

**ORDINANCE #65626**  
**Board Bill No. 178**  
**Committee Substitute**

An Ordinance recommended and approved by the Airport Commission, Board of Public Service, and the Board of Estimate and Apportionment authorizing a First Amendment to Section One of the Airfield Projects Public Works Ordinance 65162 approved February 15, 2001, which authorized a multi-year public work and improvement program (the "Airfield Projects") at Lambert-St. Louis International Airport (the "Airport"), adding certain public work projects (more fully described in Section One of this Ordinance) to the listing of Airfield Projects authorized therein and increasing the total estimated cost of the Airfield Projects by Twenty Nine Million Six Hundred Forty Eight Thousand Five Hundred Dollars (\$29,648,500) to Forty Seven Million Two Hundred Forty Three Thousand Five Hundred Dollars (\$47,243,500); amending Section Two of the Airfield Projects Public Works Ordinance 65162, which authorized and provided for the initial appropriation and expenditure of funds for the Airfield Projects, by deleting Section Two of Ordinance 65162 in its entirety and substituting a new Section Two authorizing and providing for the initial appropriation and expenditure of funds for the Airfield Projects; amending Sections Five and Eight of Ordinance 65162 as more fully described respectively in Sections Three and Four of this Ordinance; containing a severability clause; and containing an emergency clause.

**WHEREAS**, the Airfield Projects Public Works Ordinance 65162 approved February 15, 2001, authorized and established a multi-year public work and improvement program (more fully described in Section One of Ordinance 65162) (the "Airfield Projects") at Lambert-St. Louis International Airport (the "Airport") and the development, implementation, administration, management, and monitoring of the Airfield Projects at total estimated cost of Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000), authorized an initial appropriation of Seventeen Million Five Hundred Ninety Five Thousand Dollars (\$17,595,000) conditioned and subject in part to the issuance of the "Series 2001 Capital Improvement Program Bonds" (as defined and provided for in the Series 2001 Capital Improvement Program Bond Ordinance 65150 approved February 8, 2001 [BOARD BILL NO. 259] that was authorized but not issued), contained a severability clause, and contained an emergency clause;

**WHEREAS**, the City now intends to issue in one or more series in an aggregate principal amount not to exceed One Hundred Seventy Five Million Dollars (\$175,000,000) "Airport Revenue Bonds, Series 2002 (2002 Capital Improvement Program) Lambert-St. Louis International Airport" (the "Series 2002 Bonds") pursuant to a "Ninth Supplemental Indenture" (as defined in BOARD BILL NO. 162) between the City and the Trustee of the Series 2002 Bonds authorized by "BOARD BILL NO. 162" as approved by the City's Board of Aldermen (the "Series 2002 Capital Improvement Program Bond Ordinance"), for the purpose of providing funds to finance the costs of the "2002 Project", as defined in BOARD BILL NO. 162;

**WHEREAS**, it is now necessary to add certain public work projects to the listing of Airport Projects authorized in Section One of the Airfield Projects Public Works Ordinance 65162 and to increase by Twenty Nine Million Six Hundred Forty Eight Thousand Five Hundred Dollars (\$29,648,500) the total estimated costs for the Airfield Projects provided for in Section One of Ordinance 65162 to Forty Seven Million Two Hundred Forty Three Thousand Five Hundred Dollars (\$47,243,500);

**WHEREAS**, it is now necessary to amend Section Two of Airfield Projects Public Works Ordinance 65162 that authorized and provided for the initial appropriation and the expenditure of funds for the Airfield Projects by deleting Section Two of Ordinance 65162 in its entirety and substituting a new Section Two authorizing and providing for the initial appropriation and expenditure of funds for the Airfield Projects;

**WHEREAS**, it is also necessary to amend Sections Five and Eight of the Airfield Projects Public Works Ordinance 65162 as more fully described respectively in Sections Three and Four of this Ordinance; and

**WHEREAS**, the initial appropriation and the expenditure of funds authorized and provided for in the Airfield Projects Public Works Ordinance 65162 from the sub-account of the Series 2002 Airport Construction Account in the Construction Fund (the "Airport Construction Fund") established pursuant to "BOARD BILL NO. 162" is expressly conditioned on the issuance of the Series 2002 Bonds.

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

**SECTION ONE.** Section One of the Airfield Projects Public Works Ordinance 65162 approved February 15, 2001, is hereby amended by adding the following words after the words "advertising and the taking of the bids, construction management and construction costs":

“necessary to keep the Airport’s airfield economically and operationally competitive with other major hub airports for the next decade, including, but not limited to, electronic control and information systems, provide”

and deleting the following words and figures from the last clause of Section One of the Airfield Projects Public Works Ordinance 65162 approved February 15, 2001:

“at a total estimated cost of Seventeen Million Five Hundred and Ninety Five Thousand Dollars (\$17,595,000).”

and replacing with the following words and figures:

“at a total estimated cost of Forty Seven Million Two Hundred Forty Three Thousand Five Hundred Dollars (\$47,243,500).”

**SECTION TWO.** Section Two of the Airfield Projects Public Works Ordinance 65162 approved February 15, 2001, is hereby deleted in its entirety as set out below:

“**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.”

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

“**SECTION TWO.** There is hereby authorized an initial appropriation of Forty Seven Million Two Hundred Forty Three Thousand Five Hundred Dollars (\$47,243,500) 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) Forty One Million Three Thousand Five Hundred Dollars (\$41,003,500) from the sub-account of the Series 2002 Airport Construction Account in the Construction Fund (the "Airport Construction Fund") established and authorized pursuant to “BOARD BILL NO. 162” as approved by the City’s Board of Aldermen (the "Series 2002 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.”

**SECTION THREE.** Section Five of the Airport Projects Public Works Ordinance 65162 approved February 15, 2001, is hereby amended by deleting the following words and figures:

“and/or to the Trustee of the Series 2001 Capital Improvement Program Bonds authorized under BOARD BILL NO. 259,”

and replacing with the following words and figures:

“and/or to the Trustee of the Series 2002 Bonds authorized under BOARD BILL NO. 162,”

**SECTION FOUR.** Section Eight of the Airport Projects Public Works Ordinance 65162 approved February 15, 2001, is hereby amended by deleting the following words and figures:

“The appropriation and the 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.”

and replacing with the following words and figures:

“The appropriation and the expenditure of funds authorized herein from the Airport Construction Fund established pursuant to BOARD BILL NO. 162 are hereby conditioned on the issuance of the Series 2002 Bonds.”

**SECTION FIVE.** 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 SIX.** 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: August 5, 2002**