

# *The* CITY JOURNAL

*Official Publication of* THE CITY OF ST. LOUIS

FRANCIS G. SLAY  
*Mayor*

LEWIS E. REED  
*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  
2007-2008

**PRELIMINARY**

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

**Friday, June 22, 2007.**

**These minutes are  
unofficial and subject to  
Aldermanic approval.**

City of St. Louis Board of Aldermen  
Chambers June 22, 2007.

The roll was called and the following  
Aldermen answered to their names: Troupe,  
Bosley, Moore, Ford-Griffin, Triplett, Young,  
Conway, Ortmann, Vollmer, Villa, Heitert,  
Wessels, Gregali, Florida, Baringer, Kennedy,  
Davis, King, Boyd, Hanrahan, Waterhouse,  
Kirner, Williamson, Krewson and Mr.  
President Reed. 25

*"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 GUESTS**

None.

**APPROVAL OF MINUTES  
OF PREVIOUS MEETING**

Mr. Wessels moved to approve the  
minutes for June 15, 2007.

Seconded by Mr. Villa.

Carried unanimously by voice vote.

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

To the President of the Board of  
Aldermen:

I wish to report that on the 15<sup>th</sup> day of  
June, 2007, 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. 121

An ordinance recommended by the Board of Estimate and Apportionment authorizing and directing the issuance and delivery of not to exceed \$21,410,000 plus issuance costs principal amount of Tax Increment Revenue Notes (Park Pacific Redevelopment Project), of the City of St. Louis, Missouri; prescribing the form and details of such notes and the covenants and agreements made by the city to facilitate and protect the payment thereof; and prescribing other matters relating thereto.

Donna A. Booker, Assistant Clerk  
Board of Aldermen

### Office of the Mayor

City of St. Louis  
Room 200 City Hall  
1200 Market Street  
St. Louis, MO 63103  
(314) 622-3201  
Fax (314) 622-4061  
June 19, 2007  
Honorable Board of Aldermen  
Room 230 City Hall  
1200 Market Street  
St. Louis, Missouri 63103

Dear Members of the Board:

I have the pleasure to submit to your Honorable Board the following individual for appointment to the Board of Commissioner of the St. Louis Housing Authority:

The appointment of Brenda Simpson, who resides at 2236 St. Louis Avenue, 63106, for a term ending July 20, 2011, replacing Marlene Davis.

May I ask for your Honorable Board's favorable consideration of these appointments.

Sincerely,  
FRANCIS G. SLAY  
Mayor

Mr. Wessels moved to approve the following appointments to the Board of Commissioners of the St. Louis Housing Authority: Brenda Simpson.

Seconded by Mr. Heitert.

Carried unanimously by voice vote.

City of St. Louis  
Room 200 City Hall  
1200 Market Street  
St. Louis, MO 63103  
(314) 622-3201  
Fax (314) 622-4061  
June 20, 2007

Honorable Board of Aldermen  
Room 230 City Hall  
1200 Market Street  
St. Louis, Missouri 63103

Dear Members of the Board:

I have the pleasure to submit to your Honorable Board the following individual for reappointment to the Central West End Southeast Special Business District:

The reappointment of Mr. Eric Kenyon, who resides at 4242 West Pine, 63108, and who will represent the owners of the District. His term will expire on December 31, 2010.

May I ask for your Honorable Board's favorable consideration of these appointments.

Sincerely,  
FRANCIS G. SLAY  
Mayor

Mr. Reed moved that the following appointment of Eric Kenyon to the Central West End Southeast Special Business District be assigned to the Ways & Means Committee for hearing.

Carried unanimously by voice vote.

### PETITIONS & COMMUNICATIONS

None.

### BOARD BILLS FOR PERFECTION

#### – INFORMAL CALENDAR

None.

#### BOARD BILLS FOR THIRD READING

#### – INFORMAL CALENDAR

None.

### RESOLUTIONS

#### – INFORMAL CALENDAR

None.

#### FIRST READING OF BOARD BILLS

Board Member Ford-Griffin introduced by request:

### Board Bill No. 178

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 Twenty-Five Thousand Dollars (\$25,000.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto A and F Realty LLC, certain City-owned property located in City Block 291, which property contains 0.382 acres more or less, and containing an emergency clause.

Board Member Conway introduced by request:

### Board Bill No. 179

An ordinance recommended by the Board of Estimate and Apportionment of the City of St. Louis, Missouri (the "City") authorizing and directing the St. Louis Municipal Finance Corporation (the "Corporation") to issue and sell the Corporation's Taxable Pension Judgment Leasehold Revenue and/or Refunding Bonds (City of St. Louis, Missouri, Lessee), Series 2007 and Taxable Pension Judgment Service Contract Revenue Bonds, Series 2007, or any combination thereof (collectively, the "Series 2007 Bonds"), in an aggregate principal amount not to exceed \$155,000,000 in order to pay certain judgments and other amounts in connection with any or all of the City of St. Louis Police Retirement System (the "PRS"), the City of St. Louis Firemen's Retirement System (the "FRS"), and the City of St. Louis Employees' Retirement System (the "ERS" and together with the PRS and FRS, the "Retirement Systems") and, if necessary or desirable to facilitate the transactions contemplated hereby, to pay, redeem and/or refund to maturity the Corporation's outstanding Firemen's Retirement System Lease Revenue Bonds, Taxable Series 1998 (The City of St. Louis, Missouri, Lessee) (the "Series 1998 Bonds") and/or any Bridge Loan (as defined herein) for the general welfare, safety, and benefit of the citizens of the City; authorizing and directing the Corporation to execute and deliver, as necessary or desirable to facilitate the transactions contemplated hereby, any of the Indenture, the Base Lease, the Lease Purchase Agreement, the Service Contract, the Tax Compliance Agreement, the Interest Rate Exchange Agreement, the Official Statement, the Bond Purchase Agreement, and the Escrow Agreement (all as defined herein); authorizing the City to execute and deliver, as necessary or desirable to facilitate the transactions contemplated hereby, any of the Base Lease, the Lease Purchase Agreement, the Service Contract, the Continuing Disclosure Agreement (as defined herein), the Tax Compliance Agreement, any Interest Rate Exchange Agreement to which the City is a party, the Official Statement, the Bond Purchase Agreement, and the Escrow Agreement; providing for a debt service reserve fund or funds for the Series 2007 Bonds, if any; authorizing the Corporation and the City to obtain credit enhancement for a portion or all of the Series 2007 Bonds from a Credit Provider (as defined herein), authorizing the payment of any obligations due to a Credit Provider, if any, and authorizing the Comptroller and any other appropriate City officials to execute the Credit Agreement (as defined herein) and other documents related thereto, if any; authorizing participation of

appropriate City officials in preparing the Official Statement; authorizing the acceptance of the terms of the Bond Purchase Agreement and the taking of further actions with respect thereto; authorizing the payment of certain costs of issuance of the Series 2007 Bonds; authorizing the Corporation and the City to obtain a Bridge Loan and enter into Bridge Loan Documents (as defined herein) in the event the issuance of the Series 2007 Bonds is delayed; authorizing the Corporation to amend its articles and by-laws if necessary or desirable to accommodate transactions of the nature contemplated hereby; 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; superseding provisions of prior ordinances of the City to the extent inconsistent with the terms hereof; and containing an emergency clause.

**Board Member Roddy** introduced by request:

#### **Board Bill No. 180**

An ordinance approving a Redevelopment Plan for the 4158 West Pine Blvd. 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 May 22, 2007 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 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 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 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 Krewson** introduced by request:

#### **Board Bill No. 181**

An ordinance recommended by the Board of Public Service ratifying the execution of an option to purchase real estate for additional park land located in City Block 3899 between the City of St. Louis and Rothschild Winzerling, LLC; acknowledging and approving the form and details of said option; making certain findings and representations and warranties therein including the payment of \$425,000.00 as adjusted; authorizing other related actions in connection thereto; and containing an emergency clause.

**Board Member Wessels** introduced by request:

#### **Board Bill No. 182**

An ordinance approving a Redevelopment Plan for the 4972 Eichelberger 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 May 22, 2007 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 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 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 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 Wessels** introduced by request:

#### **Board Bill No. 183**

An ordinance approving a

Redevelopment Plan for the 4318 Frieda 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 May 22, 2007 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 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 financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available five (5) year real estate tax abatement 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 Wessels** introduced by request:

#### **Board Bill No. 184**

An ordinance pertaining to the Zoning Code, repealing Chapter 26.48 pertaining to the "H" Area Commercial District of Ordinance 59979, approved July 31, 1986, and enacting in lieu thereof a new chapter pertaining to the same Zoning district and containing an emergency clause.

**Board Member Davis** introduced by request:

#### **Board Bill No. 185**

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in 15 foot wide east/west alley in City Block 2170 as bounded by LaSalle, Ranken, Hickory and Theresa 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 Roddy** introduced by request:

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

An ordinance approving a Redevelopment Plan for the 4355 West Pine Blvd. 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 May 22, 2007 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 occupied, 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 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 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.

### **REFERENCE TO COMMITTEE OF BOARD BILLS**

#### Transportation and Commerce

None.

#### Ways and Means

Board Bills No. 178, 179 and 181

#### Public Safety

None.

#### Public Utilities

None.

#### Legislation

None.

#### Health and Human Services

None.

#### Public Employees

None.

#### Streets, Traffic and Refuse

Board Bill No. 185

#### Intergovernmental Affairs

None.

#### Engrossment, Rules and Resolutions

None.

#### Housing, Urban Development and Zoning Board Bills No. 180, 182, 183, 184 and 186

#### Neighborhood Development

None.

#### Convention and Tourism

None.

#### Parks and Environmental Matters

None.

#### Personnel and Administration

None.

### **SECOND READING AND REPORT OF STANDING COMMITTEES**

Mr. Conway of the Ways and Means Committee submitted the following report which was read. Board of Aldermen Committee report, June 22, 2007.

To the President of the Board of Aldermen:

The Committee on Ways and Means whom was referred the following Board Bills, report that they have considered the same and recommend adoption.

#### **Board Bill No. 79**

An ordinance approving the Petition to Establish the Flora Place Community Improvement District, establishing the Flora Place Community Improvement District, and containing a severability clause and an emergency clause.

Alderman Conway

Chairman of the Committee

Ms. Young of the Transportation & Commerce Committee submitted the following report which was read. Board of Aldermen Committee report, June 22, 2007.

To the President of the Board of Aldermen:

The Committee on Transportation & Commerce whom was referred the following Board Bills, report that they have considered the same and recommend adoption

#### **Board Bill No. 159**

An ordinance recommended and approved by the Airport Commission and the Board of Estimate and Apportionment, ratifying and adopting the actions of the Mayor and the Comptroller of the City of St. Louis (the “City”), the owner and operator of Lambert-St. Louis International Airport® (the “Airport”), in accepting and executing on behalf of the City a certain grant agreement offered by the United States of America (the “Grant Agreement”), acting through the

Federal Aviation Administration of the United States Department of Transportation, the Grant Agreement being for Project Number 3-29-0085-109-2007, dated May 8, 2007, for a maximum federal obligation of One Million Eight Hundred Forty Nine Thousand Seven Hundred One Dollars (\$1,849,701), which is filed in the Office of the City Register [Comptroller Document No. 55575], for the reimbursement of direct costs associated with improving runway safety area 12L-30R (Phase 2); and containing an emergency clause.

#### **Board Bill No. 160**

An ordinance recommended by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment authorizing and directing the Director of Airports and the Comptroller of the City of St. Louis, Missouri, a municipal corporation (“St. Louis”) to enter into and execute on behalf of St. Louis an “Agreement and Contract of Sale” (substantially in the form as set out in ATTACHMENT “1” which is incorporated herein), between St. Louis, the owner and operator of Lambert-St. Louis International Airport® (“Airport”) which is located in St. Louis County, Missouri, and Lambert Airport Eastern Perimeter Joint Development Commission, a body corporate and politic, formed in accordance with section 70.210-70.325 Mo. Rev. Stat., as amended (“Buyer”), necessary for the sale by St. Louis to Buyer of certain surplus property (the “Property”) located in St. Louis County that is more fully described in Section 1 and EXHIBIT “A” of the Agreement and Contract of Sale in accordance with and subject to its provisions and to the applicable rules and regulations of the Federal Aviation Administration (“FAA”) and the applicable provisions of the Airport’s Amended and Restated Indenture of Trust between UMB Bank, N.A., Trustee dated October 15, 1984 as amended, and restated on September 10, 1997 as amended; providing for the deposit of the proceeds from the Agreement and Contract of Sale; authorizing and directing the Mayor and the Comptroller of St. Louis to enter into and execute on behalf of St. Louis the “Quit Claim Deed” substantially in the form as set out in EXHIBIT “B” to the Agreement and Contract of Sale subject to and in accordance with the terms of the Agreement and Contract of Sale, remising, releasing and forever quit-claiming unto the Buyer, its successors and assigns the Property subject to the easement and restrictive covenants as defined and provided for in the Quit Claim Deed; conditioning the execution and delivery by St. Louis of the agreements, documents, and instruments contemplated in this Ordinance on the FAA’s prior written approval of: a) the release and sale of the

surplus Property to the Buyer, b) the provisions of the Agreement and Contract of Sale including, without limitation, the "Purchase Price" of Two Million One Hundred Twenty Thousand Five Hundred Dollars (\$2,120,500.00), as defined and provided for in Section 2 of the Agreement and Contract of Sale, and c) any other related matter required to be submitted to and approved by the FAA; authorizing the Mayor, the Comptroller, the Register, the City Counselor, Director of Airports, and other appropriate officers, officials, agents, and employees of St. Louis with the advice of the Director of Airports to enter into and execute on behalf of St. Louis and in St. Louis' best interest any attendant or related documents, agreements, affidavits, certificates, or instruments deemed necessary to effectuate the terms set forth in the Agreement and Contract of Sale or the Quit Claim Deed, and/or deemed necessary to preserve and protect St. Louis' interest and to take such actions as are necessary or appropriate in connection with the sale of the Property or the consummation of the transactions contemplated herein; providing that the provisions set forth in this Ordinance shall be applicable exclusively to the agreements, documents, and instruments approved and/or authorized by this Ordinance, and containing a severability clause, and an emergency clause.

### **Board Bill No. 161**

An ordinance recommended by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment authorizing and directing the Mayor, Comptroller, City Counselor, and the Director of Airports of the City of St. Louis ("St. Louis"), to enter into and execute on behalf of St. Louis a Settlement Agreement substantially in the form as set out in ATTACHMENT 1 to this ordinance (the "Settlement Agreement"), which is attached hereto and incorporated herein, between St. Louis, the owner and operator of Lambert-St. Louis International Airport® ("Airport") which is located in St. Louis County, Missouri, and The City of Bridgeton, Missouri, ("Bridgeton"), necessary to resolve and settle both of the lawsuits described in Section 1 of the Settlement Agreement (the "Lawsuits") and any other claims known by St. Louis or Bridgeton on the Effective Date as defined in the Settlement Agreement concerning St. Louis' W-1W Expansion Program of the Airport in accordance with and subject to the applicable rules and regulations of the Federal Aviation Administration and the applicable provisions of the Airport's Amended and Restated Indenture of Trust between UMB Bank, N.A., Trustee dated October 15, 1984 as

amended, and restated on September 10, 1997 as amended; which Settlement Agreement subject to and in accordance with its terms, covenants, warranties, and conditions also authorizes and provides in part for the following:

1) The payment by St. Louis to Bridgeton of Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00) in accordance with the Payment Schedule as defined and provided for in Section 2(a) and Exhibit A Payment Schedule;

2) The retention by Bridgeton of the Commissioners' Awards provided for in Section 2(b) in regard to the Lawsuits;

3) The conveyance by St. Louis to Bridgeton by Quit Claim Deed of approximately 41.73 acres of land within the City of Bridgeton commonly know as the "Carrollton Property" or the "Carrollton Subdivision" (collectively the "Carrollton Property") as provided for in Section 2(c) and Exhibit W Form of Carrollton Property Deed;

4) The leasing by St. Louis to Bridgeton of approximately 9.87 acres of land within the City of Bridgeton as provided for in Section 2(d) and set out in Exhibit D Ground Lease;

5) The conveyance by Bridgeton to St. Louis by Quit Claim Deed of approximately 15.33 acres of land within the City of Bridgeton commonly know as "Freebourne Park" as provided for in Section 2(f) and Exhibit F-4 Form of Freebourne Property and Oak Valley Property Deeds ;

6) The conveyance by Bridgeton to St. Louis by Quit Claim Deed of approximately 11.51 acres of land within the City of Bridgeton commonly know as "Oak Valley Park" as provided for in Section 2(g) and Exhibit F-4 Form of Freebourne Property and Oak Valley Deeds;

7) The conveyance by Bridgeton to St. Louis by Quit Claim Deed of approximately 4.83 acres of real property within the City of Bridgeton commonly know as the "Bridgeton Municipal Complex Property" as provided for in Section 2(h) and Exhibit I Form of Municipal Complex Deed and Exhibit J Escrow Agreement;

8) The lease back by St. Louis of the Bridgeton Municipal Complex Property to Bridgeton for a period commencing on the Final Payment Date, as defined in the Section 2(h) and expiring on the date which is the earlier of (i) two and one-half years after the Final Payment Date or (ii) the date on which Bridgeton has substantially completed the construction of and moved into its replacement municipal complex, in accordance with Section

2(h) and Exhibit K Municipal Complex Lease and Exhibit J Escrow Agreement;

9) The conveyance by Bridgeton to St. Louis by Quit Claim Deed of certain streets within the City of Bridgeton as provided for in Section 2(i) and Exhibit U Form of Streets Deed;

10) The granting by St. Louis of a perpetual easement to Bridgeton granting Bridgeton and the general public vehicular access over certain roads and pedestrian access over the associated sidewalks as provided for in Section 2(i) and Exhibit M Carrollton Easement; and

11) The granting by St. Louis of a perpetual easement to Bridgeton granting Bridgeton and the general public vehicular access over certain roads and pedestrian access over the associated sidewalks as provided for in Section 7(b) and Exhibit T Road Easement;

authorizing and directing the Comptroller subject to and in accordance with the provisions of the Settlement Agreement to take such actions that are necessary or appropriate to timely make the cash payments to Bridgeton in the total amount of Ten Million Eight Hundred Thousand Dollars (\$10,800,000.00) in accordance with the Payment Schedule as defined and provided for in Section 2(a) and Exhibit A of the Settlement Agreement including, without limitation, the transfer or appropriation of funds from time to time as may be necessary or appropriate from the Airport Development Fund established under authority of Ordinance 59286, Section 13, approved October 26, 1984, into this Ordinance; authorizing the Mayor, Comptroller, Register, City Counselor, Director of Airports and other appropriate officers, agents, and employees of St. Louis, as the case may be, with the advice of the Director of Airports to enter into and execute on behalf of St. Louis and in the St. Louis' best interest any companion, attendant, or related documents, agreements, bill of sales, deeds or instruments contemplated in the Settlement Agreement and attached thereto as an exhibit, or necessary to effectuate the terms set forth in the Settlement Agreement and/or deemed necessary to preserve and protect St. Louis' interest, and to take such actions as are necessary or appropriate in connection with the settlement of the Lawsuits or the consummation of the transactions contemplated in the Settlement Agreement for and in consideration of St. Louis' obligations as set forth in the Settlement Agreement; authorizing the Director of Airports to make such applications and provide such data and to take whatever action necessary to seek funds under the Airport

Improvement Program, the Passenger Facility Charge Program or other federal state or local programs for projects or expenditures herein authorized where such projects, costs or expenditures or deemed eligible and/or monies made available for those projects, costs, or expenditures under federal, state, or local law or contract, and to authorize the deposit of such funds as may be appropriate into this Ordinance to pay for the projects, costs, or expenditures herein authorized; providing that the provisions set forth in this Ordinance shall be applicable exclusively to the documents, agreements, bill of sales, deeds, and instruments approved and/or authorized by this Ordinance, and containing a severability clause, and an emergency clause.

Alderman Young  
Chairman of the Committee

### REPORT OF SPECIAL COMMITTEES

None.

### PERFECTION CONSENT CALENDAR

Mr. Wessels moved that the following Board Bills before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass": Board Bills No. 134, 124 (Committee Substitute) and 167.

Seconded by Mr. Heitert.

Carried unanimously by voice vote.

### BOARD BILLS FOR PERFECTION

Mr. Conway moved that Board Bill No. 1 (Committee Substitute) before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass".

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 24

Mr. Conway moved that Board Bill No. 135 before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass".

Seconded by Ms. Florida.

Carried unanimously by voice vote.

Mr. Conway moved that Board Bill No. 136 before the Board for perfection, be perfected as reported out of Committee with

its recommendation "Do Pass".

Seconded by Ms. Florida.

Carried unanimously by voice vote.

Mr. Moore moved that Board Bill No. 162 before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass".

Seconded by Mr. Kennedy.

Carried by the following vote:

Ayes: Moore, Conway. 2

Noes: Bosley, Griffin, Triplett, Young, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson and Ms. Krewson. 22

Present: Troupe - 1

Mr. Kennedy made a motion to reconsider the vote for Board Bill No. 162.

Seconded by Mr. Bosley.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Triplett, Young, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson and Ms. Krewson. 23

Noes: 0

Ms. Krewson moved that Board Bill No. 67 (Committee Substitute) be perfected as reported out of Committee with its recommendation "Do Pass".

Ms. Jones King offered an amendment to Board Bill 67 (Committee Substitute).

Motion was made by Ms. Jones King.

Seconded by Mr. Kennedy.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, Jones King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson and Ms. Krewson. 24

Noes: 0

Mr. Kennedy moved that Board Bill No. 170 before the Board for perfection, be perfected as reported out of Committee with its recommendation "Do Pass".

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Florida, Baringer, Kennedy,

Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 23

Noes: Gregali - 1

### THIRD READING CONSENT CALENDAR

Ms. Hanrahan moved for the third reading and final passage of Board Bills No. 135, 136, 124 and 134.

Seconded by Ms. Florida.

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 24

Noes: 1

### Board Bill No. 135

An ordinance appropriating the sum of TWENTY MILLION, FIVE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$20,545,000), as described and defined in Section 94.600 through 94.655, R.S. Mo. Supp. 1986 as amended for the period herein stated, which sum is hereby appropriated out of the "Transportation Trust Fund" to the Bi-State Development Agency for transportation purposes; and further providing that the appropriation is conditional upon the Bi-State Development Agency supplying the Board of Estimate and Apportionment an annual evaluation report; further providing that in no event shall the Comptroller draw warrants on the Treasurer for an amount greater than the amount of proceeds deposited in the "Transportation Trust Fund" during the period from July 1, 2007 through June 30, 2008; providing for the appropriation to be reduced if certain funds are used for other than public transit purposes; further providing that the appropriation is conditional upon Bi-State requiring the payment of prevailing wages and benefits to employees of outside service contractors; and containing a severability clause.

### Board Bill No. 136

An Ordinance pertaining to the Transportation Sales Tax imposed pursuant to Senate Bill 432 as adopted and approved by the voters of St. Louis City on August 2, 1994, pursuant to Ordinance 63168; creating the "City Public Transit Sales Tax Trust Fund" directing the Treasurer of the City of St. Louis to deposit funds received pursuant to said sales tax into the "City Public Transit Sales Tax Trust Fund" appropriating TEN MILLION, FIVE HUNDRED FIFTY THOUSAND, THREE HUNDRED DOLLARS (\$10,550,300) from the said sales

tax for the period herein stated to the Bi-State Development Agency for certain purposes; providing for the payment of such funds during the period July 1, 2007 through, June 30, 2008; further providing that in no event shall the Comptroller draw warrants on the Treasurer for an amount greater than the amounts of the proceeds deposited in the "City Public Transit Sales Tax Trust Fund" during the period of July 1, 2007 through June 30, 2008; containing a severability clause.

#### **Board Bill No. 124**

An ordinance prohibiting the operation of any vehicle on a street, alley, roadway, highway or parking lot open to the public by any person while that person's drivers license or driving privilege has been canceled, suspended or revoked by the State of Missouri and containing an emergency clause.

#### **Board Bill No. 134**

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing a supplemental appropriation; amending Ordinance 67090, commonly referred to as the City of St. Louis Annual Operating Plan for Fiscal Year 2006 2007; appropriating and setting apart the sum of One Million, Seven Hundred Eighty Thousand Five Hundred Thirteen Dollars (\$1,780,513) in proceeds from the Convention and Sports Facility Project and Refunding Bonds, Series C 2007 to Fund 1211 Center 1320001 for costs and expenses of the City for repair, improvement and renovation of Cervantes Convention Center, One Hundred Twenty Eight Thousand Eight Hundred Seventy Six Dollars (\$128,876) from interest and sinking fund revenue to Fund 1311 Center 1602006 for the payment of interest expenses on the City's 2006 general obligation bond issue and Two Hundred Eighty Six Thousand Nine Hundred Ninety One Dollars (\$286,991) from receipts accruing to the Problem Properties and Nuisance Crime Prosecution Account Center 1390003 and the Enhanced Criminal Prosecution Account Center 3120008 of the Public Safety Trust Fund 1120 for the purpose of funding enhanced problem properties and nuisance crime prosecution efforts of the City Counselor's Office and criminal prosecution efforts of the Circuit Attorney's Office respectively as specified in Ordinance 67193 and detailed in Exhibit A; and containing an emergency clause.

Mr. Conway made a motion to move Board Bill No. 1 (Committee Substitute) to the third reading calendar.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin,

Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25.

Noes: 0

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

Board of Aldermen, Committee Report, St. Louis, June 15, 2007.

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.

Mr. Bosley moved for third reading and final passage of Board Bill No. 137.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Kirner, Williamson, Krewson and Mr. President Reed. 22

Noes: 2

#### **Board Bill No. 137**

An ordinance recommended by the Parking Commission making appropriation for payment of the operating expenses, capital equipment and improvement expenses, including lease purchase agreements involving Parking Division assets, and debt service expenses of the Parking Division of the Treasurer's Office, Kiel Parking Facilities, Argyle Parking Facility, Chouteau Parking Facility, Williams Paper Parking Facility, and the Central Downtown Parking Facility for the fiscal year beginning July 1, 2007 and ending June 30, 2008, amounting in the aggregate to the sum of Twelve Million, Six Hundred Sixty Eight Thousand, Three Hundred Ninety Four Dollars (\$12,668,394) and containing an emergency clause.

Mr. Kennedy moved for third reading and final passage of Board Bill No. 170.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd,

Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25

#### **Board Bill No. 170**

An ordinance prohibiting the issuance of any package liquor license for any non-licensed premises within the boundaries of the Eighteenth Ward Liquor Control District, as established herein, for a period of three years from the effective date hereof; containing exceptions and allowing, during the moratorium period, for the transfer of existing licenses, under certain circumstances; and containing an emergency clause.

Mr. Moore moved for third reading and final passage of Board Bill No. 162.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25

#### **Board Bill No. 162**

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 Eight Hundred Dollars (\$800.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto Otis L. Taylor, certain City-owned property located in City Block 4465, which property is known as 3025-27 Marnice Place, and containing an emergency clause.

Ms. Young moved for third reading and final passage of Board Bill No. 167.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25

#### **Board Bill No. 167**

An ordinance authorizing and directing execution of a Cooperation Agreement between the City and Gateway Foundation (the "Foundation"), a not-for-profit trust, which provides procedures for the improvement of a two-block portion of the property commonly known as the Gateway Mall and for the operation and maintenance of said property once the improvements are completed.

Mr. Conway moved for third reading and

final passage of Board Bill No. 1 (Committee Substitute As Amended).

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25

### **Board Bill No. 1 Committee Substitute**

An ordinance making appropriation for payment of Interest, Expenses and Principal of the City's Bonded Indebtedness, establishing City tax rates, and making appropriation for current year expenses of the City Government, Water Division, St. Louis Airport Commission, Affordable Housing Trust Fund, Health Care Trust Fund, Use Tax Excess Trust Fund, Building Demolition Fund, Assessor, Victim's Fund, Communications Division, Forest Park Fund, Child Support Unit (Circuit Attorney's Office), Circuit Attorney Training and Collection Fee Funds, Port Administration, Peace Officer Training Fund, Capital Improvement Projects Fund, Capital Improvements Sales Tax Trust Fund, Metro Parks Sales Tax Fund, Centralized Mailroom Internal Service Fund, Tourism Fund, Lateral Sewer Fund, Public Safety Trust Fund, Local Parks Fund, Neighborhood Parks Fund, BJC/City Trust Fund. Miscellaneous Special Funds, Trustee Lease Fund, Riverfront Gaming Fund, Various Grant Funds, Tax Increment District Special Allocation Fund, City Convention and Sports Facility Trust Fund and Employee Benefits Fund (Department of Personnel); for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008, amounting in the aggregate to the sum of Eight Hundred Sixty Seven Million, Seven Hundred Forty Eight Thousand, One Hundred Eighty Seven Dollars (\$867,748,187) which sum is hereby appropriated from Revenue and Special Funds named for the purposes hereinafter enumerated and containing an emergency clause.

Alderman Ortmann  
Chairman of the Committee

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

Board of Aldermen, Committee Report, St. Louis, June 15, 2007.

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 enrolled.

### **Board Bill No. 137**

An ordinance recommended by the Parking Commission making appropriation for payment of the operating expenses, capital equipment and improvement expenses, including lease purchase agreements involving Parking Division assets, and debt service expenses of the Parking Division of the Treasurer's Office, Kiel Parking Facilities, Argyle Parking Facility, Chouteau Parking Facility, Williams Paper Parking Facility, and the Central Downtown Parking Facility for the fiscal year beginning July 1, 2007 and ending June 30, 2008, amounting in the aggregate to the sum of Twelve Million, Six Hundred Sixty Eight Thousand, Three Hundred Ninety Four Dollars (\$12,668,394) and containing an emergency clause.

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### **Board Bill No. 162**

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 Eight Hundred Dollars (\$800.00) and other good and valuable consideration, a Quit Claim Deed to remise, release and forever quit-claim unto Otis L. Taylor, certain City-owned property located in City Block 4465, which property is known as 3025-27 Marnice Place, and containing an emergency clause.

### **Board Bill No. 167**

An ordinance authorizing and directing execution of a Cooperation Agreement between the City and Gateway Foundation (the "Foundation"), a not-for-profit trust, which provides procedures for the improvement of a two-block portion of the property commonly known as the Gateway Mall and for the operation and maintenance of said property once the improvements are completed.

### **Board Bill No. 1 Committee Substitute**

An ordinance making appropriation for payment of Interest, Expenses and Principal of the City's Bonded Indebtedness,

establishing City tax rates, and making appropriation for current year expenses of the City Government, Water Division, St. Louis Airport Commission, Affordable Housing Trust Fund, Health Care Trust Fund, Use Tax Excess Trust Fund, Building Demolition Fund, Assessor, Victim's Fund, Communications Division, Forest Park Fund, Child Support Unit (Circuit Attorney's Office), Circuit Attorney Training and Collection Fee Funds, Port Administration, Peace Officer Training Fund, Capital Improvement Projects Fund, Capital Improvements Sales Tax Trust Fund, Metro Parks Sales Tax Fund, Centralized Mailroom Internal Service Fund, Tourism Fund, Lateral Sewer Fund, Public Safety Trust Fund, Local Parks Fund, Neighborhood Parks Fund, BJC/City Trust Fund. Miscellaneous Special Funds, Trustee Lease Fund, Riverfront Gaming Fund, Various Grant Funds, Tax Increment District Special Allocation Fund, City Convention and Sports Facility Trust Fund and Employee Benefits Fund (Department of Personnel); for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008, amounting in the aggregate to the sum of Eight Hundred Sixty Seven Million, Seven Hundred Forty Eight Thousand, One Hundred Eighty Seven Dollars (\$867,748,187) which sum is hereby appropriated from Revenue and Special Funds named for the purposes hereinafter enumerated and containing an emergency clause.

### **Board Bill No. 124 (Committee Substitute)**

An ordinance prohibiting the operation of any vehicle on a street, alley, roadway, highway or parking lot open to the public by any person while that person's drivers license or driving privilege has been canceled, suspended or revoked by the State of Missouri and containing an emergency clause.

### **Board Bill No. 135**

An ordinance appropriating the sum of TWENTY MILLION, FIVE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$20,545,000), as described and defined in Section 94.600 through 94.655, R.S. Mo. Supp. 1986 as amended for the period herein stated, which sum is hereby appropriated out of the "Transportation Trust Fund" to the Bi-State Development Agency for transportation purposes; and further providing that the appropriation is conditional upon the Bi-State Development Agency supplying the Board of Estimate and Apportionment an annual evaluation report; further providing that in no event shall the Comptroller draw warrants on the Treasurer for an amount greater than the amount of proceeds deposited in the "Transportation

Trust Fund” during the period from July 1, 2007 through June 30, 2008; providing for the appropriation to be reduced if certain funds are used for other than public transit purposes; further providing that the appropriation is conditional upon Bi-State requiring the payment of prevailing wages and benefits to employees of outside service contractors; and containing a severability clause.

### Board Bill No. 136

An Ordinance pertaining to the Transportation Sales Tax imposed pursuant to Senate Bill 432 as adopted and approved by the voters of St. Louis City on August 2, 1994, pursuant to Ordinance 63168; creating the “City Public Transit Sales Tax Trust Fund” directing the Treasurer of the City of St. Louis to deposit funds received pursuant to said sales tax into the “City Public Transit Sales Tax Trust Fund” appropriating TEN MILLION, FIVE HUNDRED FIFTY THOUSAND, THREE HUNDRED DOLLARS (\$10,550,300) from the said sales tax for the period herein stated to the Bi-State Development Agency for certain purposes; providing for the payment of such funds during the period July 1, 2007 through, June 30, 2008; further providing that in no event shall the Comptroller draw warrants on the Treasurer for an amount greater than the amounts of the proceeds deposited in the “City Public Transit Sales Tax Trust Fund” during the period of July 1, 2007 through June 30, 2008; containing a severability clause.

### Board Bill No. 134

An ordinance, recommended by the Board of Estimate and Apportionment, authorizing a supplemental appropriation; amending Ordinance 67090, commonly referred to as the City of St. Louis Annual Operating Plan for Fiscal Year 2006 2007; appropriating and setting apart the sum of One Million, Seven Hundred Eighty Thousand Five Hundred Thirteen Dollars (\$1,780,513) in proceeds from the Convention and Sports Facility Project and Refunding Bonds, Series C 2007 to Fund 1211 Center 1320001 for costs and expenses of the City for repair, improvement and renovation of Cervantes Convention Center, One Hundred Twenty Eight Thousand Eight Hundred Seventy Six Dollars (\$128,876) from interest and sinking fund revenue to Fund 1311 Center 1602006 for the payment of interest expenses on the City’s 2006 general obligation bond issue and Two Hundred Eighty Six Thousand Nine Hundred Ninety One Dollars (\$286,991) from receipts accruing to the Problem Properties and Nuisance Crime Prosecution Account Center 1390003 and the Enhanced Criminal Prosecution Account Center

3120008 of the Public Safety Trust Fund 1120 for the purpose of funding enhanced problem properties and nuisance crime prosecution efforts of the City Counselor’s Office and criminal prosecution efforts of the Circuit Attorney’s Office respectively as specified in Ordinance 67193 and detailed in Exhibit A; and containing an emergency clause.

Mr. Wessels moved to accept the report of the Enrollment Committee.

Seconded by Mr. Ortmann.

Carried by the following vote:

Ayes: Troupe, Bosley, Moore, Griffin, Triplett, Young, Conway, Ortmann, Vollmer, Villa, Heitert, Wessels, Gregali, Florida, Baringer, Kennedy, Davis, King, Boyd, Hanrahan, Waterhouse, Kirner, Williamson, Krewson and Mr. President Reed. 25

Alderman Ortmann  
Chairman of the Committee

Board Bills Numbered 137, 170, 162, 167, 1 (Committee Substitute), 124 (Committee Substitute), 135, 136 and 134 were read and all other business being suspended, Mr. Reed, 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. President Reed introduced Resolutions No. 79, 80, 81, 82, 84 and the Clerk was instructed to read same.

#### Resolution No. 79

**WHEREAS**, we have been apprised that on Tuesday, June 19, 2007, the St. Louis Police Department awarded Sgt. Ronald E. Hasty as the department’s Officer of the Year for 2006; and

**WHEREAS**, Sgt. Hasty also received a meritorious service citation for helping to capture a suspected drug dealer who fired at him and another officer; and

**WHEREAS**, Sgt. Hasty is a 20 year veteran assigned to the 3<sup>rd</sup> District; and

**WHEREAS**, Sgt. Hasty was among the officers and civilian employees honored during a ceremony at Harris-Stowe State University; and

**WHEREAS**, Chief Joe Mokwa gave these remarks on behalf of Sgt. Hasty, “He’s a good hearted, hard-working man who has put himself in jeopardy. He will do anything for his fellow officers, and he always conducts himself well.”

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

the City of St. Louis, that we pause in our deliberations to join with the St. Louis Police Department in honoring Sgt. Ronald E. Hasty for his many contributions to the

St. Louis community and we thank him for his tireless efforts on behalf of our citizens and we further 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 for presentation to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 22<sup>nd</sup> day of June, 2007 by:

**Honorable Stephen Gregali, Alderman 14<sup>th</sup> Ward**  
**Honorable Jennifer Florida, Alderwoman 15<sup>th</sup> Ward**  
**Honorable Ken Ortmann, Alderman 9<sup>th</sup> Ward**  
**Honorable Lewis Reed, President, Board of Aldermen**

#### Resolution No. 80

**WHEREAS**, the Grace Hill Settlement House was formed to provide supportive services to the Greater St. Louis community in 1903 and;

**WHEREAS**, the Grace Hill Neighborhood Health Centers were established in 1906 to provide primary and preventative health care services to the Greater St. Louis community and;

**WHEREAS**, the Grace Hill Settlement House has fashioned outstanding programs in areas such as economic self-reliance, community outreach, early childhood education, neighborhood development and health care and;

**WHEREAS**, the Grace Hill Neighborhood Health Centers as recently as 2005 provided critical health services to nearly 30,000 patients of whom 25% were children, 29% were homeless and 16% were public housing residents and;

**WHEREAS**, the Grace Hill family of agencies serves over 70,000 residents annually and;

**WHEREAS**, the Grace Hill Settlement House and the Grace Hill Neighborhood Centers have both been selected on separate occasions by FOCUS ST. LOUIS as “What’s Right in the Region” awardees and;

**WHEREAS**, the Grace Hill Settlement House received the “The Family Count” award from the Annie E. Casey Foundation and;

**WHEREAS**, the Grace Hill Family of agencies and organizations have established themselves as beacons of light in the Greater St. Louis community by continuing to provide critical services to St. Louis families does.

**NOW THEREFORE BE IT**

**RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to recognize Grace Hill Settlement House and its ceo; Dr. Theresa Mayberry and Grace Hill Neighborhood Health Center and its ceo; Mr. Alan Freeman for all of their valuable contributions the citizens of St. Louis 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 honorees at a time and place deemed appropriate by the Sponsor.

Introduced this the 22<sup>nd</sup> day of June, 2007 by:

**Honorable April Ford-Griffin, Alderwoman, 5<sup>th</sup> Ward**

### **Resolution No. 81**

**WHEREAS**, Dr. Johnson is a thirty year member of the Prince Hall Masonic Family and has excelled in every area of the Masonic Order which would include, the Order of Eastern Star member to District Deputy Grand Worthy Matron ; and

**WHEREAS**, in 1989 the Harmony Grand Chapter chartered the Dr. Ardella G. Johnson, Chapter #120; and

**WHEREAS**, Dr. Johnson served as the first Most Ancient Matron of Rose H. Sanders in the Heroines of Jericho; and

**WHEREAS**, In the Order of Cyrene she excelled from Past Commandress of Queen Sarah Court#35 to become the Most Royal Grand Commandress and currently as spiritual leader for the Missouri Jurisdiction and also a member of Key Court #1 - Order of Cyrene and she continues to be faithful to the Golden Circle; and

**WHEREAS**, Dr. Johnson currently serves as the Directress of the Coalition of Ministers for the Imperial Court-Daughters of Isis; and

**WHEREAS**, Dr. Johnson is a member of Union Memorial United Methodist Church and a dedicated member of their Ministerial Staff. She serves as chairperson of Union Memorial Evangelism, and also as Spiritual Leader for the United Methodist Women; and

**WHEREAS**, Dr. Johnson is continuing her education to obtain a Masters in Counseling and a Doctorate in Theology; and

**WHEREAS**, Dr. Johnson serves as a pillar of light to those who encounter her presence. Proverbs 31:10 states, **“WHO WILL FIND A VIRTUOUS WOMAN? FOR HER PRICE IS FAR ABOVE RUBIES.”**

**WHEREAS**, Dr. Johnson will forever

be the proud, caring loving Mother, Grandmother, Great-Grandmother, Sister and matriarch of her family.

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to congratulate Rev. Dr. Ardella G. Johnson for her many accomplishments and we wish her many more years of happiness, good health and peace and we further 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 for presentation to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced this the 22<sup>nd</sup> day of June, 2007 by:

**Honorable Charles Quincy Troupe, 1<sup>st</sup> Ward**

### **Resolution No. 82**

**WHEREAS**, Pride St. Louis is “dedicated to increasing the awareness of the general public to the presence of Lesbian, Gay, Bisexual and Transgendered individuals in the community in an effort to eliminate prejudice and achieve harmony”; and

**WHEREAS**, For nearly thirty years, Pride St. Louis, an all-volunteer, nonprofit organization, has organized highly successful Pride activities for our community, including PrideFest, the Midwest’s largest gay and lesbian pride event; and

**WHEREAS**, PrideFest celebration attracts 80,000 to 100,000 attendees from across our region, our state, our country and even a few international visitors; and

**WHEREAS**, This year’s Pridefest is celebrated June 23-24, 2007; and

**WHEREAS**, Pride St. Louis and Pridefest serve to unite the community and provide an opportunity for the entire community to come together with a spirit of diversity and tolerance.;

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis that we pause in our deliberations to recognize and thank Pride St. Louis who has provided untiring dedication to the elimination of prejudice and to achieve harmony in the City of St. Louis and we further 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 21st day of June, 2007 by:

**Honorable Lewis E. Reed, President St. Louis City**

### **Board of Aldermen**

### **Resolution No. 84**

**WHEREAS**, we have been apprised that Zelra McNeal has been awarded the 22<sup>nd</sup> Ward Good Neighbor Award; and

**WHEREAS**, Ms. McNeal has resided in the 4300 block of Darby Street for nearly 40 years and has been very active in the neighborhood; and

**WHEREAS**, Ms. McNeal is a member of the Board of Directors for the Hamilton Heights Neighborhood Organization, Inc and was instrumental in the opening of the Hamilton Heights Day Care Center; and

**WHEREAS**, Ms. McNeal is a former member of the Board of Directors of the St. Louis Job Corps Center where she was awarded a Certificate of Appreciation; and

**WHEREAS**, in 2002, Ms. McNeal was instrumental in obtaining a Gateway Greening Project grant where she along with other block members installed and maintain eight large planters and trees in the 5800-6000 blocks of Natural Bridge Avenue; and

**WHEREAS**, in 2003 Ms. McNeal created a flower garden in the 3700 block of Darby Street where she enlisted children from the neighborhood to learn gardening techniques as well as assist with maintaining the neighborhood garden; and

**WHEREAS**, Ms. McNeal has worked tirelessly to involve the residents and business owners in the beautification of their block and surrounding areas and her community.

**NOW THEREFORE BE IT RESOLVED** by the Board of Aldermen of the City of St. Louis, that we pause in our deliberations to congratulate Zelra McNeal on being awarded the 22<sup>nd</sup> Ward Good Neighbor Award and for her many contributions to the St. Louis community and we thank her for her tireless efforts on behalf of our citizens and we further 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 for presentation to our honoree at a time and place deemed appropriate by the Sponsor.

Introduced on the 22<sup>nd</sup> day of June, 2007 by:

**Honorable Jeffrey Boyd, Alderman 22<sup>nd</sup> Ward**

Unanimous consent having been obtained Resolutions No. 79, 80, 81, 82 and 84 stood considered.

Mr. President Reed moved that Resolutions No. 79, 80, 81, 82 and 84 be adopted, at this meeting of the Board.

Seconded by Mr. Ortmann.

Carried unanimously by voice vote.

**FIRST READING OF  
RESOLUTIONS**

Mr. President Reed introduced Resolution No 83 and the Clerk was instructed to read same.

**Resolution No. 83  
RESOLUTION OF THE  
BOARD OF ALDERMEN**

**OF THE CITY OF ST. LOUIS,  
MISSOURI**

**ORDERING AND SETTING 2007  
CABLE TELEVISION RATES FOR  
BASIC SERVICE, EQUIPMENT and  
INSTALLATIONS**

**PURSUANT TO FCC FORMS 1240 and  
1205 DATED OCTOBER 13, 2006**

**Community Unit Identification  
# MO-0545**

**WHEREAS**

1. Section 623 of the Cable Communications Policy Act of 1984, 47 U.S.C. § 543, as amended by the Cable Consumer Protection and Competition Act of 1992 ("Cable Act"), allows local franchise authorities to regulate certain cable television rates in accordance with rules and procedures established by the Federal Communications Commission (FCC); and

2. The Board of Aldermen of the City of St. Louis, Missouri ("City"), is the Franchise Authority under the City Charter; is empowered by Ordinance to consider and decide cable-related issues; adopted on June 11, 1993, Board Resolution #47 authorizing its Petition for Certification and Local Rules for Rate Regulation; and is duly certified by the FCC to regulate certain rates including those for the Basic Service Tier (BST), monthly equipment rentals, the hourly service charge (HSC), and installation fees based on the HSC, included in the Form 1205 ("equipment rates"); and

3. The Communications Division holds duties delegated by the Board of Aldermen as its Franchise Agency with respect to cable matters under Cable Regulatory Ordinance 65431, Section Thirty-Two, and the Agency is required under local rules to submit a report and recommendation on rate proposals to the Board; and

4. Charter Communications Entertainment I, LLC, doing business as Charter Communications ("Charter") and franchised to operate a cable system in the

City of St. Louis in accordance with terms of a transfer of ownership from AT&T Broadband on June 30, 2001 and its franchise renewal agreement with the City of St. Louis effective May 23, 2002, has submitted to the City its Original FCC Form 1240, "Updating Maximum Permitted Rates for Regulated Cable Services," and its associated FCC Form 1205, "Determining Regulated Equipment and Installation Costs" ("Equipment Form") both dated October 13, 2006 (the "Rate Filing");

5. The Rate Filing from Charter proposes a maximum permitted rates ("MPR") of \$11.68 Charter may charge City subscribers for "Basic" cable service, and calculates increases in the MPRs for hourly service charge (HSC), equipment rental, and activities including various types of installations, re-connections and changes in service); and

6. FCC rules (47 C.F.R. §76.937(a)) place the burden on the cable operator to prove that its rates for basic service and equipment are reasonable under applicable federal law and regulations; and

12. FCC rules require that the cable operator follow the FCC's rules and instructions with regard to preparation of Form 1240 and Form 1205, presenting adequate support and documentation to justify the operator's proposed Maximum Permitted Rates; and

13. To the extent Charter fails to carry its burden of proof, the City may order Charter to reduce its rates and provide refunds based on the information submitted by Charter and /or the best available information from other sources, and/or FCC rules, including a previous FCC rate decision known as the "Bresnan Ruling" which has particular applicability to this case; and

14. FCC rules allow the Local Franchise Authority to (a) seek additional information and supporting documentation from the cable operator; (b) evaluate the correctness and reasonableness of those submissions; (c) use the most reliable data available to determine an MPR; and (d) in the context of the best information available, reasonably set maximum permitted rates different from those calculated by the Operator; and

15. The Franchise Agency, having identified certain problems, omissions, and discrepancies in the Charter's Original Form 1240 and supporting documentation as filed by Charter, sought legal and technical assistance in reviewing and analyzing the Rate Filing; and

16. The City's consultants, Miller &

Van Eaton, PLLC ("MVE") and their financial consultant, Front Range Consulting, Inc. ("FRC"), prepared a City-Corrected Form 1240 which determined that Charter's proposed MPR for the Basic Service tier did not comply with FCC rules, did not use correct data, was calculated incorrectly, and therefore should be \$11.13, not \$11.68; and

17. The City's Local Rules provide Charter ample opportunity to review and comment on the City consultant's recalculations and accompanying Rate Report which discussed the applicable rules, corrections and analysis justifying the lower rate; and

18. Charter commented on the Rate Report and City Corrected Form 1240, submitted its own May 23, 2007 Revised Form 1240 indicating Charter's that the MPR should be \$11.33, not \$11.68, and requested that any further recalculation by the City should take into account the actual inflation factors published to date by the FCC for 2005-2007, and

19. The City has complied with that request in its recalculation; by correctly using the accurate past and current inflation data pursuant to FCC rules, as shown in the 2nd City Corrected Form 1240 and explained in the consultant's accompanying Addendum to Rate Report and the 2007 Staff Report; and,

20. In accordance with FCC rules, Charter is allowed to add a previously calculated monthly System Upgrade Surcharge to the Basic Service Tier rate, not to exceed \$0.75 for the 120 month period commencing October 2003. and

21. Charter's Operator Selected Rates for Equipment and Installations as submitted are based on national averaged cost data and are equal to or less than the Maximum Permitted Rates as calculated by Charter on Form 1205; and

22. The Agency has supported its 2007 Staff Report recommendations to this Board with the reports and exhibits prepared by Front Range Consulting as received and reviewed by the Board's Public Utilities Committee.

**NOW THEREFORE BE IT  
RESOLVED THAT, with regard to  
regulated rates in the City of St. Louis,  
for the reasons outlined herein, and as  
also discussed in the 2007 Staff Report  
and the FRC Rate Report and Addendum,  
incorporated herein by reference, the  
Board of Aldermen finds and resolves as  
follows:**

**MAXIMUM PERMITTED RATES**

23. Charter has not met its burden of proof in supporting and justifying either its initial proposed Maximum Permitted Rates of \$11.68 for the Basic Service Tier or its revised proposed rate of \$11.33 for the period February 1, 2007 through January 31, 2008. Charter's proposed maximum charge of \$12.43 and Operator-selected current charge of \$12.42 per month (including the \$0.75 System Upgrade Surcharge) is unreasonable. Adjustments to the Form 1240 Filings were necessary, based on the City's assessment of accurate information.

24. The descriptions, methodologies and calculations in FRC's 1240 Rate Report and Addendum are the preferable available basis for setting the BST rate, in accordance with FCC rules, and FRC's recalculations, of Charter's maximum permitted rates are reasonable and appropriate.

25. For the twelve month period beginning February 1, 2007, **the BASIC SERVICE TIER MAXIMUM PERMITTED RATE** shall be \$11.13. Combined with the System Upgrade Surcharge of \$0.75 per month, the total combined Basic Rate charged to subscribers may not exceed \$11.88, inclusive of the regulatory fee Charter pays to the FCC (which Charter lists separately on subscriber bills) but exclusive of applicable franchise fees and sales taxes.

26. Charter shall use the \$ 11.13 MPR set in this Order as its starting point in carrying out any future required BST rate calculations..

27. The rates set herein are subject to further reduction and refund (to the extent permitted under applicable law and regulations as the same may be amended from time to time).

28. To the extent that any further change in the BST rate may be permitted pursuant to FCC regulations, Charter shall provide separate notice and explanation of such change pursuant to applicable law.

#### **IMPLEMENTATION OF RATES**

29. Charter shall not charge any rate higher than the rates set herein, nor increase that rate, nor impose on subscribers any other charge for basic service not specified herein, including but not limited to bulk and commercial rates (to the extent such limitation is permitted by applicable law), unless such charge is first filed with and approved by the City, in accordance with applicable law and regulations, including but not limited to the notice requirements imposed by 47 C.F.R.76.1603, or as otherwise expressly permitted under applicable law and regulations.

30. Charter may charge rates less than the MPR indicated above, as long as such rates are applied in a uniform and nondiscriminatory way, pursuant to applicable federal, state, and local laws and regulations.

31. Charter shall implement the \$11.88 Basic Service Tier Rate on subscriber bills no later than 40 days after the date of this Resolution, and shall continue to list or explain the BST charge as previously required.

32. Charter shall issue to each subscriber a refund in an amount equal to the \$0.54 monthly overcharge for the period between February 1, 2007 and actual implementation of the \$11.13 rate on that subscriber's bill. This amount shall be placed as a one-time credit on each subscriber's account no later than 40 calendar days after the date of this Resolution.

33. Charter shall file with the Franchise Agency a report submitted no later than 72 calendar days after the date of this order. The report shall be attested to and signed by an officer of the company. The Agency is hereby authorized to require additional information as necessary to determine compliance with this Order.

36. Within 72 days from the date of this Order, Charter shall file with the Agency a certification, signed by an authorized representative of Charter, including: (a) whether and how Charter has complied fully with the provisions of this order; (b) measures taken to implement the specified rate; (c) an accounting of ordered refunds: the amount refunded to each subscriber, the date of the refunds, the number of subscribers who received the credit and the total amount of refunds issued.

#### **OTHER**

39. The findings herein are based on the representations of Charter. Should information come to the City's attention that these representations were inaccurate in any material way, the City reserves the right to take appropriate action. This Order is not to be construed as a finding that the City has accepted as correct any specific entry, explanation or argument made by Charter not specifically addressed herein.

40. The City reserves all of its rights with respect to rate regulation, including, but not limited to, any right it may have to reopen this rate proceeding based on new information or rulings by governing authority, if it appears that such new information or rulings could alter the reasonable rates prescribed by FCC regulations, and any right the City may have to "true up" overcharges or undercharges in connection with future rate filings pursuant

to 47 C.F.R. § 76.922(e)(3).

41. This Order shall be effective immediately upon its approval by the Board of Aldermen. The rates set herein will govern Charter's basic service rates until Charter lawfully implements a further rate change pursuant to applicable FCC regulations. This Order constitutes the written decision required by 47 C.F.R. § 76.936(a) and shall be released to the public and to Charter, and a public notice shall be published stating that this Order has been issued and is available for review, pursuant to 47 C.F.R. § 76.936(b).

Introduced this the 22nd day of June, 2007 by:

**Honorable Matt Villa, 11th Ward**  
**Honorable Terry Kennedy, 18th Ward**

Mr. President Reed moved that Resolution No. 83 be sent to the Committee on Public Utilities.

Seconded by Mr. Ortmann.

#### **SECOND READING OF RESOLUTIONS**

None.

#### **MISCELLANEOUS AND UNFINISHED BUSINESS**

None.

#### **ANNOUNCEMENTS**

None.

#### **EXCUSED ALDERMEN**

Mr. Wessls moved to excuse the following aldermen due to their necessary absence: Ms. Flowers, Mr. Roddy, Mr. Schmid and Mr. Carter.

#### **ADJOURNMENT**

Mr. Wessels moved to adjourn under rules to return June 29, 2007.

Seconded by Mr. Ortmann.

Carried unanimously by voice vote.

Respectfully submitted,

Donna A. Booker, Assistant Clerk  
Board of Aldermen

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## **BOARD OF PUBLIC SERVICE**

### **REGULAR MEETING St. Louis, MO - June 26, 2007**

Board met at 1:45 P.M.

Present: Directors Visintainer, Waelterman, Bess, Siedhoff and Rice-Walker.

Absent: Director Simon and President Melton. (excused)

Request of the President, Board of Public Service and the Director of Public Safety to be excused from Regular Meeting of June 26, 2007 was read and leave of absence granted.

The Director of Streets was appointed President pro tem in the absence of the President, Board of Public Service.

All actions pertaining to the Director of Public Safety and the President, Board of Public Service shall be the Special Order of the Day by the Board.

The Regular Meeting of June 19, 2007 were unanimously approved.

The following documents were referred by the Secretary:

### June 21, 2007

To the Directors of Public Utilities and Streets: 112894, Union Electric d/b/a Ameren UE, relocate pole at 6483 Manchester.

To the Director of Streets: Petition No. 6708, Haven for Grace, vacate a portion of the 20' wide n/s alley in C.B. 636 bounded by Montgomery, Hadley, Warren and 13th

To the Directors of Streets, Parks, Recreation and Forestry and Health and Hospitals: 112895, Taste of St. Louis, Inc., declare area between Chestnut and Walnut from 8th to 11th a festival zone September 21-23, 2007.

To the Directors of Streets and Health and Hospitals: 112896, Grand Center, Inc., hold event August 22, 2007 at Grand Center.

To the Directors of Health and Hospitals and Public Safety: 112897, Kiddiversity Child Care Center, conduct day care center at 1654 Tower Grove, 112898, Shady Jacks, operate tattoo parlor at 1432 No. Broadway and, 112899, SAMPL, LLC d/b/a Sol Lounge & Grind Coffee House, operate arcade at 4239 Lindell, LLC.

### June 22, 2007

To the Directors of Public Utilities and Streets: 112908, AT&T Missouri, place pvc conduit, cable and vrad cabinet at Hodiamont and Horton.

To the Directors of Public Utilities and Public Safety: 112910, Robert O'Neal Smith, consolidate 4 parcels into 1 lot at 4146 E. Finney in C.B. 4563.

To the Directors of Public Utilities and Streets: 112909, AT&T Missouri, place concrete pad, vrad cabinet and power meter at Alaska and Delor and, 112908, AT&T Missouri, place pvc conduit, cable and vrad

cabinet at Hodiamont and Horton.

To the Directors of Public Utilities and Public Safety: 112911, Continental Cement Company, LLC, subdivide at First and Brooklyn in C.B. 237, 112912, Swank Real Estate, subdivide at #201, 211 and 227 So. Jefferson in C.B. 1720, 112913, Irving School, L.P., resubdivide at Vest, West Bremen and 25th in C.B. 2398 and, 112914, Irving School, LP, resubdivide at Vest and Farrar in C.B. 1745.

To the Directors of Streets: 112915, Paradise Salon, encroach with wheelchair ramp at 1901 Washington.

### June 23, 2007

To the Directors of Public Utilities and Streets: 112916, AT&T Missouri, place conduit at Eichelberger and Hampton and, 112917, AT&T Missouri, bore at Chambers and 2nd, across Tyler.

To the Directors of Public Utilities and Public Safety: 112918, Irving School, L.P., subdivide at 3829 25th in C.B. 1246.

To the Director of Streets: 112919, Richard Schlattweiler, encroach with sidewalk café at 3701 So. Jefferson and, 112920, Petra Café and Hookah Lounge, encroach with sidewalk café at 3177 So. Grand

### June 26, 2007

To the President, Directors of Public Utilities and Streets: 112921, Union West Florissant Housing Solutions, Inc., alley improvement surrounding Ashby, No. Euclid, Vera and Rosalie in C.B. 4393.

To the Director of Streets: 112922, Eichelberger Realty LLC, encroach with planter boxes at 5825 Gravois.

To the Directors of Health and Hospitals and Public Safety: 111963, It's A Kid's World Child Care and Development Center, amend to conduct day care center at 5800 West Florissant to 49 children (2 1/2-12 years, Monday-Friday) 24 hours.

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

### HEARINGS

Hearing No. 8083 - A Touch of Comfort LLC, to operate a massage establishment at #1 Campbell Plaza, Building A, Floor 1 Center Tower Room, ordered approved.

### PRESIDENT

Addendum No. 1 to the plans and specifications for Letting No. 8333 - Forest Park Mitigation Wetlands approved and made part of the originals plans.

Addendum No. 1 to the plans and

specifications for Letting No. 8334 - Jefferson Avenue Viaduct over Metrolink and Mill Creek Railyard; Phase 2 approved and made part of the originals plans.

Program Agreement between Missouri Highways and Transportation for Tucker Street Bridge Reconstruction, approved and President authorized to execute same.

Corvera Abatement withdrawal of their bid ordered approved on the following: Letting No. 8327 - Residential Sound Insulation Program Part XLII, Lambert St. Louis International Airport®

### DIRECTORS OF PUBLIC UTILITIES AND STREETS

7 permits ordered approved, subject to certain conditions as follows: 112810, AT&T Missouri, place cable at No. Euclid and Buckingham and bore at Laclede and Forest Park, 112811, AT&T Missouri, place cable on No. Kingshighway b/t Portland Place and Waterman, 112812, AT&T Missouri, place cable at Washington and Westminster Place, 112822, AT&T Missouri, bore at So. Kingshighway and Milentz, 112830, Lamke Trenching, trench in alley at 5030 Rhodes, 112748, Union Electric d/b/a AmerenUE, knock hole in wall at Washington, 13th and 14<sup>th</sup>, 112819, Charter Communications, cut or bore for the purpose of installing cable at 10th and Locust and, 112820, Charter Communications, cut or bore for the purpose of installing cable at 10th and Olive.

### DIRECTORS OF PUBLIC UTILITIES AND PUBLIC SAFETY

9 permits ordered approved, subject to certain conditions as follows: 112848, Ranken Technical College, subdivide at Sarah and Cook in C.B. 3741, 112831, 1922 Chouteau Avenue L.P., subdivide at 1922, 1924-26 Chouteau in C.B. 2281, 112883, The Meyer Company, consolidate land at Lincoln and Bishop Pl. Scott in C.B. 3652, 112884, John C. Bergh and Associates, consolidate land at Cora and Dr. Martin Luther King Dr. in C.B. 3775E, 112891, Better Living Community of St. Louis, MO Inc., resubdivide at 3800-02 No. 23rd and 2219-21 Farrar in C.B. 1242, 112832, Jan Wallach, fee simple lot into 2 townhomes at 2600-02 Minnesota in C.B. 2079, 112879, The 5700 Property LLC, split lot at 5719 and 5721 Parc Ridge in C.B. 5616 and, 112880, The 5700 Property LLC, split lot at 5701 and 5703 Parc Ridge in C.B. 5616 and 5616.

Application No. 112849, Patty Maher, subdivide at 3316-18 Salena in C.B. 1532 ordered denied, violation of the Zoning Code.

### DIRECTOR OF STREETS

Draft of the following ordinances

approved and Secretary instructed to forward same to the Board of Aldermen with the recommendation that they be passed:

“An ordinance to conditionally vacate a 154.895' +/- .035' portion of the 20 foot wide north/south alley in City Block 1219 abutting 3915 No. Broadway and 3930 No. Ninth, same being bounded by Angelica, Broadway, Bremen (vacated) and Ninth.”

“An ordinance to conditionally vacate a 50' portion of the 15 foot wide east/west alley in City block 3904 abutting 4389 Duncan and 4388-89 Forest Park, same being bounded by Forest Park Ave., Boyle Ave., Duncan Ave., and Newstead Ave. (vacated)”

“An ordinance to conditionally vacate Mound Street from Broadway to 8th Street and the 12 foot wide north/south alley in City Block 655 as bounded by Brooklyn, Broadway, Mound and 8th.”

“An ordinance to conditionally vacate Dock Street from Hall Street eastwardly 532' to terminus.”

“An ordinance to conditionally vacate 15 foot wide east/west alley in City Block 3805-E bounded by Dr. Martin Luther King Drive., Belt, Wells and Burd.”

Affidavit of Trailnet, relating to compliance with Section 10 of Ordinance 67485, Petition No. 6597, vacating O'Fallon Street from Lewis Street to Wharf, ordered approved.

Affidavit of Disper Schmitt Properties, relating to compliance 10 of Ordinance 67486, Petition No. 6684, vacating Mason and Hickory southwardly 221.5' +/- 13.5' to a point 2) 15' wide east/west alley in City Block 152 bounded by Hickory, 6th, I-44 and Mason 3) Sixth from Hickory southwardly 115' to a point, ordered approved.

Application No. 112894, Union Electric d/b/a AmerenUE, relocate pole at 6483 Manchester ordered approved, subject to certain conditions.

### **DIRECTORS OF STREETS, PARKS, RECREATION AND FORESTRY AND PUBLIC SAFETY**

Application No. 112885, Neighborhood Fireworks, hold event in Sublette Park June 30, 2007 ordered approved, subject to certain conditions.

### **DIRECTORS OF PARKS, RECREATION AND FORESTRY AND HEALTH AND HOSPITALS**

Application No. 112762, Food Pantry Association and Human Development Corporation, hold event at Kiener Plaza and

May Amphitheater July 25, 2007 ordered approved, subject to certain conditions.

### **DIRECTOR OF PUBLIC SAFETY**

Application No. 112923, Karen Karabell d/b/a Elves Manor Guest House, to occupy 4147 West Pine(rear) as a Bed and Breakfast ordered approved.

Application No. 112676, Elves Manor Guest House, to conduct a Bed and Breakfast at 4149 West Pine (rear) ordered approved, subject to certain conditions.

Application No. 112363, Paric c/o Greg Frick, to do interior alterations and parking lot (per plans) at 2727 No. Kingshighway permit ordered amended to include additional conditions.

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

Conditional Use Permit No. 112907, Beverly Bogan, to occupy 4101-03 St. Louis Avenue as a rooming house (12 beds) 2nd Floor ordered approved, subject to the certain conditions.

Adjourned to meet Tuesday, July 3, 2007 at 1:45 P.M.

Todd Waelterman  
President pro tem

ATTEST:

Cherise D. Thomas  
Acting 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, 1200 Market Street, Room 208 City Hall, until 1:45 P.M., St. Louis, Missouri time on **July 24, 2007** will be publicly opened and read, viz:

**JOB TITLE: CONCRETE AND BRICK  
REMOVAL/REPLACEMENT AND COM-  
PLETE SIDEWALK INSTALLATION,  
PROJECT NO. SP-73, ST. LOUIS,  
MISSOURI**

**LETTING NO: 8335**

**DEPOSIT:\$ 12,300.00**

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. Plans and specs may be viewed on BPS website: <http://www.stl-bps.org/contract.asp> (BPS Virtual Plan Room).

Sets of Drawings, Specifications and Proposal Form may be obtained by giving three (3) days notice, and upon payment of **TWENTY FIVE** dollars (**\$25.00**) 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 M/WBE goal for this project is 25% and 5%.

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,  
**June 19, 2007.**

Marjorie L. Melton, P.E.  
President

ATTEST:

Cherise D. Thomas  
Acting Secretary

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## REQUEST FOR QUALIFICATIONS/ PROPOSALS

### CITY OF ST. LOUIS PARKS, RECREATION, AND FORESTRY

The City of St. Louis invites interested firms to submit Statement of Qualifications/Proposals (SOQ/P) for CONCESSIONS OPERATOR FOR STEINBERG MEMORIAL SKATING RINK AND AVIATION FIELD IN FOREST PARK, ST. LOUIS, MISSOURI.

The Request for Qualifications/Proposal package may be obtained from BPS website [www.stlbps.org](http://www.stlbps.org) (click on VPR from the home page); by picking the RFQ/P up at the Parks, Recreation & Forestry Administration Building, 5600 Clayton Road in Forest Park, St. Louis, MO 63110; or by calling the Park Department at 314-289-5310 during the hours of 8:30am - 4pm commencing **Friday, June 22, 2007.**

**A Pre-Proposal Conference and Facility Walk-through** will be held on **Tuesday, July 10, 2007 at 10:00** a.m. starting at Steinberg Rink in Forest Park.

Statements of Qualifications/Proposals will be received no later than 4:00 p.m., **Tuesday, July 31, 2007**, at Department of Parks, Recreation, & Forestry, 5600 Clayton in Forest Park, St. Louis, MO 63110.

The City of St. Louis is an Equal Opportunity Employer, and Proposers shall comply with Mayor's Executive Order #28.

The City of St. Louis reserves the right to accept or reject any or all responses, or to cancel this request in part or in its entirety.

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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, July 12, 2007**, on the following conditional uses:

**5719 Waterman Blvd.** - Home Occupancy Waiver-General Contractor (Office Use Only) "A"-Single-Family Dwelling District. Pmg **Ward 26**

**5944 Hamilton Terrace** - Home Occupancy Waiver- General Construction (Office Use Only) - "B" - Two-Family Dwelling District. Pmg **Ward 22**

**210A Bellerive** - Home Occupancy Waiver - Real Estate Investment (Office Use Only) - "B" Two-Family Dwelling District. Bl **Ward 11**

**4663 Tennessee** - Home Occupancy Waiver - General Construction (Office Use Only) - "A" Single-Family Dwelling District. Mv **Ward 25**

**4402 Minnesota, 2<sup>nd</sup> Fl** - Home Occupancy Waiver - Luggage & Trunks (Office Use Only) - "B" Two-Family Dwelling District. Pmg **Ward 9**

**6053 Odell** - Home Occupancy Waiver - Landscape & Lawn Care (Office Use Only) - "A" Single-Family Dwelling District. Pmg **Ward 24**

**5806 Victoria Avenue** - Home Occupancy Waiver - Construction (Office Use Only) - "A" Single-Family Dwelling District. Mv **Ward 24**

**3133 Portis Avenue** - Home Occupancy Waiver - Vending Machines (Office Use Only) - "B" Two-Family Dwelling District. Mv **Ward 10**

**4666 Martin Luther King - #AO-399771-07** - Retail & Resale (Childrens New/Used Clothing, Toy, Gen. Merchandise "G" Local Commercial & Office District. Mv **Ward 4**

**7315-19 Bulwer - #AO-402445-07** - Auto Salvage & Metal Recycling - "K" Unrestricted District. Mv **Ward 2**

**5631 Manchester - #AO-403202-07** - Office/Manufacturer Stone Countertops "K"- Unrestricted District. Mv **Ward 24**

**4301 Olive - #AB-401271-07** - Construct Parking Lot & Interior Alterations to Church Per Plans "G" - Local Commercial & Office District. Pmg **Ward 18**

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## REQUEST FOR PROPOSAL

The Department of Human Services is implementing a federally funded Jail Diversion Project and is seeking proposals from persons interested in serving as Attorneys to represent individuals who have been arrested or detained for ordinance violations, and who, upon initial observation or medical exam, demonstrate symptoms of mental illness.

Request for Proposals may be obtained beginning **June 26, 2007** from the Department of Human Services, Valerie Russell, 634 N. Grand Blvd., Suite 720, St. Louis, MO 63103 (314) 612-5900 or downloaded from the St. Louis City website at <http://stlouis.missouri.org>

The **deadline** for submitting proposals is **July 10, 2007** by 4:30 p.m. at the address referenced above. An original and five (5) copies of the proposal must be submitted by the deadline.

The Department of Human Services reserves the right to reject any and/or all responses with or without cause.

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## PUBLIC NOTICE

### BOARD OF ALDERMEN

The Housing, Urban Development and Zoning Committee of the St. Louis Board of Aldermen will hold a Public Hearing on **July 11, 2007** at 10:00 A.M. in the Kennedy Room (208) in City Hall:

#### BOARD BILL NO. 123

##### Introduced By Alderman Matt Villa

An Ordinance recommended by the Planning Commission on May 9, 2007, to change the zoning of property as indicated on the District Map, to the "G" Local Commercial and Office District, so as to include the described parcel of land in City Block 3097; and containing an emergency clause.

#### BOARD BILL NO. 172

##### Introduced By Alderman Joseph Vollmer

An Ordinance recommended by the Planning Commission on June 6, 2007, to change the zoning of property as indicated on the District Map, from "A" Single-Family Dwelling District in City Block 4083 to "F" Neighborhood Commercial District, so as to include the described parcel of land in City Block 4083; and containing an emergency clause.

**BOARD BILL NO. 173**

**Introduced By**  
**Alderman Joseph Vollmer**

An Ordinance recommended by the Planning Commission on June 6, 2007, to change the zoning of property as indicated on the District Map, from "A" Single-Family Dwelling District and "F" Neighborhood Commercial District in City Block 4647 to "F" Neighborhood Commercial District only, so as to include the described parcel of land in City Block 4752.03; and containing an emergency clause.

**BOARD BILL NO. 175**

**Introduced By**  
**Alderman April Ford-Griffin**

An Ordinance recommended by the Planning Commission on June 6, 2007, to change the zoning of property as indicated on the District Map, to the "F" Neighborhood Commercial District, so as to include the described parcels of land in City Block 1125; and containing an emergency clause.

**BOARD BILL NO. 176**

**Introduced By**  
**Alderman Phyllis Young**

An Ordinance recommended by the Planning Commission on June 6, 2007, to change the zoning of property as indicated on the District Map, to the "H" Area Commercial District, so as to include the described parcels of land in City Blocks 414, 415, 820, 820.04 and 820.05; and containing an emergency clause.

**BOARD BILL NO. 184**

**Introduced By**  
**Alderman Alfred Wessels**

An ordinance pertaining to the Zoning Code, repealing Chapter 26.48 pertaining to the "H" Area Commercial District of Ordinance 59979, approved July 31, 1986, and enacting in lieu thereof a new chapter pertaining to the same Zoning district and containing an emergency clause.

Any person wishing to speak for or against the above cited board bills should be present.

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## REQUEST FOR PROPOSAL

**Board of Police Commissioners**  
**Metropolitan Police Department**  
**City of St. Louis, Missouri**

RFP-H/R

**REQUEST FOR PROPOSAL –**  
**PERFORMANCE**  
**MANAGEMENT SYSTEM**

Sealed bids of the above will be received at the St. Louis Metropolitan Police Department, Office of the Director of Purchasing, 1200 Clark Avenue, Room 605, St. Louis, Missouri 63103, until 11:00 a.m. local time, **Friday, July 27, 2007.**

Request for Proposal documents may be obtained from the Office of the Director of Purchasing by prospective bidders upon request in person or by telephone during regular business hours.

Contractor shall not discriminate in matters of employment, upgrading, transfer, rates of pay selection or otherwise, against any employee or applicant for employment because of race, creed, color, sex or national origin. Noncompliance shall be sufficient cause to reject any bid or terminate the contract, and the Board of Police Commissioners of the St. Louis Metropolitan Police Department shall be entitled to recover any damages resulting from termination.

The Board of Police Commissioners reserves the right to waive any formalities and to reject any and all bids. The Board also reserves the right to consider criteria other than the low bid in the award of a contract. Among other factors, the Board will consider the location of the business, minority interest in the business, prior performance and the bid submitted in relation to the needs of the St. Louis Metropolitan Police Department.

Bidders are hereby advised that the St. Louis Living Wage Ordinance #65597 and associated Regulations could apply to the service for which bids 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 and the City must be paid a minimum of the applicable Living Wage rates and if rates are adjusted during the term of the contract pursuant to the Ordinance, applicable rates after such adjustment is made. Each bidder must submit the "Living Wage Acknowledgment and Acceptance Declaration with the bid. Failure to submit this Declaration with the bid will result in rejection of the bid. A successful bidder's failure to comply with the contract provisions related to the Living Wage Ordinance may result in termination of the contract and the imposition of additional penalties as set for in the Ordinance and Regulations.

Copies of the Ordinance and Regulations are available upon request from Carol Shepard, at 314-444-5608 or can be accessed at <http://www.stlouiscity.com/livingwage>.

CAROL SHEPARD  
DIRECTOR OF PURCHASING

PHONE# 314-444-5608

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## DEPARTMENT OF PERSONNEL

**NOTICE OF EXAMINATIONS**

The City of St. Louis, Department of Personnel, 1114 Market Street, Room 700, announces competitive Civil Service examinations to fill vacancies in the Municipal Service.

The last date for filing an application for the following examination is **JULY 6, 2007.**

**PROGRAM ARCHITECT**

Prom. 1352  
(PROMOTIONAL EXAMINATION  
OPEN TO PERMANENT CITY  
EMPLOYEES ONLY)  
\$52,000 to \$77,974 (Annual Salary Range)

Application period for the following examinations will close when enough applications are received to fill the anticipated vacancies. Please submit application as soon as possible.

**CIVIL ENGINEER I**

Prom./O.C.C. 1274  
\$39,312 to \$58,968 (Annual Salary Range)

Vacations, Holidays, Sick Leave, Social Security, and Employee Retirement System Benefits 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 at the office of the Department of Personnel, 1114 Market Street, Room 700, St. Louis MO 63101. Applications can be submitted on the Internet. Visit the city web site at [www.stlouiscity.com](http://www.stlouiscity.com) and link to Jobs with the City.

Richard R. Frank  
Director

June 27, 2007

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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 La Queta Russell-Taylor, at (314) 551-5048, or can be accessed at <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, **July 3, 2007** - 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.

### Requesting a Bid

To have a bid mailed or faxed to you, please contact the Supply Commissioner's office at (314) 622-4580.

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**WEDNESDAY, JULY 25, 2007**

### OFFICE FURNITURE

for furnishing the Juvenile Division per Req. #46.

### CONTRACT FOR CONSTRUCTION MATERIALS (SAND, GRAVEL, STONE & LIMESTONE)

for a period of three (3) years from October 5, 2007.

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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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