ORDINANCE NUMBER 70273

BOARD BILL NO. 2 INTRODUCED BY ALDERWOMAN LYDA KREWSON

An Ordinance recommended by the Board of Estimate and Apportionment authorizing and directing the Director of Airports and the Comptroller for The City of St. Louis (the "City") to enter into and execute on behalf of the City a Lambert-St. Louis International Airport® ("Airport") Airport Use and Lease Agreement with a term ending June 30, 2021 (the "Use Agreement") and, when indicated, an Airport Use and Lease Agreement Cargo Addendum (the "Cargo Addendum") between the City and any airline operator (the "Airline") listed in ATTACHMENT A to this Ordinance, which is attached hereto and incorporated herein, granting to such Airline certain rights and privileges for the use of the Airport and its facilities subject to the terms, covenants, and conditions set forth in the Use Agreement and the Cargo Addendum that were approved by the City's Airport Commission and the City's Board of Estimate and Apportionment, and are attached hereto as ATTACHMENT B and ATTACHMENT C respectively and made a part hereof; providing that the provisions set forth in this Ordinance will be applicable exclusively to the agreements approved or authorized by this Ordinance; containing a severability clause; and containing an emergency clause.

WHEREAS, the City of St. Louis, Missouri (the "City") owns and operates, Lambert-St. Louis International Airport® (the "Airport"), a department of the City;

WHEREAS, various airline operators are engaged in the business of providing commercial air transportation of persons and property as scheduled air carriers certificated by the United States Government to engage in such business and to that end desire to enter into agreements for the use of the Airport and its facilities; and

WHEREAS, the City is willing to grant certain rights and privileges for the use of the Airport and its facilities to any of the airlines listed in ATTACHMENT A (the "Airline") to this Ordinance, which is attached hereto and incorporated herein, upon the terms and conditions set forth in the City's Airport Use and Lease Agreement with a term ending June 30, 2021 and the City's Airport Use and Lease Agreement Cargo Addendum attached hereto as ATTACHMENT B and ATTACHMENT C respectively and made a part hereof.

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

SECTION ONE. The Director of Airports and the Comptroller for the City of St. Louis (the "City") are hereby authorized and directed to enter into and execute on behalf of the City a Lambert-St. Louis International Airport® ("Airport") Airport Use and Lease Agreement with a term ending June 30, 2021 (the "Use Agreement") between the City and any airline operator (the "Airline") listed in ATTACHMENT A to this Ordinance, which is attached hereto and incorporated herein, granting to the Airline certain rights and privileges for the use of the Airport and its facilities subject to the terms, covenants and conditions set forth in the Use Agreement that was approved by the City's Airport Commission and the City's Board of Estimate and Apportionment, and is to read in words and figures substantially as set out in ATTACHMENT B, which is attached hereto and made a part hereof.

SECTION TWO. The Director of Airports and the Comptroller for the City are further authorized and directed to enter into and execute on behalf of the City, in addition to the Use Agreement, an Airport Use and Lease Agreement Cargo Addendum that was approved by the City's Airport Commission and the City's Board of Estimate and Apportionment, and is to

read in words and figures substantially as set out on ATTACHMENT C, which is attached hereto and made a part hereof, with Airlines engaged in the business of providing commercial air transportation of property only, and which are designated with the footnote "Cargo Addendum" in ATTACHMENT A.

SECTION THREE. The terms, covenants, and conditions set forth in the Ordinance are applicable exclusively to the agreements, documents, and instruments approved or authorized by this Ordinance and are not applicable to any other existing or future agreements, documents or instruments unless specifically authorized by an ordinance enacted after the effective date of this Ordinance. All provisions of other ordinances of the City that are in conflict with this Ordinance will be of no force or effect as to the agreements, documents, or instruments approved or authorized by this Ordinance.

SECTION FOUR. The sections, conditions, or provisions of this Ordinance or portions thereof shall be severable. If any section, condition, or provision of this Ordinance or portion thereof contained herein is held invalid by a court of competent jurisdiction, such holding shall not invalidate the remaining sections, conditions, or provisions or portion thereof of this Ordinance unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION FIVE. This being an ordinance for the preservation of public peace, health, or safety, 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 its approval by the

Mayor of the City.