

St. Louis City Ordinance 64479

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 144

INTRODUCED BY ALDERMAN ROBERT RUGGERI

An ordinance, recommended and approved by the Airport Commission and the Board of Estimate and Apportionment amending Section One of Ordinance No. 64217 approved December 15, 1997, as amended by Ordinance No. 64447 approved August 4, 1998, by adding a new sub-paragraph to Section One of Ordinance 64217 as amended, providing for the reimbursement of the Airport Development Fund established pursuant to Ordinance No. 59286, Section 13, approved October 26, 1984 (the "Development Fund") or the Passenger Facility Charge Fund Account established pursuant to Ordinance No. 62501, Section 6, approved February 10, 1992 (the "PFC Fund"), consistent with the terms of Ordinance 64217 as amended, for certain "de minimis expenditures" or "preliminary expenditures", as defined and provided for under Treasury regulations, expended prior to March 10, 1997 from the Development Fund or the PFC Fund for certain public work and improvement projects; and containing 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"); and

WHEREAS, Ordinance No. 64217 approved December 15, 1997 appropriated certain funds and authorized the Comptroller of the City of St. Louis (the "City") to transfer such funds 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") to the Airport Development Fund (the "Development Fund") established pursuant to Ordinance No. 59286, Section 13, approved October 26, 1984 and the Passenger Facility Charge Fund Account (the "PFC Fund") established pursuant to Ordinance No. 62501, Section 6, approved February 10, 1992 in such amounts for public work and improvement projects authorized by City ordinances as listed in SECTION ONE of Ordinance No. 64217 and consistent with the terms provided for therein; authorized the Comptroller or the Treasurer of the City 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 to take whatever actions that may be necessary in order to provide for the transfers authorized herein; and contained an emergency clause.

WHEREAS, Ordinance No. 64447 approved August 4, 1998, amended Section One of Ordinance No. 64217 by adding certain public works and improvement projects that provided for the planning, designing and construction of the new East Terminal and were authorized by City Ordinance No. 61828 approved February 28, 1990, Ordinance No. 62908 approved June 29, 1993 and Ordinance No. 63196 approved July 1, 1994 as amended by Ordinance No. 63669 approved March 12, 1996 to the list of eligible public work and improvement projects listed by ordinance number in Section One of Ordinance No. 64217.

WHEREAS, it is in the best interest of the operation of the Airport to authorize the reimbursement of the Development Fund or the PFC Fund, consistent with the terms of Ordinance 64217 as amended, for certain "de minimis" expenditures or "preliminary expenditures", as defined and provided for under Treas. Reg. ? 1.150-2(d) & (f), expended prior to March 10, 1997 from said funds for certain public work and improvement projects, by amending Section One of Ordinance 64217 as amended;

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

SECTION ONE. Section One of Ordinance No. 64217 approved December 15, 1997, as amended by Ordinance No. 64447 approved August 4, 1998, is hereby amended by adding a new sub-paragraph to Section One of Ordinance 64217 as amended as follows: "iii) reimburse the Development Fund or the PFC Fund respectively in full for all amounts expended prior to March 10, 1997 from such funds on "de minimis expenditures" or "preliminary expenditures", as defined and provided for under Treasury regulations (see, Treas. Reg. ? 1.150-2(d) & (f)), for certain public work and improvement projects the cost of which may be charged to the Airport Construction Fund under the terms of the 1997 Airport Bond Ordinance. Said preliminary expenditures to include but not be limited to architectural, engineering, surveying, reimbursement bond issuance and similar costs as provided for under Treasury regulation (see, Treas. Reg. ? 1.150-2(f))."

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

Legislative History

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
09/18/98	09/18/98	T&C		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
10/02/98			10/09/98	10/16/98
ORDINANCE	VETOED		VETO OVR	