:

"SECTION ONE. There is hereby established a multi-year Expansion and Improvement Program (the "Program") recommended and approved by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment, at Lambert-St. Louis International Airport providing for the acquisition of real and personal property rights for noise mitigation purposes, said acquisitions being in fee simple title and/or avigation easements relative to approximately 700 parcels of land constituting approximately 160 acres of real property as described herein and located generally east of the Airport in St. Louis County, Missouri and known as Southeast Berkeley, such authorization to include surveying cost, relocation assistance, removal of structures, utilities, obstructions, and trees, the grading and seeding of described areas, the maintenance of the real property, the modification, renovation and construction of office facilities for the administration of the Program, the securing of services for security and legal services, and other necessary work and services related to the Program or to said parcels in the area more specifically described as beginning at the intersection of the centerline of North Hanley Road and Maline Creek; thence northeasterly along the centerline of Maline Creek to the eastern City Limit of Berkeley Missouri, a municipal corporation; thence southerly along the line of the eastern City Limit of Berkeley, Missouri to the intersection of the centerline of Forsee Drive a proposed street of the City of Berkeley; thence easterly along the centerline of Forsee Drive to the intersection of the Hern Drive, said centerline of Hern Drive, also being a City Limit of Berkeley, Missouri; thence southerly along said centerline and city Limit to the south right-of-way line to the intersection of the south City Limit of Berkeley Missouri; thence westerly along said City Limit to the intersection of the centerline of Maline Creek; thence northeasterly to the point of beginning and a parcel described as Lots 2 and 3 in Block 34 of Kinloch Park, according to the plat thereof recorded in Plat Book 3 page 36 of the St. Louis County Records, 12J 412 083, 8523 Scudder Road, Parcel 0295 located at 5336 Glencoe Avenue and Parcel 0296 Located 5338 Glencoe Avenue; said described tracts of land are generally referred to as Southeast Berkeley and all land in the described tracts are within the City Limits of Berkeley, Missouri; at a total estimated cost of Forty Eight Million Eight Hundred Thousand Dollars (\$48,800,000)."

SECTION TWO. Section Four of Ordinance 60542 approved November 4, 1996, as amended by Ordinance 62262 approved March 8, 1991, Ordinance 62487 approved December 20, 1991, and Ordinance 63494 approved July 1, 1995, is hereby deleted in its entirety and the following is substituted in its place:

"SECTION FOUR. The City Counselor is hereby authorized to acquire said property rights including easements by purchase, lease, or condemnation."

SECTION THREE. Section Six of Ordinance 60542 approved November 4, 1996, as amended by Ordinance 62262 approved March 8, 1991, Ordinance 62487 approved December 20, 1991, and Ordinance 63494 approved July 1, 1995, is hereby amended adding the following second sentence:

"All contracts let under authority of this ordinance shall also 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."

SECTION FOUR. There is hereby authorized an Eleventh Supplemental Appropriation in the total amount of Two Million Dollars (\$2,000,000) from the Airport Development Fund established under authority of Ordinance 59286, Section 13, approved October 26, 1984, into the Southeast Berkeley Land Acquisition Ordinance 60542 approved November 4, 1987, as amended by Ordinance 62262 approved March 8, 1991, Ordinance 62487 approved December 20, 1991, and Ordinance 63494 approved July 1, 1995, for the payment of cost authorized herein.

SECTION FIVE. This being an Ordinance providing for a public works and improvement program, 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 approval by the Mayor of the City of St. Louis.

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
12/06/96	12/06/96	T&C			

2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
01/24/97				01/31/97	02/07/97
ORDINANCE	VETOED		VETO OVR		EFFECTIVE
63998					

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