BOARD BILL NO. 132 INTRODUCED BY ALDERMAN VILLA, ALDERWOMAN PHYLLIS YOUNG, ALDERMAN KENNETH ORTMANN

An ordinance, recommended by the Board of Public Service of the City of St. Louis (hereinafter, the "Board of Public Service"), authorizing and directing the President of the Board of Public Service to enter into eight (8) Missouri Highways and Transportation Commission Supplemental Agreements for Highway/Rail Crossing Improvements, (hereinafter, "Supplemental Agreements"), in substantially the form attached hereto as Attachment C and incorporated herein by this reference, by and between the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of St. Louis, acting by and through the Board of Public Service (hereinafter, "City"), and the Union Pacific Railroad Company (hereinafter, "Railroad"), for various safety improvements to eight (8) public highway/rail grade crossings in the City of St. Louis at locations shown on Attachment A, attached hereto and incorporated herein by this reference, pursuant to the terms of a Master Agreement for Additional Warning Devices between the Railroad and Commission executed on May 22, 1980, (hereinafter, "Master Agreement") and containing an emergency clause.

WHEREAS, various safety improvements, including but not limited to the installation of warning devices, are warranted at the eight (8) existing public highway/rail grade crossings in the City of St. Louis at locations shown on Attachment A;

WHEREAS, the Commission, the Railroad, and the City agree that this installation shall be in substantial compliance with the Manual on Uniform Traffic Control Devices (MUTCD), and will enhance safety to both highway and railroad traffic;

WHEREAS, the City is authorized to enter into these Supplemental Agreements pursuant to the provisions of Section 70.210 to 70.320 of the Revised Statues of Missouri, as amended; and

WHEREAS, this Board of Aldermen hereby finds that the adoption of this Ordinance is in the best interest of the City and the health, safety, morals, and welfare of its residents, and that

the City as a whole will benefit from the transactions described herein.

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

SECTION ONE. The President of the Board of Public Service of the City of St. Louis (hereinafter, "Board of Public Service"), is hereby authorized and directed to enter into eight (8) Missouri Highways and Transportation Commission Supplemental Agreements for Highway/Rail Crossing Improvements (hereinafter, "Supplemental Agreements"), in substantially the form attached hereto as Attachment C and incorporated herein by this reference, by and between the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of St. Louis, acting by and through the Board of Public Service, (hereinafter, "City"), and the Union Pacific Railroad Company (hereinafter, "Railroad") for various safety improvements to eight (8) highway/rail grade crossings at locations shown on Attachment A, attached hereto and incorporated herein by this reference, namely where Chouteau Avenue, Victor Street, Sidney Street, Gasconade Street, Elwood Street, Haven Street, Krauss Street, and Nagel Avenue intersect with the Railroad's tracks.

SECTION TWO. The scope of the Railroad's and the City's work for each of the Supplemental Agreements is set forth in Attachment B, attached hereto and incorporated herein by this reference.

SECTION THREE. The City of St. Louis Street Department shall perform and be financially responsible for the City's work set forth in Attachment B.

SECTION FOUR. Emergency Clause. This being an Ordinance for the immediate preservation of public peace, health and safety, it is hereby declared to be an emergency within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and

therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.