

St. Louis City Ordinance 65162

FLOOR SUBSTITUTE
BOARD BILL NO. 266 [00]

INTRODUCED BY ALDERMAN JAMES F. SHREWSBURY

An Ordinance, recommended and approved by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment, establishing and authorizing a public work and improvement program ("Airfield Projects") at Lambert-St. Louis International Airport (the "Airport"), consisting of and providing for, without limitation: engineering planning, construction and management and related consultant and management expenses pertaining to the planning, designing, consulting, the preparation and production of contract documents, advertising and the taking of the bids, construction management and construction costs for the removal and replacement of sections of Taxiway A (ALPHA), from Taxiway E (ECHO) to Taxiway R (ROMEO), Taxiway D (DELTA) from Taxiway H (HOTEL) to Taxiway N (NOVEMBER), Taxiway S (SIERRA) between Runways 12R/30L and Runway 12L/30R, Taxiway D (DELTA) from Taxiway C (CHARLIE) to Runway 6-24, overlay Taxiway D (DELTA) between Runway 6-24 and Runway 12R/30L, replace centerline and associated deteriorated panels located throughout the entire length of Runway 12L/30R, construct a base and pave the airfield perimeter Access Road at its intersection with runways and taxiways, provide an ongoing Taxiway/Runway Maintenance Program including but not limited to removal and replacement of deteriorated panels, scuppers and signage bases and wiring, removal and replacement of the Airfield Security Fence and Gate System, rehabilitation and replacement of equipment in the Main and Remote Aircraft Rescue Fire Fighting Houses, remove and replace sections of the Aircraft Parking Ramp located adjacent to Concourse C around to Gate 23 and other related work or services to conform to and with all applicable Federal Administration Agency (FAA) Regulations, and other necessary and related work or services for the development, implementation, administration, management or monitoring of the Airfield Projects at a total estimated cost of Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000); appropriating the total sum of Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000) as follows: a) Five Million Five

Hundred Seventy Thousand Dollars (\$5,570,000) 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) Eleven Million Three Hundred Fifty Five Thousand Dollars (\$11,355,000) from the sub-account of the Series 2001 Airport Construction Account in the Construction Fund(the "Airport Construction Fund") established and authorized pursuant to "BOARD BILL NO. 259" as approved by the City's Board of Aldermen (the "Series 2001 Capital Improvement Program Bond Ordinance"),and c) Six Hundred Seventy Thousand Dollars (\$670,000) from the Airport Development Fund Established under authority of Ordinance No. 59286, Section 13, approved October 26, 1984, to be expended for the payment of costs for work and services authorized herein; authorizing and directing the Board of Public Service with the advice, consent, and approval of the Director of Airports to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for the work or services authorized herein; providing that any contract let hereunder, shall be subject to the Charter of the City of St. Louis (the "City") and Missouri State laws or regulations applicable thereto; authorizing and directing the Comptroller of the City to draw warrants from time to time on the Treasurer of the City for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the Comptroller and, as necessary, the Comptroller or Treasurer are authorized to make such applications or certifications and provide such data to the Trustee of the "Series 1997 Bonds" authorized under the 1997 Airport Bond Ordinance and/or to the Trustee of the Series 2001 Capital Improvement Program Bonds authorized under BOARD BILL NO. 259, and to take whatever action necessary in order to provide for the payment or reimbursement of eligible costs authorized herein; authorizing the Director of Airports to make such applications and provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program or other programs for which these authorized expenditures might qualify and authorizing and directing that all such reimbursements be deposited into the appropriate fund; directing that all contracts let under authority of this Ordinance be in compliance with all applicable minority and women or disadvantaged business enterprise requirements and in

compliance with all applicable Federal, State, and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity; conditioning the appropriation and the expenditure of funds from the Airport Construction Fund established pursuant to BOARD BILL NO. 259 on the issuance of the Series 2001 Capital Improvement Bonds; and containing a severability and an emergency clause.

WHEREAS, The City of St. Louis, Missouri (the "City") owns and operates an airport known as the Lambert - St. Louis International Airport (the "Airport");

WHEREAS, the City is authorized under the Constitution and laws of the State of Missouri to issue, sell and negotiate its interest bearing revenue bonds for the purpose of paying all or part of the costs of purchasing, constructing, extending or improving airports;

WHEREAS, on November 5, 1991 the qualified electors of the City approved the issuance by the City of airport revenue bonds in the amount of One Billion Five Hundred Million Dollars (\$1,500,000,000) for the purpose of paying the cost of purchasing, constructing, extending, and improving airports to be owned by the City;

WHEREAS, the City intends to issue in one or more series in an aggregate principal amount not to exceed Eighty Five Million Dollars (\$85,000,000) Airport Revenue Bonds, Series 2001 (Capital Improvement Program) (the Series 2001 Capital Improvement Bonds) pursuant to a Ninth Supplemental Indenture between the City and the Trustee (the "Series 2001 Capital Improvement Bonds") authorized by "BOARD BILL 259" as approved by the City's Board of Alderman (the "Series 2001 Capital Improvement Program Bond Ordinance"), for the purpose of providing funds to pay or finance in part the costs of the "2001 Project", as defined in BOARD BILL NO. 259; and

WHEREAS, the appropriation and expenditure of funds authorized herein from the sub-account of the Series 2001 Airport Construction Account in the Construction Fund (the "Airport Construction Fund") established pursuant to "BOARD BILL NO. 259" is expressly conditioned on the issuance of the Series 2001 Capital Improvement Bonds.

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

SECTION ONE. There is hereby established and authorized a public work and improvement program ("Airfield Projects") at Lambert-St. Louis International Airport (the "Airport"), recommended and approved by the Airport Commission, the Board of Public Service, and the Board of Estimate and Apportionment, consisting of and providing for, without limitation: engineering planning, construction and management and related consultant and management expenses pertaining to the planning, designing, consulting, the preparation and production of contract documents, advertising and the taking of the bids, construction management and construction costs for the removal and replacement of sections of Taxiway A (ALPHA), from Taxiway E (ECHO) to Taxiway R (ROMEO), Taxiway D (DELTA) from Taxiway H (HOTEL) to Taxiway N (NOVEMBER), Taxiway S (SIERRA) between Runways 12R/30L and Runway 12L/30R, Taxiway D (DELTA) from Taxiway C (CHARLIE) to Runway 6-24, overlay Taxiway D (DELTA) between Runway 6-24 and Runway 12R/30L, replace centerline and associated deteriorated panels located throughout the entire length of Runway 12L/30R, construct a base and pave the airfield perimeter Access Road at its intersection with runways and taxiways, provide an ongoing Taxiway/Runway Maintenance Program including but not limited to removal and replacement of deteriorated panels, scuppers and signage bases and wiring, removal and replacement of the Airfield Security Fence and Gate System, rehabilitation and replacement of equipment in the Main and Remote Aircraft Rescue Fire Fighting Houses, remove and replace sections of the Aircraft Parking Ramp located adjacent to Concourse C around to Gate 23 and other related work or services to conform to and with all applicable Federal Administration Agency (FAA) Regulations, and other necessary and related work or services for the development, implementation, administration, management or monitoring of the Airfield Projects, at a total estimated cost of Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000).

SECTION TWO. There is hereby authorized an appropriation of

Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000) as follows: a) Five Million Five Hundred Seventy Thousand Dollars (\$5,570,000) 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)

Eleven Million Three Hundred Fifty Five Thousand Dollars (\$11,355,000) from the sub-account of the Series 2001 Airport Construction Account in the Construction Fund(the "Airport Construction Fund") established and authorized pursuant to "BOARD BILL NO. 259" as approved by the City's Board of Aldermen (the "Series 2001 Capital Improvement Bond Ordinance"),and c) Six Hundred Seventy Thousand Dollars (\$670,000) from the Airport Development Fund Established under authority of Ordinance No. 59286, Section 13, approved October 26, 1984, to be expended for the payment of costs for work and services authorized herein.

SECTION THREE. The Board of Public Service with the advice, consent and approval of the Director of Airports is hereby authorized and directed to let contracts, purchase materials and equipment, employ labor, pay salaries, wages, fees, retain consultants and otherwise provide for all work or services authorized herein.

SECTION FOUR. It is hereby provided that any contract let hereunder, shall be subject to the Charter of the City of St. Louis (the "City") and any Missouri State laws or regulations applicable there.

SECTION FIVE. The Comptroller of the City is hereby authorized to draw warrants from time to time on the Treasurer of the City for payment of expenses authorized herein upon submission of properly certified vouchers in conformance with procedures established by the Comptroller of the City and, as necessary, the Comptroller or Treasurer are hereby authorized to make such applications or certifications and provide such data to the Trustee of the "Series 1997 Bonds" authorized under the 1997 Airport Bond Ordinance and/or to the Trustee of the Series 2001 Capital Improvement Program Bonds authorized under BOARD BILL NO. 259, and to take whatever action necessary in order to provide for the payment or reimbursement of eligible costs authorized herein.

SECTION SIX. The Director of Airports is hereby authorized to make such applications, to provide such data and to take whatever action necessary to seek reimbursement from the Federal Aviation Administration under the Airport Improvement Program, the Passenger Facility Charge Program, or other programs for projects herein authorized where such costs are deemed eligible and monies made available for reimbursement under Federal law or contract and

authorizing and directing that all such reimbursements be deposited into the appropriate or applicable fund.

SECTION SEVEN. All contracts let under authority of this ordinance shall be in compliance with all applicable minority and women or disadvantage business enterprise requirements and in compliance with all applicable Federal, State and local laws, ordinances, regulations, court decisions and executive orders relating to equal employment opportunity.

SECTION EIGHT. The appropriation and expenditure of funds authorized herein from the Airport Construction Fund established pursuant to BOARD BILL NO. 259 are hereby conditioned on the issuance of the Series 2001 Capital Improvement Bonds.

SECTION NINE. 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 contained herein is held invalid by a court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions or provisions of this Ordinance.

SECTION TEN. This being an ordinance providing for public work and improvement, it is hereby declared to be an emergency measure as defined in Article IV, Section 20 of the City's Charter and shall become effective immediately upon its approval by the Mayor of the City.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
01/05/01	01/05/01	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
01/12/01			01/19/01	02/02/01
ORDINANCE	VETOED	VETO OVR	SIGNED BY MAYOR	
65162			02/15/01	