

ORDINANCE #67115
Board Bill No. 59

An Ordinance recommended and approved by the Airport Commission, Board of Public Service, and the Board of Estimate and Apportionment authorizing a Third Amendment to Section One of the Building Projects Public Works Ordinance 65163 approved February 15, 2001, as amended by Ordinance 65625 approved August 5, 2002, and Ordinance 66612 approved February 16, 2005, which authorized a multi-year public work and improvement program (the "Building Projects") at Lambert-St. Louis International Airport® (the "Airport"), increasing the total estimated costs of the Building Projects by Eight Million Four Hundred Sixty Nine Thousand Four Hundred Thirty One Dollars (\$8,469,431) to Ninety Nine Million One Hundred Forty One Thousand Two Hundred Nineteen Dollars (\$99,141,219); amending Section Two of the Building Projects Public Works Ordinance 65163 as amended by Ordinance 65625 and Ordinance 66612, which authorized and provided for the initial appropriation and expenditure of funds for the Building Projects, by deleting Section Two of Ordinance 65163 as amended in its entirety and substituting a new Section Two authorizing and providing for the initial appropriation and expenditure of funds for the Building Projects and providing for the receipt of supplemental appropriations when authorized by ordinance as funds become available to continue the Building Projects; containing a severability clause; and containing an emergency clause.

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

SECTION ONE. Section One of the Building Projects Public Works Ordinance 65163 approved February 15, 2001, as amended by Ordinance 65625 approved August 5, 2002 and Ordinance 66612 approved February 16, 2005, is hereby amended by deleting the following words and figures from the last clause of said section:

"and other necessary and related work or services for the development, implementation, administration, management, or monitoring of the Building Projects at a total estimated cost of Ninety Million Six Hundred Seventy One Thousand Seven Hundred Eighty Eight Dollars (\$90,671,788)."

and replacing with the following words and figures:

"and other necessary and related work or services for the development, implementation, administration, management, or monitoring of the Building Projects at a total estimated cost of Ninety Nine Million One Hundred Forty One Thousand Two Hundred Nineteen Dollars (\$99,141,219)."

SECTION TWO. Section Two of the Building Projects Public Works Ordinance 65163 approved February 15, 2001, as amended by Ordinance 65625 approved August 5, 2002 and Ordinance 66612 approved February 16, 2005, is hereby deleted in its entirety as set out below:

"SECTION TWO. There is hereby authorized an initial appropriation as follows:

Four Million Nine Hundred Forty Four Thousand Dollars (\$4,944,000) from the sub-account of the Series 1997 Airport Construction Account in the Airport Construction Fund designated as the Series 1997 Improvement Project Sub-account (the "Airport Construction Fund") established pursuant to Ordinance No. 64120 approved July 23, 1997 (the "1997 Airport Bond Ordinance"),

Sixty Two Million Two Hundred Eight Thousand Two Hundred Forty Six Dollars (\$62,208,246) from the sub-account of the Series 2002 Airport Construction Account in the Airport Construction Fund established and authorized pursuant to the Series 2002 Capital Improvement Program Bond Ordinance No. 65618 approved August 5, 2002 (Board Bill NO. 162),

Eight Million Six Hundred Twenty One Thousand Five Hundred Forty Two Dollars (\$8,621,542) from the Airport Development Fund Established under authority of Ordinance No. 59286, Section 13, approved October 26, 1984, and

Five Million One Hundred Seventy Three Thousand Dollars (\$5,173,000) from the

Passenger Facility Charge Fund established under authority of Ordinance 62501, Section 6, approved February 10, 1992,

to be expended for the payment of costs for work and services authorized herein and providing for the receipt of supplemental appropriations when authorized by ordinance into this Ordinance as funds become available to continue the Building Projects.”

and the following words and figures are substituted in their place:

“SECTION TWO. There is hereby authorized an initial appropriation in the total amount of Ninety Eight Million Three Hundred Forty One Thousand Two Hundred Nineteen Dollars (\$98,341,219), as follows:

- a) Four Million Nine Hundred Forty Four Thousand Dollars (\$4,944,000) from the sub-account of the Series 1997 Airport Construction Account in the Airport Construction Fund designated as the Series 1997 Improvement Project Sub-account (the "Airport Construction Fund") established pursuant to Ordinance No. 64120 approved July 23, 1997 (the "1997 Airport Bond Ordinance"),
- b) Seventy Million Six Hundred Four Thousand Eight Hundred Fifty Five Dollars (\$70,604,855) from the sub-account of the Series 2002 Airport Construction Account in the Airport Construction Fund established and authorized pursuant to the Series 2002 Capital Improvement Program Bond Ordinance No. 65618 approved August 5, 2002 (Board Bill NO. 162),
- c) Five Million Eighty Eight Thousand Six Hundred Sixty Two Dollars (\$5,088,662) from the Airport Development Fund Established under authority of Ordinance No. 59286, Section 13, approved October 26, 1984,
- d) Four Million Four Hundred Seventy Eight Thousand Seven Hundred Two Dollars (\$4,478,702) from the Passenger Facility Charge Fund established under authority of Ordinance 62501, Section 6, approved February 10, 1992, and
- e) Thirteen Million Two Hundred Twenty Five Thousand Dollars (\$13,225,000) from the “Series A Commercial Paper Construction Account” of the “Commercial Paper Construction Fund” established and authorized pursuant to Ordinance 66232 approved March 30, 2004 (the “CP Note Ordinance 66232”),

to be expended for the payment of costs for work and services authorized herein and providing for the receipt of supplemental appropriations when authorized by ordinance into this Ordinance as funds become available to continue the Building Projects.”

SECTION THREE. The sections, conditions, or provisions of this Ordinance or portions thereof shall be severable. If any section, condition, or provision of this Ordinance or portion thereof is held invalid by a court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions, or provisions of this Ordinance.

SECTION FOUR. This being an Ordinance providing for a public work and improvement program, it is hereby declared to be an emergency measure as defined in Article IV, Section 20, of the City of St. Louis’ Charter and shall become effective immediately upon approval by the Mayor of the City of St. Louis.

Approved: June 5, 2006