

**BOARD BILL NO. 185 INTRODUCED BY ALDERWOMAN LYDA KREWSON**

1 An Ordinance recommended and approved by the Airport Commission and the Board of  
2 Estimate and Apportionment making certain findings with respect to the transfer of up to One  
3 Million Three Hundred Thousand Dollars (\$1,300,000) of excess moneys that the City of St. Louis  
4 (“City”), the owner and operator of Lambert-St. Louis International Airport® (“Airport”), intends to  
5 transfer from the Debt Service Stabilization Fund (“DSSF”) in accordance with Section 516.B of the  
6 Lambert-St. Louis International Airport® Indenture of Trust between the City, as Grantor, and UMB  
7 Bank, N.A., as Trustee, dated as of October 15, 1984, as amended and restated as of July 1, 2009  
8 (“Indenture”), to the “Annual Budget” (established under authority of Ordinance No. 70272  
9 approved June 30, 2016 for the fiscal year beginning July 1, 2016 and ending June 30, 2017), for  
10 current expenses of the government as detailed in **EXHIBIT "1"**, which is attached hereto and  
11 incorporated herein; containing a severability clause; and an emergency clause.

12 **WHEREAS**, The City of St. Louis, Missouri (the “City”) is the owner of Lambert-St.  
13 Louis International Airport® (the “Airport”), which is operated for the City by the City’s Airport  
14 Authority, a department of the City;

15 **WHEREAS**, pursuant to the Lambert-St. Louis International Airport® Indenture of Trust  
16 between the City, as Grantor, and UMB Bank, N.A., as Trustee, dated as of October 15, 1984, as  
17 amended and restated as of July 1, 2009 (“Indenture”), the City may withdraw and use amounts on  
18 deposit in the Debt Service Stabilization Fund (“DSSF”) for emergency debt service needs with  
19 respect to indebtedness issued for Airport purposes and for Airport operational emergencies;

20 **WHEREAS**, the City’s Comptroller, Airport Commission, and Board of Estimate and  
21 Apportionment have determined: i) that the need to provide additional funding for emergency

1 cleaning services and supplies in order to maintain and enhance operating levels at the Airport  
2 constitutes an Airport operating emergency within the meaning of Section 516.B(2) of the  
3 Indenture, ii) that the transfer of funds from the DSSF to the “Annual Budget” (established under  
4 authority of Ordinance No. 70272 approved June 30, 2016 for the fiscal year beginning July 1, 2016  
5 and ending June 30, 2017), for current expenses of the government as detailed in **EXHIBIT "1"**,  
6 which is attached hereto and incorporated herein, is an appropriate and desirable use of such funds  
7 and is essential for the operation of the Airport, and iii) that such use is consistent with the  
8 requirements of the Indenture;

9         **WHEREAS**, there is a balance in excess of One Million Three Hundred Thousand  
10 Dollars (\$1,300,000) available for transfer from the DSSF into the Annual Budget;

11         **WHEREAS**, it is in the best interest of the City and the operation of the Airport to  
12 authorize the transfer of funds from the DSSF into the Annual Budget during the fiscal year  
13 beginning July 1, 2016, in an amount not to exceed One Million Three Hundred Thousand  
14 Dollars (\$1,300,000);

15         **WHEREAS**, the Charter of The City of St. Louis, Article XVI, Section 6, authorizes  
16 supplemental appropriations when any accruing, unappropriated City revenue is available and when  
17 the Board of Estimate and Apportionment recommends same; and

18         **WHEREAS**, this Ordinance, authorizing the transfer of funds in an amount not to exceed  
19 One Million Three Hundred Thousand Dollars (\$1,300,000), as set out herein, is recommended  
20 and approved by the City’s Comptroller, Airport Commission, and Board of Estimate and  
21 Apportionment.

22

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

2           **SECTION ONE.**     The Board of Aldermen for The City of St. Louis, Missouri (the  
3 “City”) the owner and operator of Lambert-St. Louis International Airport (Airport”) hereby  
4 adopts and incorporates herein the foregoing recitals as findings.

5           **SECTION TWO.**     There is hereby authorized a transfer of funds during the fiscal year  
6 beginning July 1, 2016, in an amount not to exceed One Million Three Hundred Thousand Dollars  
7 (\$1,300,000) from the Debt Service Stabilization Fund (“DSSF”) in accordance with Section 516.B  
8 of the Indenture, into the “Annual Budget” (established under authority of Ordinance No. 70272  
9 approved June 30, 2016 for the fiscal year beginning July 1, 2016 and ending June 30, 2017), for  
10 current emergency cleaning expenses of the Airport, as detailed in **EXHIBIT "1"**, which is attached  
11 hereto and incorporated herein.

12           **SECTION THREE.**   In addition to the charter powers granted to the Comptroller to  
13 preserve the credit of the City of St. Louis (the "City"), and for that purpose, or in case of any  
14 extraordinary emergency of any kind, with the approval of the Board of Estimate and  
15 Apportionment, and with or without any ordinance or other authority or appropriations therefore, to  
16 draw warrants on the treasurer or effect temporary loans to pay debts and judgments and other  
17 liabilities of the City, or to meet any such emergency, charging such warrants to any excess balances  
18 in appropriations made by this budget ordinance and then specifically reporting such action to the  
19 Board of Aldermen at its first meeting thereafter, the Comptroller is hereby directed to cause to be  
20 made transfers:

21           a.   within departments, divisions of funds, if such transfers are under \$250,000 per  
22 occurrence and if they are approved by a majority vote of the Board of Estimate and Apportionment,

1 or

2 b. between or among departments, divisions or funds (except Fund 1217-Capital  
3 Improvement Projects), if such funds are under \$250,000 per occurrence and if they are approved by  
4 a vote of the Board of Estimate and Apportionment.

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

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