

ORDINANCE 71289

BOARD BILL NUMBER 172 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An Ordinance recommended and approved by the Airport Commission and the Board of
2 Estimate and Apportionment, providing for the transfer of \$1,000,000.00 that The City of St.
3 Louis (the “City”), the owner of St. Louis Lambert International Airport[®], intends to transfer
4 from the “Airport Development Fund” through the “Airport Contingency Fund” into the “Airport
5 Revenue Fund” in order to fund the Airport’s Air Service Incentive Program for FY 2021
6 through FY 2023, which total estimated costs may not exceed \$2,400,000.00; providing for
7 supplemental transfers; containing a severability clause; and containing an emergency clause.

8 **WHEREAS**, The City of St. Louis, Missouri (the “City”), owns an airport known as the
9 St. Louis Lambert International Airport (the “Airport”), which is operated by the Airport
10 Authority of the City;

11 **WHEREAS**, pursuant to Section 509.F of the Airport Amended and Restated Indenture
12 of Trust between UMB Bank, N.A., Trustee, dated as of October 15, 1984, as amended and
13 restated as of July 1, 2009, as amended and supplemented from time to time (the “Restated
14 Indenture”), the City may, but if and only to the extent consistent with the “Capital Budget”
15 provided for in Section 816 of the Restated Indenture, transfer from the “Airport Development
16 Fund” (established under Ordinance 59286, Section 13, approved October 26, 1984) into the
17 “Airport Contingency Fund” (established under Ordinance 59286 approved October 26, 1984,
18 **Exhibit A**, Article V, Sections 502 and 510) any moneys in the Airport Development Fund
19 which are no longer needed for the purposes of moneys on deposit in the Airport Development
20 Fund;

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1 **WHEREAS**, the City, acting in the best interest of the City, the Airport, and the traveling
2 public, anticipates that up to Two Million Four Hundred Thousand Dollars (\$2,400,000) may be
3 required for the purposes of making funds available for the estimated costs of the Airport’s Air
4 Service Incentive Program for Fiscal Years 2021 through 2023;

5 **WHEREAS**, there is a balance in excess of One Million Dollars (\$1,000,000) available
6 for transfer from the Airport Development Fund into the Airport Contingency Fund;

7 **WHEREAS**, it is now in the best interest of the City, the Airport, and the traveling
8 public to authorize the transfer of funds from the Airport Development Fund into the Airport
9 Contingency Fund in the total amount of One Million Dollars (\$1,000,000); and

10 **WHEREAS**, this Ordinance authorizing the transfer of One Million Dollars (\$1,000,000)
11 from the City’s Airport Development Fund into the Airport Contingency Fund and then the
12 transfer of One Million Dollars (\$1,000,000) from the Airport Contingency Fund into the Airport
13 Revenue Fund (established under Ordinance 59286, Section 13, approved October 26, 1984) for
14 the purpose of making funds available in part for the Airport’s Air Service Incentive Program for
15 Fiscal Years 2021 through 2023, are recommended by the City’s Airport Commission and the
16 City’s Board of Estimate and Apportionment.

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

18 **SECTION ONE.** The Board of Aldermen for The City of St. Louis hereby adopts and
19 incorporates herein the foregoing recitals as findings and further finds that the One Million
20 Dollars (\$1,000,000) of excess moneys or funds that The City of St. Louis (the “City”), intends
21 to transfer from the “Airport Development Fund” (established under Ordinance 59286, Section
22 13, approved October 26, 1984) into the “Airport Contingency Fund” (established under

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1 Ordinance 59286 approved October 26, 1984, **Exhibit A**, Article V, Sections 502 and 510) is no
2 longer needed for the purposes of moneys on deposit in the Airport Development Fund and that
3 said transfer is consistent with the Airport Capital Budget in accordance with Section 509.F of
4 the St. Louis Lambert International Airport Amended and Restated Indenture of Trust between
5 the City, as Grantor, and UMB Bank, N.A., as Trustee, dated as of October 15, 1984, as amended
6 and restated as of July 1, 2009, as amended and supplemented from time to time;

7 **SECTION TWO.** There is hereby authorized a transfer of funds in the total amount
8 of One Million Dollars (\$1,000,000) from the Airport Development Fund (established under
9 Ordinance 59286, approved October 26, 1984) into the Airport Contingency Fund.

10 **SECTION THREE.** There is hereby further authorized transfers as are required of
11 sufficient funds or moneys on deposit in the Airport Contingency Fund in the total amount not to
12 exceed One Million Dollars (\$1,000,000) from the Airport Contingency Fund to the Airport
13 Revenue Fund for the purpose of making funds available in part for the estimated costs of the
14 Airport’s Air Service Incentive Program for Fiscal Years 2021 through and including Fiscal Year
15 2023, which total estimated cost may not exceed Two Million Four Hundred Thousand Dollars
16 (\$2,400,000) (the “Incentive Program”), and providing for supplemental transfers from the
17 Airport Development Fund to the Airport Contingency Fund and then into the Airport Revenue
18 Fund when authorized by ordinance in order to continue the Incentive Program; provided,
19 however, that any appropriated amounts in excess of actual financial benefits conferred in each
20 fiscal year will be carried over to the immediately following fiscal year to be used in accordance
21 with the Incentive Program to include fiscal year 2024 for those eligible airlines with qualifying

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1 flight activity that extend beyond the end of Fiscal Year 2023 in accordance with the Incentive
2 Program.

3 **SECTION FOUR.** It is hereby declared to be the intention of the Board of Aldermen
4 that each and every part, section, and subsection of this Ordinance will be separate and severable
5 from each and every other part, section, and subsection hereof and that the Board of Aldermen
6 intends to adopt each said part, section, and subsection separately and independently of any other
7 part, section, and subsection. In the event that any part, section, or subsection of this Ordinance
8 is determined to be or to have been unlawful or unconstitutional, the remaining parts, sections,
9 and subsections will remain in full force and effect, unless the court making such finding
10 determines that the valid portions standing alone are incomplete and are incapable of being
11 executed in accord with the legislative intent.

12 **SECTION FIVE.** This being an Ordinance making an appropriation and providing for
13 payment of current expenses, it is hereby declared to be an emergency measure as defined in
14 Article IV, Section 20 of the Charter of the City and shall become effective immediately upon its
15 approval by the Mayor of the City.

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FISCAL NOTE

Preparer's Name Rochelle Pruitt

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Bill Sponsor Alderwoman Marlene Davis

Bill Synopsis:	Funding for Air Service Incentive Program for FY 2021-FY 2023
Type of Impact:	\$2,400,000
Agencies Affected:	Airport Authority

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? ___Yes X_No
- An undertaking of a new service for which no funding is provided in the current adopted city budget? ___Yes X_No
- A commitment of city funding in the future under certain specified conditions? ___Yes X_No
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? ___Yes X_No
- An execution or initiation of an activity as a result of federal or state mandates or requirements? ___Yes X_No
- A capital improvement project that increases operating costs over the current adopted city budget? ___Yes X_No
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? ___Yes X_No

If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill. Complete Section B of the form below.

SECTION B

- Does the bill require the construction of any new physical facilities? Yes No

- If yes, describe the facilities and provide the estimated cost:

- Is the bill estimated to have a direct fiscal impact on any city department or office? Yes No

- If yes, explain the impact and the estimated cost:

- Does the bill create a program or administrative subdivision? Yes No

- If yes, then is there a similar existing program or administrative subdivision?

- Yes No

- If yes, explain the how the proposed programs or administrative subdivisions may overlap:

- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources:

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

Financial Estimate of Impact on General Fund			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	N/A	N/A	N/A
Additional Revenue	N/A	N/A	N/A
Net	N/A	N/A	N/A
Financial Estimate of Impact on Special Funds			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	N/A	N/A	N/A
Additional Revenue	N/A	N/A	N/A
Net	N/A	N/A	N/A

- Describe any assumptions used in preparing this fiscal note:

- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note:

- Have the financial estimates of this bill been verified by the City Budget Division?
 Yes No

○ If yes, by whom? _____ .