

1 **COMMITTEE SUBSTITUTE**

2 **BOARD BILL NO. 224 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG,**
3 **ALDERWOMAN JENNIFER FLORIDA, ALDERMAN LARRY ARNOWITZ,**
4 **ALDERMAN ALFRED WESSELS, ALDERWOMAN CAROL HOWARD, ALDERMAN**
5 **TERRY KENNEDY, ALDERWOMAN MARLENE DAVIS, ALDERMAN CRAIG**
6 **SCHMID, ALDERMAN JOSEPH VACCARO, ALDERMAN SHANE COHN,**
7 **ALDERWOMAN LYDA KREWSON, PRESIDENT REED**

8 An Ordinance pertaining to the transfer of real property (“Police Property”) from the Board of
9 Police Commissioners of the City of St. Louis (“Board”) to the City of St. Louis (“City”) as a
10 result of the merger of the Board and City pursuant to Section 84.344.2 RSMo. and pertaining to
11 the amendment of certain bond documents relating to outstanding Police Capital Improvement
12 Sales Tax Leasehold Revenue Bonds, Series 2007 (the “Series 2007 Bonds,” and such Series
13 2007 Bonds and any Additional Bonds issued pursuant to the Indenture, referred to collectively
14 as the “Bonds”) issued by the St. Louis Municipal Finance Corporation (the “Corporation”);

15 **WITNESSETH, THAT:**

16 WHEREAS, the Board has transferred the Police Property to the City as a result of the merger
17 pursuant to Section 84.344.2 RSMo and has approved the modification of certain documents
18 entered into in connection with the Series 2007 Bonds; and

19 WHEREAS, Ordinance 69489, adopted by the City Board of Aldermen on June 21, 2013 and
20 effective August 2, 2013, provides that pursuant to the terms of Section 84.344.4 RSMo., the
21 City accepts responsibility, ownership and liability as successor in interest for contractual
22 obligations, indebtedness and other lawful obligations of the Board effective September 1, 2013
23 or such later date as may be established in subsequent City legislation; and

Date: November 1, 2013

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ALDERWOMAN CAROL HOWARD, ALDERMAN TERRY KENNEDY, ALDERWOMAN
MARLENE DAVIS, ALDERMAN CRAIG SCHMID, ALDERMAN JOSEPH VACCARO,
ALDERMAN SHANE COHN, ALDERWOMAN LYDA KREWSON, PRESIDENT REED

1 WHEREAS, certain bond documents relating to the Bonds require amendment due to the
2 transfer of Police Property.

3 **NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

4 **SECTION ONE.** The Board of Aldermen hereby approve, and the Mayor and
5 Comptroller of the City are hereby authorized and directed to execute, on behalf of the City, and
6 the City Register is hereby authorized and directed to attest to and to affix the seal of the City
7 thereto: the First Supplemental Premises Base Lease (attached as **Exhibit A**), the Second
8 Supplemental Lease Purchase Agreement (attached as **Exhibit B**) the Second Supplemental
9 Deed of Trust and Security Agreement (attached as **Exhibit C**), Second Supplemental Indenture
10 of Trust (attached as **Exhibit D**) and First Supplemental Communications Property Base Lease
11 (attached as **Exhibit E**). These documents shall be in substantially the form attached, with such
12 changes therein as shall be approved by said Mayor and Comptroller executing the same and as
13 may be consistent with the intent of this Ordinance and necessary and appropriate in order to
14 carry out the matters herein authorized. Any substantial changes in these documents requires the
15 approval of the Board of Aldermen prior to execution by the Mayor and Comptroller.

16 **SECTION TWO.** The Board of Aldermen hereby approves, and authorizes and directs
17 the officers of the Corporation to approve and to execute the Second Supplemental Indenture of
18 Trust, the First Supplemental Premises Base Lease, the Second Supplemental Lease Purchase
19 Agreement, the Second Supplemental Deed of Trust and Security Agreement and the First
20 Supplemental Communications Property Base Lease, in substantially the forms presented to and
21 approved by the Board of Aldermen at this meeting and attached as exhibits to this Ordinance
22 and incorporated herein by reference.

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ALDERMAN SHANE COHN, ALDERWOMAN LYDA KREWSON, PRESIDENT REED

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

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ALDERMAN SHANE COHN, ALDERWOMAN LYDA KREWSON, PRESIDENT REED

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EXHIBIT A

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First Supplemental Premises Base Lease

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EXHIBIT B

Second Supplemental Lease Purchase Agreement

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EXHIBIT C

Second Supplemental Deed of Trust and Security Agreement

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EXHIBIT D

Second Supplemental Indenture of Trust

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EXHIBIT E

First Supplemental Communications Property Base Lease

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