

RESOLUTION 149

WHEREAS, the Chesterfield Monarch Levee failed during the flood of 1993; and

WHEREAS, as a result of said flooding conditions, the drainage system which had been partially in place prior to the flood has been rendered inoperative by siltation; and

WHEREAS, the results of the flood have made it apparent to all parties that a coordinated drainage system must be developed in order to provide for the public health and safety of the valley; and

WHEREAS, the Levee District, under state statutes, has the authority to divert or divide the flow of water in and out of said district; to construct and maintain sewers, levees, dikes, dams, . . .; and any other works and improvements deemed necessary to preserve and maintain the works in and out of said district; and

WHEREAS, the District is empowered to act in order to affect the levying, protection and reclamation of the land and other property within the district; and

WHEREAS, the District has determined that it is in its interest to undertake drainage issues within the Levee District area as part of its authority and purpose and to begin dredging operations and other activities for the establishment and development of a Plan of Reclamation based upon the old Booker Engineering Studies as may be later modified; and

WHEREAS, the property within the district is property which is within the City limits of the City of Chesterfield and the City of Chesterfield has a vested interest in the public health and safety

of its citizens and the public interest to maintain the internal drainage of the valley (district area) for its economic benefit; and

WHEREAS, City and District wish to enter into a Cooperative Agreement for levee and drainage issues as allowed pursuant to Chapter 70 RSMo.; and

WHEREAS, there is currently an effort being undertaken for the drainage of certain affected drainage ways located in the Chesterfield valley; and

WHEREAS, St. Louis County has bid excavation work to the Rallo Construction Company; and

WHEREAS, the area lying immediately to the north of said area and commonly known as Spirit of St. Louis Industrial Park (Air Park) as bounded by Edison, Goddard and Spirit roads, is currently in need of dredging to reestablish the drainage system in that portion of the levee district; and

WHEREAS, the district and the affected owners of the said property have agreed to enter into a contract with Rallo for the drainage of said land; and

WHEREAS, the City of Chesterfield hereby determines that it is in the best interest of the City of Chesterfield, as part of its storm water authorization, to cooperate with the district in said project.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

1. The City of Chesterfield will provide funds from its 1993 storm water project budget in an amount not to exceed Seventy Thousand Dollars (\$70,000) in a cost sharing arrangement toward for the cost of draining the area commonly known as St. Louis Industrial Park (Air Park). This is not to include any area that is owned or leased by St. Louis County.

2. Said participation is contingent upon the Chesterfield Monarch Levee District or the owners of the property in that same area contributing an equal share to the cost of the drainage and dredging work in said area.

3. Such understanding shall be reduced to writing and subject to approval by the City Attorney in accordance with the provisions of this Resolution and may be approved by the Public Works/Parks Committee of the City Council.

4. This Resolution shall be in full force and effect from and after its passage and approval.

Passed and approved this 6TH day of DECEMBER, 1993.

Jack Leonard
MAYOR

ATTEST:

Martha A. DeMay
CITY CLERK