

Summary
Board Bill Number 107
Introduced by: Alderman Shane Cohn
October 1, 2021

This Third Amendment to US Bank National Association Banking Concession Agreement AL-278 extends the Term of the Agreement two years, now ending on November 30, 2023

This Agreement grants US Bank the non-exclusive right to operate a full-service banking concession at St. Louis Lambert International Airport.

US Bank pays the Terminal 1 Rental Rate for its branch location (currently \$28,472.07), and an ATM Transaction Fee of 55 percent all Foreign ATM Transactions.

This Concession Agreement provides essential services for the traveling public.

BOARD BILL NUMBER 107 INTRODUCED BY: ALDERMAN SHANE COHN

1 An Ordinance recommended and approved by the Board of Estimate and Apportionment
2 authorizing and directing the Director of Airports and the Comptroller of the City of St. Louis (the
3 "City"), owner and operator of St. Louis Lambert International Airport® (the "Airport") to enter into
4 and execute on behalf of the City the Third Amendment to Banking Concession Agreement, AL-278
5 ("Third Amendment") between the City and U. S. Bank National Association ("Concessionaire"),
6 amending the Banking Concession Agreement AL-278 as amended ("Agreement").

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

8 **SECTION ONE.** The Director of Airports and the Comptroller of The City of St. Louis (the
9 "City") are hereby authorized and directed to enter into and execute on behalf of the City the Third
10 Amendment to Banking Concession Agreement, AL-278 ("Third Amendment") between the City
11 and U. S. Bank National Association, ("Concessionaire") amending the Banking Concession
12 Agreement ("Agreement"), approved by Ordinance 69824, dated September 24, 2014, as amended
13 by the First Amendment to Banking Concession Agreement, approved by Ordinance 71032, dated
14 October 28, 2019; and the Second Amendment to Banking Concession Agreement, approved by
15 Ordinance 71208, dated July 24, 2020; the Third Amendment was approved by the City's Airport
16 Commission and is to read in words and figures substantially as set out in **ATTACHMENT "1"**,
17 which is attached hereto and made a part hereof.

18 **SECTION TWO.** The sections or provisions of this Ordinance or portions thereof are
19 severable. In the event that any section or provision of this Ordinance or portion thereof is held invalid
20 by a court of competent jurisdiction, such holding will not invalidate the remaining sections or

1 provisions of this Ordinance unless the court finds the valid sections or provisions of this Ordinance
2 are so essentially and inseparably connected with, and so dependent upon, the illegal, unconstitutional
3 or ineffective section or provision that it cannot be presumed that the Board of Aldermen would have
4 enacted the valid sections or provisions without the illegal, unconstitutional or ineffective sections or
5 provisions or unless the court finds that the valid sections or provisions, standing alone, are incomplete
6 and incapable of being executed in accordance with the legislative intent.

7 **SECTION THREE.** This being an Ordinance for the preservation of public peace, health,
8 or safety, it is hereby declared an emergency measure as designed in Article IV, Section 20 of the
9 City's Charter and will become effective immediately upon its approval by the City's Mayor.

Board Bill Number 107

ATTACHMENT 1

US BANK NATIONAL ASSOCIATION

THIRD AMENDMENT TO BANKING CONCESSION AGREEMENT AL - 278



THE CITY OF ST. LOUIS
U.S. BANK NATIONAL ASSOCIATION
CONCESSION AGREEMENT

AL - 278

THIRD AMENDMENT
ST. LOUIS LAMBERT INTERNATIONAL AIRPORT®
CONCESSION AGREEMENT AL-278
U.S. BANK NATIONAL ASSOCIATION

THIS THIRD AMENDMENT dated _____, 2021, between The City of St. Louis, a municipal corporation of the State of Missouri (“**City**”), and U.S. Bank National Association (“**Concessionaire**”).

WHEREAS, the City is the owner and operator of St. Louis Lambert International Airport;

WHEREAS, the City and the Concessionaire are parties to the Banking Concession Agreement (“**Agreement**”) dated November 7, 2014, as amended by the First Amendment dated December 9, 2019, and the Second Amendment dated November 30, 2020, and desire to amend the Agreement to their mutual benefit by extending the term of the Agreement by two (2) year so that the Agreement will end on November 30, 2023.

NOW THEREFORE, for and in consideration of the promises, the mutual covenants and agreements herein contained, and other valuable considerations, the City and the Concessionaire agree as follows:

Section 1.

Section 401. Term of the Agreement is deleted in its entirety and substituted with the following:

“Term. The Term of this Agreement begins on December 1, 2014, and ends on November 30, 2023, unless sooner terminated in accordance with other provisions of this Agreement.”

Section 2.

All other terms, covenants and conditions of the Agreement not inconsistent with this Third Amendment are unchanged and are hereby ratified and approved and remain in full force and effect. This Third Amendment may be executed in two or more identical counterparts and delivered by facsimile or by .pdf or other comparable electronic format, with the same force and effect as if all required signatures were contained in a single, original instrument.

BOARD BILL NUMBER 107
FISCAL NOTE

Preparer's Name Ryan Stoffel

Phone Number or Email Address (will be available publicly) rjstoffel@flystl.com

Bill Sponsor Alderman Shane Cohn

Bill Synopsis:	Third Amendment to US Bank National Association Banking Concession Agreement AL-278
Type of Impact:	N/A Revenue Agreement
Agencies Affected:	Airport Authority

SECTION A

Does this bill authorize:

- An expansion of services which entails additional costs beyond that approved in the current adopted city budget? ___Yes ___XNo
- An undertaking of a new service for which no funding is provided in the current adopted city budget? ___Yes ___XNo
- A commitment of city funding in the future under certain specified conditions? ___Yes ___XNo
- An issuance of bonds, notes and lease-purchase agreements which may require additional funding beyond that approved in the current adopted city budget? ___Yes ___XNo
- An execution or initiation of an activity as a result of federal or state mandates or requirements? ___Yes ___XNo
- A capital improvement project that increases operating costs over the current adopted city budget? ___Yes ___XNo
- A capital improvement project that requires funding not approved in the current adopted city budget or that will require funding in future years? ___Yes ___XNo

If the answer is yes to any of the above questions, then a fiscal note must be attached to the board bill. Complete Section B of the form below.

SECTION B

- Does the bill require the construction of any new physical facilities? ____Yes ____No

- If yes, describe the facilities and provide the estimated cost:

- Is the bill estimated to have a direct fiscal impact on any city department or office? ____Yes ____No

- If yes, explain the impact and the estimated cost:

- Does the bill create a program or administrative subdivision? ____Yes ____No

- If yes, then is there a similar existing program or administrative subdivision?

- ____Yes ____No

- If yes, explain the how the proposed programs or administrative subdivisions may overlap:

- Describe the annual operating, equipment, and maintenance costs that would result from the proposed bill, as well as any funding sources:

Complete the chart below to list the total estimated expenditures required of the City resulting from the proposed board bill and any estimated savings or additional revenue.

Financial Estimate of Impact on General Fund			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	NA	NA	NA
Additional Revenue	NA	NA	NA
Net	NA	NA	NA
Financial Estimate of Impact on Special Funds			
Fiscal Impact	<u>Year 1 (current)</u>	<u>Year 2</u>	<u>Year 3</u>
Additional Expenditures	NA	NA	NA
Additional Revenue	NA	NA	NA
Net	NA	NA	NA

- Describe any assumptions used in preparing this fiscal note:

- List any sources of information (including any City officials, agencies, or departments) used in preparing this fiscal note:

- Have the financial estimates of this bill been verified by the City Budget Division?
 Yes No

○ If yes, by whom? _____ .