

Controller's Office

To the Honorable Mayor and City Council of the City of Houston, Texas:

I hereby certify, with respect to the money required for the contract, agreement, obligation or expenditure contemplated by the ordinance set out below that:

- ( ) Funds have been encumbered out of funds previously appropriated for such purpose.
- ( ) Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- ( ) Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- ( ) No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- ( ) The money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any other purposes.
- ( ) A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated herein by this reference.
- ( ) Other - Grant Funds Available

Date: \_\_\_\_\_, 20\_\_\_\_ \_\_\_\_\_  
City Controller of the City of Houston, Texas

FUND REF: \_\_\_\_\_ AMOUNT: \_\_\_\_\_ ENCUMB. NO.: \_\_\_\_\_

City of Houston Ordinance No. \_\_\_\_\_

**AN ORDINANCE APPROPRIATING THE SUM OF \$20,000,000.00 OUT OF THE AIRPORT SYSTEM CONSOLIDATED 2011 CONSTRUCTION FUND AND APPROVING AND AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HOUSTON AND SOUTHWEST AIRLINES CO. FOR A GATE EXPANSION PROJECT ON THE WEST CONCOURSE AT WILLIAM P. HOBBY AIRPORT; CONTAINING PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

\* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** The City Council hereby appropriates the sum or sums of money set out in the title of this Ordinance, out of the respective fund or funds set out in such title for the purpose or purposes set out in such title as follows: The sum of **\$20,000,000.00** is appropriated out of the Airport System Consolidated 2011 Construction Fund.

**Section 2.** The City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this Ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of Houston. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

**Section 3.** The Mayor is hereby authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this ordinance, in the event of changed circumstances.

**Section 4.** The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under said contract without further authorization from Council.

**Section 5.** There exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

(Prepared by Legal Dept.  
(TNE:anv 02/14/2022)  
(Requested by Mario C. Diaz, Director, Houston Airport System)  
(L.D. File No. 0042200035001)

 )

Assistant City Attorney

**CERTIFICATE OF CITY CONTROLLER**

I, Chris B. Brown, City Controller of the City of Houston, Texas, pursuant to Article II, Section 19a of the Charter of the City of Houston, with respect to the sum of **\$20,000,000.00** required for the project referenced in the title of this ordinance, do hereby certify as follows:

- (1) The sum of **\$20,000,000.00** will be funded from airport bond proceeds and/or airport commercial paper proceeds pursuant to Ordinance No. 2010-0912 authorizing the creation of the Consolidated 2011 Construction Fund (8206). To the extent that this sum will be paid with bond proceeds, it is in the treasury in the said fund, and is not appropriated for any other purpose.
  
- (2) To the extent that the **\$20,000,000.00** will be paid by commercial paper proceeds, funds will be received into the treasury and available before the maturity of said obligation, and such anticipated funds have not already been appropriated for any other purpose. Such sum will be received as a cash draw(s) to the City of Houston pursuant to the Airport Commercial Paper Ordinance, Ordinance Nos. 2013-1064 and 2016-847.

\_\_\_\_\_  
City Controller

Airport.Cert8206