

ORDINANCE NO. 100708

APPROVING THE FORM, CONTENT, AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE, SALE AND DELIVERY OF APPROXIMATELY \$42,895,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2005; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS AND BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS

* * * * *

WHEREAS, the City Council hereby deems it necessary and desirable to issue and deliver, pursuant to applicable laws of the State of Texas, including Chapter 22, Texas Transportation Code, and Chapter 1371, Texas Government Code (collectively, the "Act"), approximately \$42,895,000 in principal amount of revenue bonds secured with revenues derived from the collection of a "passenger facility charge" on each paying passenger of an air carrier or foreign air carrier boarding an aircraft at the San Antonio International Airport and with a subordinate lien of the "Net Revenues" of the City's municipal airport system (the "Airport System") to be designated "*City of San Antonio, Texas Passenger Facilities Charge and Subordinate Lien Airport System Revenue Improvement Bonds, Series 2005*" (the "Series 2005 PFC Bonds"), to finance the construction of certain extensions and improvements at the San Antonio International Airport which qualify as "*eligible airport-related projects*" (as defined in 49 USC §40117(a)(3)); and

WHEREAS, Securities and Exchange Commission Rule 15c2-12, codified at 17 C.F.R. §240.15c2-12 ("Rule 15c2-12"), requires that the Preliminary Official Statement prepared and distributed in connection with the issuance of the Series 2005 PFC Bonds be "deemed final" as of its date by the City (except for the omission of no more than the information permitted by Rule 15c2-12); and

WHEREAS, such Preliminary Official Statement has been reviewed by the City Council and representatives of the City's staff; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS THAT:

SECTION 1. APPROVAL OF FORM OF PRELIMINARY OFFICIAL STATEMENT. The form and content of the Preliminary Official Statement, attached hereto as Exhibit A, in connection with the issuance and sale of the Series 2005 PFC Bonds, is hereby approved.

SECTION 2. PRELIMINARY OFFICIAL STATEMENT DEEMED FINAL. The Preliminary Official Statement referenced above and relating to the proposed sale of the Series 2005 PFC Bonds is hereby "deemed final" as of its date (subject to the permissible omissions described in Rule 15c2-12) within the meaning of the provision of 17 C.F.R. §240.15c2-12(b)(1).

SECTION 3. AUTHORITY TO PRINT AND DISTRIBUTE THE PRELIMINARY OFFICIAL STATEMENT. The Interim City Manager, the Aviation Director and the Finance Director of the City, and the City's Co-Financial Advisors (Coastal Securities and Estrada Hinojosa & Company, Inc.), Bond Counsel (McCall, Parkhurst & Horton L.L.P.) and the Underwriters in connection with the issuance of the Series 2005 PFC Bonds are authorized to take all actions deemed necessary in connection with preparing for the sale of the Series 2005 PFC Bonds, including but not limited to approving all changes deemed necessary to the Preliminary Official Statement and to print and distribute such Preliminary Official Statement to potential purchasers.

SECTION 4. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City hereby incorporates such recitals as a part of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective ten days following its passage.

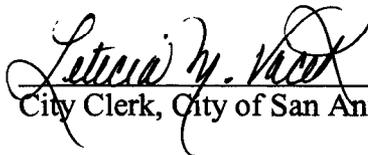
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PASSED AND APPROVED THIS 14TH DAY OF APRIL, 2005.

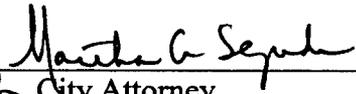

MAYOR

Attest:



City Clerk, City of San Antonio, Texas

APPROVED AS TO FORM:

By: 

City Attorney

[SIGNATURE PAGE TO ORDINANCE APPROVING FORM OF
PRELIMINARY OFFICIAL STATEMENT FOR AIRPORT SYSTEM'S SERIES 2005 PFC BONDS]

04/14/05
Item #34

EXHIBIT A

[FORM OF PRELIMINARY OFFICIAL STATEMENT
FOR AIRPORT SYSTEM'S SERIES 2005 PFC BONDS]

Agenda Voting Results

Name: 34.

Date: 04/14/05

Time: 10:46:19 PM

Vote Type: Multiple selection

Description: An Ordinance approving the form, content, and distribution of the Preliminary Official Statement pertaining to the issuance, sale and delivery of approximately \$42,895,000.00 in principal amount of City of San Antonio, Texas Passenger Facility Charge and Subordinate Lien Airport System Revenue Improvement Bonds, Series 2005; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and authorizing the City's staff, co-financial advisors and bond counsel to take all actions deemed necessary in connection with the sale of such bonds. [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5	Not present			
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR		x		