

# The CITY JOURNAL

Official Publication of THE CITY OF ST. LOUIS

FRANCIS G. SLAY  
Mayor

JAMES F. SHREWSBURY  
President, Board of Aldermen

DARLENE GREEN  
Comptroller

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## JOURNAL OF THE Board of Aldermen

OF THE  
CITY OF ST. LOUIS

REGULAR  
SESSION  
2003-2004

### PRELIMINARY

The following is a preliminary  
draft of the minutes of the  
meeting of

Friday, November 14, 2003.

These minutes are  
unofficial and subject to  
Aldermanic approval.

City of St. Louis Board of Aldermen  
Chambers, November 14, 2003.

The roll was called and the following  
Aldermen answered to their names: Smith,  
Flowers, Bosley, Ryan, Ford-Griffin, Reed,  
Young, Conway, Ortmann, Vollmer, Villa,  
Heitert, Wessels, Gregali, Florida, Baringer,  
Roddy, Kennedy, McMillan, Schmid, Jones-  
King, Boyd, Sondermann Bauer, Kirner,  
Williamson, Krewson and Mr. President  
Shrewsbury. 28

*"Almighty God, source of all authority,  
we humbly ask guidance in our deliberations  
and wisdom in our conclusions. Amen."*

#### ANNOUNCEMENT OF ANY SPECIAL ORDER OF THE DAY

None.

#### INTRODUCTION OF HONORED GUEST

None.

#### APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Wessels moved to approve the  
minutes for October 31, 2003.

Seconded by Mr. Villa.

Carried unanimously by voice vote.

#### REPORT OF CITY OFFICIALS Report of the Clerk of the Board of Aldermen

Board of Aldermen Report,  
November 14, 2003, St. Louis, MO.

To the President of the Board of Aldermen:

I wish to report that on the 7<sup>th</sup> day of November 2003, I delivered to the Office of the Mayor of the City of St. Louis the following board bills that were truly agreed to and finally adopted.

#### **Board Bill No. 186**

An Ordinance authorizing and directing the Mayor and the Board of Election Commissioners on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Office of the Secretary of State for a grant to fund a Records Management and Preservation Project for the Board of Election Commissioners, appropriating said funds in the amount of \$5,250.00 and authorizing the Board of Election Commissioners on behalf of the City, upon approval of the Board of Estimate and Apportionment, to expend the funds by entering into contracts or otherwise for grant purpose and containing an emergency clause.

#### **Board Bill No. 187**

An Ordinance authorizing and directing the Mayor and the Register on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Office of the Secretary of State for a grant to fund a Records Management and Preservation Project for the Register's Office, appropriating said funds in the amount of \$15,330.00 and authorizing the Register on behalf of the City, upon approval of the Board of Estimate and Apportionment, to expend the funds by entering into contracts or otherwise for grant purpose and containing an emergency clause.

#### **Board Bill No. 193**

An Ordinance authorizing and directing the Mayor and President's Office of the Board of Public Service on behalf of the City of St. Louis, to enter into and execute a Grant Agreement with the Office of the Secretary of State for a grant to fund a Records Management and Preservation Project for the President's Office of the Board of Public Service, appropriating said funds in the amount of \$5,000.00 and authorizing the President's Office of the Board of Public Service on behalf of the City, upon approval of the Board of Estimate and Apportionment, to expend the funds by entering into contracts or otherwise for grant purpose and containing an emergency clause.

#### **Board Bill No. 215**

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute, upon receipt of and in consideration of the sum of One Thousand Three Hundred Ninety-Five Dollars (\$1,395.00) and other good and valuable

consideration, a Quit Claim Deed to remise, release and forever quit-claim unto Gaslight Square Developers, LLC, certain City-owned property located in City Block 4583, which property is known as portions of 4275 and 4279 Olive Street, and containing an emergency clause.

#### **Board Bill No. 284**

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute, upon receipt of and in consideration of the sum of Five Thousand One Dollars (\$5,001.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto Roberts Village Redevelopment Corporation, certain City-owned property located in City Block 3784, which property is known as 1528 N. Kingshighway Blvd., and containing an emergency clause.

#### **Board Bill No. 9 (Committee Substitute)**

An ordinance amending Sections Four (B)(D), Seven (1) (2) and Nineteen (D) of Ordinance 65431 relating to certain television systems by adding certain requirements regarding timely notification by the Franchise Agency and the Franchise Authority to the Public Utilities Committee of the Board of Aldermen and further adding a new Section requiring that any transfer of the Franchise Agency from the Department of Public Utilities and any transfer or termination of the authority, duties or functions of the Franchise Agency granted in this ordinance shall only be done by ordinance adopted with the approval of two-thirds of all the members of the Board of Aldermen.

#### **Board Bill No. 194 (Committee Substitute)**

An ordinance intended to eliminate, reduce and remedy discrimination in housing, employment, education, services, public accommodations, and real property transactions and uses, to provide equal opportunity enforcement, and to bring the laws of the City of St. Louis into substantial compliance with the Federal Fair Housing Act by repealing ordinance 62710 and enacting in lieu thereof an ordinance an ordinance amending and restating the previous ordinance, and containing a penalty clause, a savings clause, a severability clause, a clause providing for judicial review, a clause providing for liberal interpretation of this ordinance, and an emergency clause.

#### **Board Bill No. 287 (Committee Substitute)**

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing the Mayor of the City of St. Louis, on behalf of the City, to submit a 2004 Annual

Plan to the United States Department of Housing and Urban Development ("HUD") as required to apply for funding under the Federal Community Development Block Grant ("CDBG"), HOME Investment Partnerships ("HOME"), Emergency Shelter Grant ("ESG") and Housing Opportunities for Persons with AIDS ("HOPWA") Entitlement Programs, authorizing and directing the Mayor and the Comptroller on behalf of the City to enter into and execute agreements with HUD for the receipt of 2004 CDBG, HOME, ESG and HOPWA funds, appropriating the sum of Twenty Seven Million Dollars (\$27,000,000) which the City estimates will be available for the 2004 CDBG Program Year, appropriating the sum of Four Million Seven Hundred Sixteen Thousand Two Hundred Seventy-Eight Dollars (\$4,716,278) which the City estimates will be available for the 2004 HOME Program Year, appropriating the sum of Nine Hundred Fifty-Four Thousand Dollars (\$954,000) which the City estimates will be available for the 2004 ESG Program Year, appropriating the sum of One Million One Hundred Ninety-Eight Thousand Dollars (\$1,198,000) which the City estimates will be available for the 2004 HOPWA Program Year, authorizing and directing the Director of the Community Development Administration ("CDA") to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of CDBG and HOME funds, to establish and implement a lump sum drawdown procedure for the purpose of financing property rehabilitation activities, and/or to establish and implement a procedure for providing financial assistance to CDBG-eligible undertakings through float loan financing, authorizing and directing the Director of the Department of Human Services ("DHS") to contract with municipal agencies, non-profit corporations and other entities, as necessary, for the expenditure of ESG funds, authorizing and directing the Director of Health and Hospitals to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of HOPWA funds, and directing the Comptroller to issue warrants thereon upon the City Treasury; and containing an emergency clause.

#### **Board Bill No. 278**

An ordinance establishing a four way stop site for all traffic traveling on Goodfellow Boulevard approaching the intersection of Goodfellow Boulevard and Northcrest Lane; further establishing a school stop site for all traffic traveling on Riverview Boulevard at the north leg of Orchard Avenue; and containing an emergency clause.

Karen L. Divis, Clerk  
Board of Aldermen

### Office of the Mayor

Room 200 City Hall  
1200 Market Street  
St. Louis, MO 63103  
(314) 622-3201  
Fax (314) 622-4061  
November 5, 2003  
Honorable Board of Aldermen  
Room 230 City Hall  
St. Louis, MO 63103

Dear Members of the Board:

I have the honor to return to you herewith, with my approval endorsed thereon, the following: Board Bill Nos. 192, 211, 226, 260 and 261.

Sincerely,  
FRANCIS G. SLAY  
Mayor  
City of St. Louis

### Petitions & Communications

None.

### BOARD BILLS FOR PERFECTION – INFORMAL CALENDAR

Mr. Gregali moved that Board Bill No. 263 (Committee Substitute) before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass".

Seconded by Mr. Wessels.

Carried unanimously by voice vote.

### BOARD BILLS FOR THIRD READING – INFORMAL CALENDAR

None.

### RESOLUTIONS – INFORMAL CALENDAR

None.

### FIRST READING OF BOARD BILLS

Board Member Vollmer introduced by request:

#### Board Bill No. 303

An ordinance approving a Redevelopment Plan for the 4329 Juniata Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October

28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the existence of eminent domain; finding that the property within the Area is unoccupied, but should it become occupied the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

Board Member Villa introduced by request:

#### Board Bill No. 304

An ordinance approving a Redevelopment Plan for the 7100 Michigan Avenue and 7415 Tennessee Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that any property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain or otherwise; finding that the property within the Area is partially occupied. The Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

Board Member Villa introduced by request:

#### Board Bill No. 305

An ordinance approving a Redevelopment Plan for the 7411-15 S. Broadway Street Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that any property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is **unoccupied**, but if it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

Board Member Villa introduced by request:

#### Board Bill No. 306

An ordinance approving a Redevelopment Plan for the 8614-24 S. Broadway Street Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that certain

property (8624 S. Broadway) in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is **partially unoccupied**, but if it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

**Board Member Villa** introduced by request:

#### **Board Bill No. 307**

An ordinance approving a Redevelopment Plan for the 5601-03 S. Broadway Street Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the property within the Area is **unoccupied**, but if it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

**Board Member Carter** introduced by request:

#### **Board Bill No. 308**

An ordinance approving a Redevelopment Plan for the 5907, 5920, 5955

and 5966 Sherry Avenue Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the existence of eminent domain; finding that the property within the Area is **unoccupied**. The Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the city to cooperate and to exercise their respective powers in a manner consistent with the Plan.

**Board Member Bosley** introduced by request:

#### **Board Bill No. 309**

An ordinance approving a redevelopment plan for the Salisbury St./N. 11<sup>th</sup> St./N. Florissant Ave. Area ("Area") after finding that the Area is blighted as defined in Section 99.320 of the Revised Statutes of Missouri, 2000, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), containing a description of the boundaries of said Area in the City of St. Louis ("City"), attached hereto and incorporated herein as Exhibit "A", finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Blighting Study and Plan dated October 28, 2003 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the redevelopment of the Area which affords maximum opportunity for redevelopment of the Area by private enterprise; finding that any property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of

eminent domain or otherwise; finding that the property within the Area is partially occupied and the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available ten (10) year real estate tax abatement; and pledging cooperation of the St. Louis Board of Aldermen ("Board") and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan.

**Board Member Flowers** introduced by request:

#### **Board Bill No. 310**

An ordinance pertaining to public works contracts, establishing apprenticeship training and workforce diversity programs for City-funded public works contracts; containing a severability clause and an effective date.

**Board Member Roddy** introduced by request:

#### **Board Bill No. 311**

An Ordinance recommended by the Planning Commission on October 29, 2003, to change the zoning of property as indicated on the District Map, to the "D" Multiple-Family Dwelling District, so as to include the described parcels of land in City Blocks 4961, 4962, 4963, 4964 and 5433; and containing an emergency clause.

**Board Member Young** introduced by request:

#### **Board Bill No. 312**

An Ordinance recommended by the Planning Commission on October 24, 2003, to change the zoning of one parcel of property as indicated on the District Map, to the "D" Multiple-Family District, so as to include the described parcel of land in City Block 787; and containing an emergency clause.

**Board Member Young** introduced by request:

#### **Board Bill No. 313**

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in an irregular portion of 9<sup>th</sup> Street beginning at Carroll and continuing northwardly 232.5' ± 67.5 to a point in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

**Board Member Ford-Griffin** introduced by request:

**Board Bill No. 314**

An ordinance authorizing and directing the Mayor and Comptroller of the City of St. Louis to execute, upon receipt of and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto the Land Reutilization Authority of the City of St. Louis (LRA) certain City-owned property located in City Blocks 1112 and 1113, which property is known as 1407 and 1461 North Market Street, and containing an emergency clause.

**Board Member Flowers** introduced by request:

**Board Bill No. 315**

An ordinance prohibiting the issuance of any package or drink liquor licenses for any currently non-licensed premises within the boundaries of the Second Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing an exception allowing, during the moratorium period, for the transfer of existing licenses, under certain circumstances, and the issuance of a drink license to persons operating a restaurant at a previously non-licensed premises; and containing an emergency clause.

**REFERENCE TO COMMITTEE OF BOARD BILLS**

BB#303 - Neighborhood Development  
 BB#305 - Neighborhood Development  
 BB#307 - Neighborhood Development  
 BB#308 - Neighborhood Development  
 BB#304 - Housing, Urban Development and Zoning  
 BB#306 - Housing, Urban Development and Zoning  
 BB#309 - Housing, Urban Development and Zoning  
 BB#311 - Housing, Urban Development and Zoning  
 BB#312 - Housing, Urban Development and Zoning  
 BB#310 - Legislation  
 BB#313 - Streets, Traffic & Refuse  
 BB#314 - Ways & Means  
 BB#315 - Public Safety

**SECOND READING AND REPORT OF STANDING COMMITTEES**

Mr. Bosley of the Committee on Streets, Traffic & Refuse submitted the following report which was read.

Board of Aldermen Committee report, November 14, 2003.

To the President of the Board of Aldermen:

The Committee on Streets, Traffic & Refuse to whom was referred the following Board Bills, report that they have considered the same and recommend adoption.

**Board Bill No. 285**

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in Euclid from Euclid to Childrens Place (extending westwardly from Euclid) in the City of St. Louis, Missouri, as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

Alderman Bosley  
 Chairman of the Committee

**REPORT OF SPECIAL COMMITTEES**

None.

**BOARD BILLS FOR PERFECTION**

Due to the absence of the sponsor, Board Bill No. 216 (Committee Substitute) before the Board for perfection, be was placed on the informal calendar.

Mr. Gregali moved to suspend the rules for the purpose of moving the following Board Bills to the third reading calendar for final passage: Board Bill No. 263 (Committee Substitute).

Seconded by Ms. Young.

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann, Bauer, Kirner, Williamson and Mr. President Shrewsbury. 25

Noes:0

Present:0

**THIRD READING CONSENT CALENDAR**

None.

**THIRD READING, REPORT OF THE ENGROSSMENT COMMITTEE AND FINAL PASSAGE OF BOARD BILLS**

Ms. Young moved for third reading and final passage of Board Bill No. 273 (Floor Substitute).

Seconded by Mr. Schmid.

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann,

Bauer, Kirner, Williamson and Mr. President Shrewsbury. 25

Noes:0

Present:0

**No. 273 (Floor Substitute)**

An ordinance authorizing the City of St. Louis, Missouri (the "City") to assign TIF Revenues attributable to the Edison Brothers Warehouse Redevelopment Area (the "Redevelopment Area") for the purpose of paying the principal and interest on certain bonds to be issued by The Industrial Development Authority of the City of St. Louis, Missouri (the "Authority"); authorizing the City to enter into a certain Financing Agreement with the Authority to provide for such payment; and authorizing and directing the taking of other actions and approval and execution of other documents as necessary or desirable to carry out and comply with the intent hereof.

Mr. Gregali moved for third reading and final passage of Board Bill No. 263 (Committee Substitute).

Seconded by Mr. Wessels.

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann, Bauer, Kirner, Williamson and Mr. President Shrewsbury. 25

Noes:0

Present:0

**Board Bill No. 263 (Committee Substitute)**

An ordinance pertaining to water rates; finding, determining and declaring that an increase in certain water rates is necessary for certain purposes; defining certain terms; repealing that part of Section One of Ordinance 57087 which is presently codified as Section 23.16.020, Revised Code, City of St. Louis 1994, Anno. ("Revised Code"), repealing that part of Section One of Ordinance 57997 which is presently codified as Section 23.06.130, Revised Code, and repealing Ordinance 63136, parts of which are presently codified as Sections 23.16.025, 23.16.040, 23.16.050, 23.16.070, 23.16.080, 23.18.070, 23.20.020, 23.20.030, and 23.20.040, Revised Code, all having as their subject water rates and charges; enacting in lieu thereof eight new sections; with an emergency provision.

Having voted on the prevailing side, Mr.

Wessels moved to reconsider Board Bill No. 287 (Committee Substitute) .

Seconded by Mr. Villa.

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann, Bauer, Kirner, Williamson and Mr. President Shrewsbury. 25

Noes:0

Present:0

Mr. Wessels move that Board Bill No. 287 (Committee Substitute) be third read and finally passed.

Seconded by Mr. Heitert.

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann, Bauer, Kirner, Williamson and Mr. President Shrewsbury. 25

Noes:0

Present:0

### **Board Bill No. 287 (Committee Substitute)**

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing the Mayor of the City of St. Louis, on behalf of the City, to submit a 2004 Annual Plan to the United States Department of Housing and Urban Development ("HUD") as required to apply for funding under the Federal Community Development Block Grant ("CDBG"), HOME Investment Partnerships ("HOME"), Emergency Shelter Grant ("ESG") and Housing Opportunities for Persons with AIDS ("HOPWA") Entitlement Programs, authorizing and directing the Mayor and the Comptroller on behalf of the City to enter into and execute agreements with HUD for the receipt of 2004 CDBG, HOME, ESG and HOPWA funds, appropriating the sum of Twenty Seven Million Dollars (\$27,000,000) which the City estimates will be available for the 2004 CDBG Program Year, appropriating the sum of Four Million Seven Hundred Sixteen Thousand Two Hundred Seventy-Eight Dollars (\$4,716,278) which the City estimates will be available for the 2004 HOME Program Year, appropriating the sum of Nine Hundred Fifty-Four Thousand Dollars (\$954,000) which the City estimates will be available for the 2004

ESG Program Year, appropriating the sum of One Million One Hundred Ninety-Eight Thousand Dollars (\$1,198,000) which the City estimates will be available for the 2004 HOPWA Program Year, authorizing and directing the Director of the Community Development Administration ("CDA") to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of CDBG and HOME funds, to establish and implement a lump sum drawdown procedure for the purpose of financing property rehabilitation activities, and/or to establish and implement a procedure for providing financial assistance to CDBG-eligible undertakings through float loan financing, authorizing and directing the Director of the Department of Human Services ("DHS") to contract with municipal agencies, non-profit corporations and other entities, as necessary, for the expenditure of ESG funds, authorizing and directing the Director of Health and Hospitals to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of HOPWA funds, and directing the Comptroller to issue warrants thereon upon the City Treasury; and containing an emergency clause.

### **REPORT OF THE ENROLLMENT COMMITTEE**

Board of Aldermen, Committee Report, St. Louis, November 14, 2003 .

To the President of the Board of Aldermen:

The Committee on Engrossed and Enrolled Bills to whom was referred the following Board Bills report that they have considered the same and they are truly engrossed.

### **Board Bill No. 273 (Floor Substitute)**

An ordinance authorizing the City of St. Louis, Missouri (the "City") to assign TIF Revenues attributable to the Edison Brothers Warehouse Redevelopment Area (the "Redevelopment Area") for the purpose of paying the principal and interest on certain bonds to be issued by The Industrial Development Authority of the City of St. Louis, Missouri (the "Authority"); authorizing the City to enter into a certain Financing Agreement with the Authority to provide for such payment; and authorizing and directing the taking of other actions and approval and execution of other documents as necessary or desirable to carry out and comply with the intent hereof.

### **Board Bill No. 263 (Committee Substitute)**

An ordinance pertaining to water rates; finding, determining and declaring that an increase in certain water rates is necessary for certain purposes; defining certain terms; repealing that part of Section One of Ordinance 57087 which is presently codified as Section 23.16.020, Revised Code, City of St. Louis 1994, Anno. ("Revised Code"), repealing that part of Section One of Ordinance 57997 which is presently codified as Section 23.06.130, Revised Code, and repealing Ordinance 63136, parts of which are presently codified as Sections 23.16.025, 23.16.040, 23.16.050, 23.16.070, 23.16.080, 23.18.070, 23.20.020, 23.20.030, and 23.20.040, Revised Code, all having as their subject water rates and charges; enacting in lieu thereof eight new sections; with an emergency provision.

### **Board Bill No. 287 (Committee Substitute)**

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing the Mayor of the City of St. Louis, on behalf of the City, to submit a 2004 Annual Plan to the United States Department of Housing and Urban Development ("HUD") as required to apply for funding under the Federal Community Development Block Grant ("CDBG"), HOME Investment Partnerships ("HOME"), Emergency Shelter Grant ("ESG") and Housing Opportunities for Persons with AIDS ("HOPWA") Entitlement Programs, authorizing and directing the Mayor and the Comptroller on behalf of the City to enter into and execute agreements with HUD for the receipt of 2004 CDBG, HOME, ESG and HOPWA funds, appropriating the sum of Twenty Seven Million Dollars (\$27,000,000) which the City estimates will be available for the 2004 CDBG Program Year, appropriating the sum of Four Million Seven Hundred Sixteen Thousand Two Hundred Seventy-Eight Dollars (\$4,716,278) which the City estimates will be available for the 2004 HOME Program Year, appropriating the sum of Nine Hundred Fifty-Four Thousand Dollars (\$954,000) which the City estimates will be available for the 2004 ESG Program Year, appropriating the sum of One Million One Hundred Ninety-Eight Thousand Dollars (\$1,198,000) which the City estimates will be available for the 2004 HOPWA Program Year, authorizing and directing the Director of the Community Development Administration ("CDA") to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of CDBG and HOME funds, to establish and implement a lump sum drawdown procedure for the purpose of financing property rehabilitation activities,

and/or to establish and implement a procedure for providing financial assistance to CDBG-eligible undertakings through float loan financing, authorizing and directing the Director of the Department of Human Services ("DHS") to contract with municipal agencies, non-profit corporations and other entities, as necessary, for the expenditure of ESG funds, authorizing and directing the Director of Health and Hospitals to contract with municipal agencies, non-profit corporations and other entities, as necessary for the expenditure of HOPWA funds, and directing the Comptroller to issue warrants thereon upon the City Treasury; and containing an emergency clause.

Board Bills Numbered 263 (Committee Substitute), 273 (Floor Substitute) and 287 (Committee Substitute) were read and all other business being suspended, Mr. Shrewsbury, in the presence of the Board and in open session, affixed his signature in accordance with the provisions of the Charter.

### **COURTESY RESOLUTIONS CONSENT CALENDAR**

Mr. Shrewsbury introduced Resolution Nos. 200-206 and the Clerk was instructed to read same.

#### **Resolution No. 200**

**WHEREAS**, we have been apprised that the St. Louis City NAACP will host its 42nd Annual Freedom Fund Dinner to celebrate those in the community who have made a dramatic contribution in the struggle for freedom; and

**WHEREAS**, the NAACP has led the struggle for freedom in the United States for more than 89 years and is dedicated to the betterment of life at every level of human need; and

**WHEREAS**, in its effort to improve the political, educational, social and economic status of minority groups in this community, the St. Louis City NAACP attracts an outstanding cross-section of business leaders, elected and appointed officials, civic leaders and clergy who are all committed to the elimination of racial prejudice; and

**WHEREAS**, this year's honorees include the Honorable Ronnie J. White, the Honorable Clyde S. Cahill, Jr., the Honorable Theodore McMillian, Mr. Kelvin Simmons and the late Missouri State Senator Paula J. Carter; and

**WHEREAS**, Judge Cahill was one of the first African Americans to be appointed to both the Circuit and Federal District Court in the State of Missouri and is an exceptional member of the St. Louis community; and

**WHEREAS**, it is fitting that this Board acknowledge the strong commitment of the NAACP to this community and recognize its many contributions to our city;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate the Honorable Clyde S. Cahill, Jr. and all of the distinguished honorees of the 42nd Annual NAACP Freedom Fund Dinner and we thank the members of this exceptional organization for their many enduring contributions to this community and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced the 14th day of November, 2003 by:

Honorable Gregory Carter, Alderman 27th Ward

#### **Resolution No. 201**

**WHEREAS**, we have been apprised that the St. Louis City NAACP will host its 42nd Annual Freedom Fund Dinner to celebrate those in the community who have made a dramatic contribution in the struggle for freedom; and

**WHEREAS**, the NAACP has led the struggle for freedom in the United States for more than 89 years and is dedicated to the betterment of life at every level of human need; and

**WHEREAS**, in its effort to improve the political, educational, social and economic status of minority groups in this community, the St. Louis City NAACP attracts an outstanding cross-section of business leaders, elected and appointed officials, civic leaders and clergy who are all committed to the elimination of racial prejudice; and

**WHEREAS**, this year's honorees include the Honorable Ronnie J. White, the Honorable Clyde S. Cahill, Jr., the Honorable Theodore McMillian, Mr. Kelvin Simmons and the late Missouri State Senator Paula J. Carter; and

**WHEREAS**, Senator Carter was the first African American woman to serve as Senator of the 5<sup>th</sup> Senatorial District and her commitment to her constituents and her hard work on behalf of the citizens of this City is greatly missed; and

**WHEREAS**, it is fitting that this Board acknowledge the strong commitment of the NAACP to this community and recognize its many contributions to our city;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of

the City of St. Louis that we pause in our deliberations to remember the late Missouri State Senator Paula J. Carter and to recognize all of the distinguished honorees of the 42<sup>nd</sup> Annual NAACP Freedom Fund Dinner and we thank the members of this exceptional organization for their many enduring contributions to this community and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Gregory Carter, Alderman 27th Ward

#### **Resolution No. 202**

**WHEREAS**, we have been apprised that the St. Louis City NAACP will host its 42nd Annual Freedom Fund Dinner to celebrate those in the community who have made a dramatic contribution in the struggle for freedom; and

**WHEREAS**, the NAACP has led the struggle for freedom in the United States for more than 89 years and is dedicated to the betterment of life at every level of human need; and

**WHEREAS**, in its effort to improve the political, educational, social and economic status of minority groups in this community, the St. Louis City NAACP attracts an outstanding cross-section of business leaders, elected and appointed officials, civic leaders and clergy who are all committed to the elimination of racial prejudice; and

**WHEREAS**, this year's honorees include the Honorable Ronnie J. White, the Honorable Clyde S. Cahill, Jr., the Honorable Theodore McMillian, Mr. Kelvin Simmons and the late Missouri State Senator Paula J. Carter; and

**WHEREAS**, Judge McMillian is the first African American to be appointed to the United States Court of Appeals for the Eighth Circuit and is an exceptional member of the St. Louis community; and

**WHEREAS**, it is fitting that this Board acknowledge the strong commitment of the NAACP to this community and recognize its many contributions to our city;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate the Honorable Theodore McMillian and all of the distinguished honorees of the 42<sup>nd</sup> Annual NAACP Freedom Fund Dinner and we thank the members of this exceptional organization for their many enduring contributions to this

community and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Gregory J. Carter, Alderman 27th Ward

### **Resolution No. 203**

**WHEREAS**, we have been apprised that the St. Louis City NAACP will host its 42nd Annual Freedom Fund Dinner to celebrate those in the community who have made a dramatic contribution in the struggle for freedom; and

**WHEREAS**, the NAACP has led the struggle for freedom in the United States for more than 89 years and is dedicated to the betterment of life at every level of human need; and

**WHEREAS**, in its effort to improve the political, educational, social and economic status of minority groups in this community, the St. Louis City NAACP attracts an outstanding cross-section of business leaders, elected and appointed officials, civic leaders and clergy who are all committed to the elimination of racial prejudice; and

**WHEREAS**, this year's honorees include the Honorable Ronnie J. White, the Honorable Clyde S. Cahill, Jr., the Honorable Theodore McMillian, Mr. Kelvin Simmons and the late Missouri State Senator Paula J. Carter; and

**WHEREAS**, Kelvin Simmons is the first African American to be appointed Chairman of the Missouri Public Service Commission and is an exceptional member of the St. Louis community; and

**WHEREAS**, it is fitting that this Board acknowledge the strong commitment of the NAACP to this community and recognize its many contributions to our city;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate Commissioner Kelvin Simmons and all of the distinguished honorees of the 42<sup>nd</sup> Annual NAACP Freedom Fund Dinner and we thank the members of this exceptional organization for their many enduring contributions to this community and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Gregory J. Carter, Alderman 27th Ward

### **Resolution No. 204**

**WHEREAS**, we have been apprised that the St. Louis City NAACP will host its 42nd Annual Freedom Fund Dinner to celebrate those in the community who have made a dramatic contribution in the struggle for freedom; and

**WHEREAS**, the NAACP has led the struggle for freedom in the United States for more than 89 years and is dedicated to the betterment of life at every level of human need; and

**WHEREAS**, in its effort to improve the political, educational, social and economic status of minority groups in this community, the St. Louis City NAACP attracts an outstanding cross-section of business leaders, elected and appointed officials, civic leaders and clergy who are all committed to the elimination of racial prejudice; and

**WHEREAS**, this year's honorees include the Honorable Ronnie J. White, the Honorable Clyde S. Cahill, Jr., the Honorable Theodore McMillian, Mr. Kelvin Simmons and the late Missouri State Senator Paula J. Carter; and

**WHEREAS**, Judge White is the first African American Chief Justice of the Missouri Supreme Court and is an exceptional member of the St. Louis community; and

**WHEREAS**, it is fitting that this Board acknowledge the strong commitment of the NAACP to this community and recognize its many contributions to our city;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate the Honorable Ronnie J. White and all of the distinguished honorees of the 42<sup>nd</sup> Annual NAACP Freedom Fund Dinner and we thank the members of this exceptional organization for their many enduring contributions to this community and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Gregory J. Carter, Alderman 27th Ward

### **Resolution No. 205**

**WHEREAS**, Wings of Hope is a unique organization located in the St. Louis area that provides Humanitarian services worldwide; and

**WHEREAS**, The great Achuar Nation of the Amazon River is a peace loving and friendly people to the United State of America, and they are pleading for assistance from Wings of Hope to help their impoverished people; and

**WHEREAS**, The great city of St. Louis desires to extend the hand of Human Kindness to all of their fellow man, regardless of where they live, particularly in this time of traditional American Thanksgiving and Christmas seasons;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Aldermen of the great city of St. Louis that we offer our support to Wings of Hope in its efforts to help the impoverished people of our nation, further resolve that we support the efforts of Wings of Hope to assist the great nation of the Achuar people and recognize the needs of the poor in the Amazon river Basin known as "El Oriente", and further resolve that we wish all of the people of the Achuar great kindness and fellowship in their future and we direct the Clerk of this Board to spread a copy of this resolution across the minutes of these proceedings and further prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced this 14<sup>th</sup> day of November, 2003 by:

Honorable James F. Shrewsbury, President

### **Resolution No. 206**

**WHEREAS**, we have been apprised that after more than 15 years of dedicated service to the City of St. Louis in the Department of Public Safety, Pearline Hawkins will retire on November 28, 2003; and

**WHEREAS**, during her career in public service, Pearl has served the residents of the City of St. Louis through her work with numerous community based organizations, including the Human Development Corporation, the Montgomery Hyde Park Neighborhood Association and the St. Louis Housing Authority; and

**WHEREAS**, for the last fifteen years Pearl has played an important role in the growth and stabilization of this community and the improvement in the quality of life for the residents in the Ville, Greater Ville, Penrose and O'Fallon neighborhoods as a Conserve Officer and as a Neighborhood Stabilization Officer; and

**WHEREAS**, most recently Pearl has served as the Problem Properties Coordinator for the Neighborhood Stabilization Team and her expertise in the identification and abatement of public nuisances will be greatly missed; and

**WHEREAS**, we are certain that Pearl is looking forward to a well deserved retirement with her seven children, seventeen grandchildren, six great-grandchildren and her many friends;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate Pearl Hawkins for 15 years of service in the Department of Public Safety and we wish her peace and happiness in her retirement and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to further prepare a commemorative copy to the end that it may be presented to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Kenneth Ortmann, Alderman 9th Ward

Unanimous consent having been obtained Resolution Nos. 200-206 stood considered.

Mr. Shrewsbury moved that Resolution Nos. 200-206 be adopted, at this meeting of the Board.

Seconded by Mr. Villa.

Carried unanimously by voice vote.

### FIRST READING OF RESOLUTIONS

Mr. Kennedy moved to suspend the rules for the purpose of introducing Resolution Number 207.

Seconded by Ms. Young

Carried by the following vote:

Ayes: Smith, Flowers, Bosley, Ryan, Ford-Griffin, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, McMillan, Schmid, Jones-King, Boyd, Sondermann, Bauer, Kirner, Williamson, President Shrewsbury. 25

Noes:0

Present:0

Mr. Kennedy introduced Resolution No. 207 and the Clerk was instructed to read same.

### Resolution No. 207

**WHEREAS**, during the week of November 26-30, 2003 the members of the Class of 1973 from Vashon High School will come together for a gala reunion celebration; and

**WHEREAS**, the many graduates of Vashon High School who live in St. Louis will be joined by fellow classmates from around

the country who have made a special effort to be part of this celebration; and

**WHEREAS**, the distinguished members of the Class of '73 have been outstanding examples of community minded citizens who have served as important role models to the young men and women in their communities; and

**WHEREAS**, although the reunion will be a time of joy in seeing old friends and remembering good times, it will also be an opportunity to recall the past friendship of those members of the class who are deceased; and

**WHEREAS**, we hope that the reunion of the members of the Vashon High School Class of 1973 will be memorable and enjoyable for the graduates as well as their families;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate the Class of 1973 from Vashon High School on the occasion of their 30<sup>th</sup> Anniversary Class Reunion and to wish them a successful celebration and we direct the Clerk of this Board to spread a copy of this Resolution across the minutes of these proceedings and to further prepare a commemorative copy to the end that it may be presented to our honorees at a time and place deemed appropriate by the Sponsor.

Introduced on the 14th day of November, 2003 by:

Honorable Terry Kennedy, Alderman 18th Ward

Unanimous consent having been obtained Resolution No. 207 stood considered.

Mr. Kennedy moved that Resolution No. 207 be adopted, at this meeting of the Board.

Seconded by Mr. McMillan

Carried unanimously by voice vote.

### SECOND READING OF RESOLUTIONS

Mr. McMillan of the Committee on Public Utilities submitted the following report which was read.

Board of Aldermen Committee report, November 14, 2003.

To the President of the Board of Aldermen:

The Committee on Public Utilities to whom was referred the following Resolution, report that they have considered the same and recommend adoption.

### Resolution No. 198

**WHEREAS**, under federal and local law, the City of St. Louis, Missouri ("City"), is permitted to regulate rates for basic cable service and equipment; and

**WHEREAS**, on October 15, 2003, Charter Communications Entertainment I, LLC, doing business as Charter Communications ("Charter"), filed FCC Form 1235 with the City, purporting to justify an upgrade-related cost increase in its maximum permitted rate for basic service (the "Form 1235 Filing"), along with FCC Forms 1240 and 1205 (the "Form 1240 Filing"); and

**WHEREAS**, under §32 of Cable Regulatory Code Ordinance 65431, and the Administrative Procedures and Timelines for Regulation of Basic Cable Service and Equipment Rates, the Communications Division of the Department of Public Utilities (the "Agency") is authorized to issue tolling orders, accounting orders, and similar orders on behalf of the City; and

**WHEREAS**, the Agency recommends the City issue the attached tolling order with respect to the Form 1235 Filing, pursuant to FCC regulations, in order for the City to preserve its rights to an additional 150 days to review the filing;

**THEREFORE, IT IS HEREBY RESOLVED THAT:**

Sec. 1. The attached Form 1235 tolling and accounting order prepared by the Agency is approved and the Agency is directed to issue the order.

Sec. 2. In order to preserve all City rights in regard to rate regulation, under §32 of Cable Ordinance 65431, the Agency is hereby authorized, for a period of one (1) year, to directly issue tolling orders, accounting orders, and similar administrative orders on behalf of the Franchise Authority. The Agency is further directed to promptly advise the Public Utilities Committee whenever such orders are issued. The authorization hereby granted may be renewed by resolution of this board from time to time.

Sec 3. Administrative Procedures and Timelines for Regulation of Basic Cable Service and Equipment Rates shall conform to this Resolution.

Introduced the 7<sup>th</sup> day of November 2003 by:

Honorable Terry Kennedy, Alderman 18<sup>th</sup> Ward

Honorable Michael McMillan, Alderman 19<sup>th</sup> Ward

**Order Tolling the Deadline  
for The City of St. Louis To  
Review the Form 1235 Rate Filing  
Submitted October 15, 2004  
by Charter Communications  
Entertainment I, LLC**

1. Under federal and local law, the City of St. Louis, Missouri ("City"), is permitted to regulate rates for basic cable service and equipment.

2. Under §32 of Cable Regulatory Code Ordinance 65431, and the Administrative Procedures and Timelines for Regulation of Basic Cable Service and Equipment Rates, the Communications Division of the Department of Public Utilities is authorized to issue tolling orders, accounting orders, and similar orders on behalf of the Franchise Authority.

3. On October 15, 2003, Charter Communications Entertainment I, LLC, doing business as Charter Communications ("Charter"), filed FCC Form 1235 with the City, purporting to justify an increase in its maximum permitted rate for basic service (the "Form 1235 Filing"), along with FCC Forms 1240 and 1205 (the "Form 1240 Filing").

4. Under FCC regulations, Form 1235, as a cost-of-service filing, is governed by the review procedures set forth in 47 C.F.R. §76.933(a)-(c). A review period of 180 days is allowed for such filings.

5. In order for the City to determine whether the maximum permitted rate requested by Charter is permitted under applicable FCC regulations, Charter will need to supply information regarding the Form 1235 Filing sufficient to carry its burden of proof pursuant to 47 C.F.R. §76.937(a).

6. Accordingly, the City will require additional time to review the Form 1235 Filing.

7. The City's deadline for acting on Charter's Form 1235 Filing, and any implementation of rates based on the Form 1235 Filing, are hereby tolled for 150 days, in addition to the initial thirty-day review period, pursuant to 47 C.F.R. §76.933.

8. This Order shall not affect the review periods for the Form 1240 Filing as set forth in 47 C.F.R. §76.933(g).

9. Charter shall maintain records so that it can refund to subscribers any amounts later found to be unreasonable, plus interest.

10. This Order is the Order required by 47 C.F.R. §76.933(b) with regard to the Form 1235 Filing.

ISSUED NOVEMBER \_\_\_\_, 2003

City of St. Louis Communications Division  
Agency to the Franchise Authority

BY:

Larry D. Stone,  
Communications Commissioner

Mr. Kennedy moved to adopt  
Resolution No. 198.

Seconded by Mr. McMillan.

Carried unanimously by voice vote.

**MISCELLANEOUS AND  
UNFINISHED BUSINESS**

None.

**ANNOUNCEMENTS**

None.

Mr. Wessels moved to excuse the  
following aldermen due to their necessary  
absence: Mr. Carter.

Seconded by Mr. Villa.

Carried unanimously by voice vote.

**ADJOURNMENT**

Mr. Wessels moved to adjourn under  
rules to return Friday, November 21, 2003.

Seconded by Mr. Heitert.

Carried unanimously by voice vote.

Respectfully submitted,  
Karen L. Divis, Clerk  
Board of Aldermen

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**BOARD OF  
PUBLIC SERVICE**

**Regular Meeting  
St. Louis, MO-November 18, 2003**

Board met at 1:45 P.M.

Present: Directors Visintainer,  
Suelmann, Bess, Stallworth and President  
Hearst.

Absent: Directors Siedhoff, Simon and  
Griggs. (excused)

Requests of the Director of Human  
Services; Director of Public Safety, and;  
Director of Airport to be excused from the  
Regular Meeting of November 18, 2003  
designating Mr. Don Huber to act in his behalf  
were received and leaves of absence granted.

Minutes of the Regular Meeting of  
November 12, 2003 were unanimously  
approved.

The following documents were referred  
by the Secretary:

**November 14, 2003**

To the Directors of Public Utilities and  
Streets: 108214, Charter Communications, cut  
or bore for the purpose of installing coaxial  
cable for broadband communications on  
Alabama and Marceau; 108215, Charter  
Communications, cut or bore for the purpose  
of installing coaxial cable for broadband  
communications on Elliott and Cole; 108216,  
Charter Communications, to cut or bore for  
the purpose of installing coaxial cable for  
broadband communications at 1900 Hampton

To the Directors of Public Utilities and  
Public Safety: 108217, Linda Torrence/LRA,  
consolidate parcels of land in C.B. 3718 at  
4587-93 N. Market

To the Director of Streets: 108218,  
Cherokee Station Business District, encroach  
with 44-45 banners in the 3000 and 3400 blocks  
of Jefferson/2600-2800 blocks of Cherokee;  
108219, District 9 I.A.M.A.W., encroach with  
2 sheds at 4100 Beck.

To the Directors of Health and Hospitals  
and Public Safety: 108220, Grace Hill Virginia  
Head Start, conduct day care center at 5325  
Virginia; 108221, Radiant Faith Academy,  
conduct day care center at 5446 Ridge;  
108222, Brenda's Daycare, conduct day care  
center at 5789 Thekla - 1<sup>st</sup> floor

Communications, reports, recommend-  
ations and documents were submitted by  
Board Members and action thereon taken as  
follows:

**PRESIDENT**

Detailed plans and specifications for the  
following work approved and Board set date  
of January 6, 2004 for opening bids for work  
and Secretary instructed to insert the proper  
advertisement therefore:

Letting No. 8237 - Riverview Boulevard  
Pedestrian Lighting and Traffic Calming  
Enhancements.

Waterman/Lake Enhancement Funding  
Agreement with Waterman/Lake  
Improvement District and the City of St. Louis  
BPS approved and President authorized to  
execute same.

Supplemental Agreement No. 1 to P.S.A.  
No. 969 with Woolpert LLP, for General  
Grading, Area B, at Lambert approved and  
President authorized to execute same.

Supplemental Agreement No. 1 to P.S.A.  
No. 971 with AFRAM Corp., for McDonnell  
Blvd. Relocation at Lambert approved and  
President authorized to execute same.

Board declared as emergency Alley  
Reconstruction in C.B. 2322-E.

### DIRECTORS OF PUBLIC UTILITIES AND STREETS

8 permits 1 for SBC Communications, Inc. and 7 for Charter Communications, to install communication system ordered approved, as follows, subject to certain conditions: 108155, 4160 Lee/Fair/San Francisco/Carter/Penrose; 108172, 13<sup>th</sup> and Carr; 108173, Gasconade/4100 So. 1<sup>st</sup>; 108174, Arsenal/Sublette; 108175, Oakland/Kingshighway; 108176, Forest Park/5600 Clayton; 108177, St. Charles/11<sup>th</sup>; 108178, 1640 So. Kingshighway.

### DIRECTORS OF PUBLIC UTILITIES AND PUBLIC SAFETY

5 subdivisions ordered approved, as follows, subject to certain conditions: 108088, Affordable City Homes of St. Louis, C.B. 1274 and 1275; 108197, Unity Chapel Church, C.B. 5087; 108198, Affordable City Homes of St. Louis, Inc., C.B. 1381; 108210, Treasurer, City of St. Louis, C.B. 99; 108207, Chouteau Compton, LLC, C.B. 2235, 2248, 2249 and 2253.

### DIRECTOR OF STREETS

Base rate for all land owned by the City of St. Louis which is situated in the Port District ordered increased by 15% per square foot, and in addition increase the mooring rate per linear foot by 15% in accordance with Ordinance 57933.

2 encroachment permits ordered approved as follows, subject to certain conditions: 108170, 609 Restaurant & U Lounge, amend to 8 tables for sidewalk café at 609-11 Eastgate; 108211, Central West End Association, execute public art project by painting 14 traffic boxes at various locations in the Central West End.

Application No. 108208, American Eagle Credit Union, hang banners at 2101 S. Jefferson ordered denied, these banners are commercial advertising.

Application No. 108219, District 9 I.A.M.A.W., encroach with 2 sheds at 4100 Beck for striking Union members, ordered denied, Street department policy requires approval from the adjacent property owner which has not been obtained.

### DIRECTORS OF PARKS, RECREATION AND FORESTRY

Application No. 108232, Downtown St. Louis Partnership and Christmas in St. Louis to hold event November 21, 2003 in Kiener Plaza ordered approved, subject to certain conditions.

### DIRECTORS OF HEALTH AND HOSPITALS AND PUBLIC SAFETY

2 day care centers, 2 residential care facilities and 1 hospital ordered approved as follows: 107565, Jeff Vander Lou Day Care Center, 2953 Dr. Martin Luther King; 107878, Colors Day Care Center, Inc., 3030 Whittier; 107736, Peter & Paul Community Services, Inc. d/b/a Benedict Joseph Labre Center, 3863 Cleveland; 108140, Little Sisters of the Poor, 3225 N. Florissant; 108099, SSM Cardinal Glennon Children's Hospital, 1465 S. Grand.

### DIRECTOR OF PUBLIC SAFETY

9 Conditional Use Permits ordered approved, as submitted by the Hearing Officer, per Board Order No. 766.

The following documents were not listed on the posted Agenda: 265121, 265130-34, 265139 and 265141-45.

Adjourned to meet Tuesday, November 25, 2003 at 1:45 P.M.

Ronald A. Hearst, P.E.  
President

Attest:

Darlene A. Plump,  
Secretary

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## PUBLIC NOTICE

The Regular Meetings of the Board of Public Service scheduled for December 23, 2003 and December 30, 2003 are canceled.

The Board of Public Service will reconvene on Tuesday, January 6, 2004 at 1:45 p.m. in Room 208 City Hall.

Ronald A. Hearst, P.E.  
President

Attest:

Darlene A. Plump,  
Secretary

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## PUBLIC NOTICE

The Board of Public Service will hold a public hearing on Tuesday, December 2, 2003, at 1:45 P.M. in Room 208 City Hall to consider the following:

Hearing No. 8056 – Garden Walk Massage Therapy, operate massage or public bath establishment at 1905 R Park.

Ronald A. Hearst, P.E.  
President

Attest:

Darlene A. Plump,  
Secretary

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### Office of the Board of Public Service City of St. Louis

SEALED PROPOSALS will be received for the Public Work hereinafter mentioned by the Board of Public Service, Room 208 City Hall, 1200 Market Street, until 1:45 P.M., St. Louis, Missouri time on **January 6, 2004** at which time they will be publicly opened and read, viz:

**JOB TITLE: RIVERVIEW BOULEVARD PEDESTRIAN LIGHTING AND TRAFFIC CALMING ENHANCEMENTS**

**LETTING NO.: 8237**

**DEPOSIT: \$ 41,375.00**

Drawings, Specifications and Form of Contract may be examined at the Office of the President of the Board of Public Service, Room 301 City Hall, (314) 622-3535.

Sets of Drawings, Specifications and Proposal Form may be obtained by giving three (3) days notice, and upon payment of ONE-HUNDRED DOLLARS (\$100.00) for each set.

Purchased sets become the property of the prospective bidder and no refunds will be made.

Proposals must be made on blank forms to be furnished by the President of the Board of Public Service, and must be submitted to Room 208 City Hall.

Each bidder shall specify in his proposal in figures, without interlineations, alterations, or erasures, a unit price for each of those items where so called for in the proposal, and shall show the products of the respective unit prices and estimated quantities. He shall also show in figures bid proposals for all items on which Lump Sum figures are requested, and, in addition thereto, at the end of the bid the Lump Sum for which he will perform all of the estimated work, as requested by the general requirements and covenants, specifications, and plans.

In case of a discrepancy between the gross sum shown in the proposal and that obtained by the addition of the bid prices as applied to the basic items, the latter shall prevail.

Each bid must be accompanied by a Cashier's or Treasurer's Check of a Bank or Trust Company in the City of Saint Louis, payable to the Order of the City Treasurer, or a Surety Bond approved by the Comptroller, for the amount of Deposit required, as heretofore stated.

All work under this contract will be paid for in cash, based on monthly estimates of the work completed, less a retained amount of ten (10%) percent. Final payment, including all retained percentages, will be made within ten (10) days after completion of all work and final acceptance by the City.

The City of St. Louis will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award. The DBE goal for this project is 8%.

The Contract shall provide that not less than the prevailing hourly rate of wages in the City of St. Louis as determined by the Department of Labor and Industrial Relations of the State of Missouri for each craft or type of workmen needed in the actual construction work on the site of the construction job herein authorized, as well as the general prevailing rate for legal holiday and overtime work shall be paid to all workmen.

All labor to be performed under this contract shall be subject to the provisions of Section 290.210 to 290.340, inclusive, of the Revised Statutes of Missouri.

The right of the Board of Public Service to reject any or all bids is expressly reserved.

By Order of the Board of Public Service,  
**NOVEMBER 18, 2003.**

Ronald A. Hearst, P.E.  
President

Attest:

Darlene A. Plump,  
Secretary

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## PUBLIC NOTICE

A public hearing will be held by the Board of Adjustment at 1:30 p.m. on Wednesday, November 26, 2003, in Room 208 City Hall to consider the following:

**APPEAL 8242** - Appeal filed by Stephen Beimdiek, from the determination of the Building Commissioner in the denial of a building permit authorizing the Appellant to construct a 2 story addition per plans at 362 Walton. **Ward 28 #AB292237-03 ZONE: "A" - Single Family Dwelling Unit**

In accordance with the provisions of Ordinance 59981, effective July 31, 1986.

By authority of the Board of Adjustment.

E. Smoot, Chairman

## PUBLIC NOTICE

A public hearing will be held by the Board of Adjustment at 1:30 p.m. on Wednesday, December 3, 2003, in Room 208 City Hall to consider the following:

**APPEAL 8206** - Appeal filed by Deborah Boyce, from the determination of the Building Commissioner in the denial of a home occupancy waiver authorizing the Appellant to operate a home day care for 7 children at 6008 Pennsylvania. **Ward 11 Home Occupancy Waiver ZONE: "B" - Two Family Dwelling District**

**APPEAL 8239** - Appeal filed by John Hoeng, from the determination of the Building Commissioner in the denial of an occupancy permit authorizing the Appellant to operate a construction office on the 1st floor at 5365 Arsenal. **Ward 8 #AO288958-03 ZONE: "A" - Single Family Dwelling District**

**APPEAL 8243** - Appeal filed by Sydney Long, from the determination of the Building Commissioner in the denial of a building permit authorizing the Appellant to construct a single family dwelling per plans at 1214 Louisville. **Ward 24 #AB291815-03 ZONE: "A" - Single Family Dwelling District**

**APPEAL 8244** - Appeal filed by Gian-Tony's Inc., from the determination of the Building Commissioner in the denial of a building permit authorizing the Appellant to construct a 1 story addition per plans to an existing restaurant (addendum to permit #AB275768-03) at 5356 Daggett. **Ward 10 #AB293054-03 ZONE: "A" - Single Family Dwelling District**

In accordance with the provisions of Ordinance 59981, effective July 31, 1986.

By authority of the Board of Adjustment.

K. Duckworth, Chairman

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## PUBLIC NOTICE

A Conditional Use Hearing will be held in Room 208 City Hall at 8:30 a.m. on **Thursday, December 4, 2003** on the following conditional uses:

**6914 Fyler** - Home Occupancy Waiver - Rehabing - (Office Use Only) - "A" - Single-Family Dwelling District. **WARD 23**

**3727 Juniata** - Home Occupancy Waiver - General Contractor - (Office Use Only) - "B" - Two-Family Dwelling District. **WARD 15**

**4905 Lotus** - Home Occupancy Waiver - Plumbing Repair - (Office Use Only) - "A" - Single-Family Dwelling Unit. **WARD 18**

**4052 McDonald** - Home Occupancy Waiver - Stone Works - (Office Use Only) - "A" - Single-Family Dwelling Unit. **WARD 15**

**4026 Taft** - Home Occupancy Waiver - Contracting - (Office Use Only) - "A" - Single-Family Dwelling Unit. **WARD 14**

**3025 Chippewa - AO290660-03** - Convenience Store (Hours 7A-8P) "F" - Neighborhood Commercial District. **WARD 20**

**3900 Flad - AO292576-03** - Wholesale/Retail Sales/Banquet & Meeting Facility - "F" - Neighborhood Commercial District. **WARD 8**

**2915 Ohio - AO291433-03** - Day Care 8 Infants M-F 6A-7:30P (Expanding from 2911 Ohio) - "C" - Multiple-Family Dwelling District. **WARD 9**

**4067-69 St Louis - AO291475-03** - Sit Down/Carry Restaurant - "F" - Neighborhood Commercial District. **WARD 4**

**2320 Union - AO290654-03** - Grocery Store/Carry Out Restaurant (Expanding Business) - "F" - Neighborhood Commercial District. **WARD 18**

**5578 Pershing - AB292164-03** - Interior & Exterior Alt Per Plans (Zoning Only) - "E" - Multiple-Family Dwelling District. **WARD 28**

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**CITY OF ST. LOUIS  
LAMBERT-ST. LOUIS  
INTERNATIONAL AIRPORT  
SOLICITATION FOR BIDS FOR  
Ground Maintenance Services  
(Kinloch, Ferguson,  
& Berkely, Missouri)  
SEALED BIDS WANTED**

Sealed Bids will be received at the *Lambert-International Airport, Airport Properties Department, Main Terminal - MTN 2109, 10701 Lambert International Boulevard, St. Louis, Missouri 63145* until 2:00 p.m., December 23, 2003, at which time the bids will be publicly opened and read.

Bidding documents may be obtained at *Lambert-International Airport, Airport Properties Department, Main Terminal - MTN 2109, 10701 Lambert International Boulevard, St. Louis, Missouri*, Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m., or by calling (314) 551-8031.

This Solicitation for Bids may be obtained by visiting our website at [www.lambert-stlouis.com](http://www.lambert-stlouis.com) (Click on "Other Services", then "Doing Business")

**LIVING WAGE:** *This solicitation is subject to the St. Louis Living Wage Ordinance 65597 and the Regulations associated therewith.*

Robert Salarano  
Contracts Administration Manager

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## DEPARTMENT OF PERSONNEL

### NOTICE OF EXAMINATIONS

The Department of Personnel, Room 100 City Hall, City of St. Louis, Missouri announces competitive Civil Service examinations to fill vacancies in the Municipal Service.

The last date for filing an application for the following examinations is **December 5, 2003.**

### CUSTOMER SERVICE MANAGER

*(Promotional Examination Open To  
Permanent City Employees Only)*

Prom. 8973

\$49,504 to \$74, 230 (Annual Salary Range)

### INFORMATION SECURITY ADMINISTRATOR

Prom./O.C. 8974

\$56,914 to \$85,384 (Annual Salary Range)

Vacation, Holidays, Sick Leave, Social Security, and Employee Retirement System Benefit privileges are provided in addition to salary.

Application forms and further information concerning duties of positions, desirable and necessary qualifications, relative weights of examination components, and duration of eligible lists may be secured in the office of the Department of Personnel, Room 100 City Hall. Applications can be submitted on the Internet. Visit the city web site ([www.stlouiscity.com](http://www.stlouiscity.com)) and link to Jobs with the City of St. Louis.

William C. Duffe, Director

November 19, 2003

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## NOTICE TO ALL BIDDERS

CITY ORDINANCE requires that any individual or company who performs work within the City limits must obtain a Business License. This would also apply to businesses

who employ sales or delivery personnel to come into the City. Contracts requiring work to be performed in the City will **NOT** be awarded to unlicensed businesses. Please contact the License Collector, Room 104 City Hall, St. Louis, Missouri, 63103 or phone (314) 622-4528. You may also refer to our on-line site at [www.stlouiscity.com](http://www.stlouiscity.com).

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## ST. LOUIS LIVING WAGE ORDINANCE

### LIVING WAGE REQUIREMENTS

Bidders [Proponents] are hereby advised that the St. Louis Living Wage Ordinance #65597 and associated Regulations apply to the service [concession] [lease] [City Financial Assistance] for which [bids] [proposals] are being sought herein. This Ordinance requires that, unless specific exemptions apply, all individuals who perform work pursuant to a contract executed between the successful [bidder] [proponent] and the City [Agency] must be paid a minimum of the applicable Living Wage rates set forth in the attached Living Wage Bulletin, and, if the rates are adjusted during the term of the contract pursuant to the Ordinance, applicable rates after such adjustment is made. Each bidder [proponent] must submit the attached "Living Wage Acknowledgment and Acceptance Declaration" with the bid [proposal]. Failure to submit this Declaration with the bid [proposal] will result in rejection of the bid [proposal]. A successful bidder's [proponent's] failure to comply with contract provisions related to the Living Wage Ordinance may result in termination of the contract and the imposition of additional penalties as set forth in the Ordinance and Regulations.

Copies of the Ordinance and Regulations are available upon request from Mr. Larry Thurston, at (314) 551-5005, or can be accessed at [http://www.stlouiscity.com/living\\_wage](http://www.stlouiscity.com/living_wage).

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## SUPPLY COMMISSIONER

Office of the Supply Commissioner, Room 324, City Hall, 1200 Market Street, St. Louis, Missouri 63103, Tuesday, November 25, 2003 - ADVERTISED BIDS will be received by the undersigned to be opened at the office at 12:00 o'clock noon, for the items listed below on the dates specified.

### Notice to All Suppliers

NOTE: It is the policy of the City of St. Louis that all firms desiring to do business with the City of St. Louis must comply with employment practices that are in accordance with the ordinances of the City of St. Louis and the Mayor's Executive Order promulgated there-under to the end that all Contractors and suppliers of materials and services will offer equal opportunity for employment and job advancement to blacks and other minority groups in the St. Louis Metropolitan area.

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**TUESDAY, DECEMBER 2, 2003**

### SURPLUS PITNEY BOWES COPY MACHINE (MODEL #9337) FOR SALE

per condemnation #S04-18A.

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**WEDNESDAY, DECEMBER 3, 2003**

MANDATORY PRE-BID MEETING FOR: RENTAL OF BARRICADES CONTRACT FOR A PERIOD OF THREE (3) YEARS FROM DATE OF AWARD. THE MEETING WILL BE HELD AT 10:00 AM, ROOM 324, CITY HALL, 1200 MARKET STREET, ST. LOUIS, MO. VENDORS MUST HAVE A REPRESENTATIVE AT THE MEETING IN ORDER TO BID.

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**TUESDAY, DECEMBER 16, 2003**

### STAINLESS STEEL STRAPPING

for furnishing the Traffic Division per Req. #42.

### CONTRACT FOR HAULING OF LIME

for a period of three (3) years from date of award.

### CONTRACT FOR PAINT, TRAFFIC MARKING

for a period of three (3) years from date of award.

### CONTRACT FOR RENTAL OF BARRICADES

for a period of three (3) years from date of award.

Bidders are invited to be present at the opening of bids. Bid results may be available 30 days following the date of bid opening. If you desire bid results, please include a self-address, stamped envelope with your bid.

The City of St. Louis desires to purchase recycled products whenever possible, especially items containing post

consumer waste materials. If your company can supply recycled products, please provide information to this office.

The right to reject any and all bids is reserved.

Freddie L. Dunlap  
Supply Commissioner  
(314) 622-4580  
[www.stlouis.missouri.org](http://www.stlouis.missouri.org)

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