

1           An Ordinance recommended and approved by the Airport Commission and the Board of  
2 Estimate and Apportionment that provides for financial incentives for air service at Lambert St.  
3 Louis International Airport® (the “Airport”); determines and finds that it is in the best of  
4 interests of The City of St. Louis, Missouri (the “City”), the Airport and others to encourage  
5 service at the Airport by new passenger and/or cargo airlines and to stimulate service by airlines  
6 currently using the Airport by the adoption of programs providing for financial incentives for  
7 new airlines and new air service at the Airport; repeals the Air Service Incentive Program for the  
8 Airport for Fiscal Years 2010 through 2012 previously authorized by Ordinance 68478,  
9 approved November 6, 2009; adopts an Amended and Restated Air Service Incentive Program  
10 for Fiscal Years 2010 through 2014; containing a severability clause; and containing an  
11 emergency clause.

12           **WHEREAS**, The City of St. Louis, Missouri (the “City”) owns an airport known as the  
13 Lambert-St. Louis International Airport® (the “Airport”) which is operated by the Airport  
14 Authority of the City;

15           **WHEREAS**, it is in the best interests of the City, the Airport, the traveling public using  
16 the Airport and the residents of the St. Louis metropolitan area to encourage new passenger  
17 and/or cargo airlines to provide air service at the Airport, and to stimulate passenger and/or cargo  
18 air service to domestic and international destinations by the airlines currently using the Airport;

19           **WHEREAS**, the City desires to broaden passenger and/or cargo activity at the Airport;  
20 attract new/additional passenger and/or cargo air service to the St. Louis market; increase the  
21 number of non-stop destinations served from the Airport; increase the number of passengers

1 traveling through the Airport; increase the amount of cargo processed at the Airport; increase  
2 non-airline revenues generated at the Airport; and, over time, reduce the airlines' unit cost to  
3 operate at the Airport by the adoption of a program of financial incentives for new airlines and  
4 new air service; and

5 **WHEREAS**, in order to accomplish the foregoing the City ratified and adopted the Air  
6 Service Incentive Program for Fiscal Years 2010 through 2012 authorized by Ordinance 68478,  
7 approved November 6, 2009 (the "Program");

8 **WHEREAS**, the Federal Aviation Administration recently issued its *Air Carrier*  
9 *Incentive Program Guidebook* (the "FAA Incentive Program Guidelines") indicating that airport  
10 sponsors may not require an air carrier to be a signatory airline as a prerequisite for the receipt of  
11 incentives;

12 **WHEREAS**, the City desires to comply with the FAA Incentive Program Guidelines and  
13 to otherwise further enhance the effectiveness of the Program;

14 **WHEREAS**, in order to accomplish the foregoing, the City intends to ratify and adopt  
15 the Amended and Restated Air Service Incentive Program attached hereto as ATTACHMENT  
16 A, for air service at the Airport commencing in Fiscal Year 2010 and shall remain in effect  
17 through Fiscal Year 2014.

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

19 **SECTION ONE.** The Board of Aldermen of The City of St. Louis, Missouri (the  
20 "City") hereby determines and finds that it is in the best interests of the City, Lambert St. Louis  
21 International Airport® (the "Airport"), the traveling public using the Airport, and the residents of

1 the St. Louis metropolitan area to encourage new passenger and/or cargo airlines to provide air  
2 service at the Airport, and to stimulate passenger and/or cargo air service to domestic and  
3 international destinations by airlines currently using the Airport by the adoption of a program of  
4 financial incentives for new airlines and new air service.

5 **SECTION TWO.** The City hereby repeals the Air Service Incentive Program for the  
6 Airport for Fiscal Years 2010 through 2012, previously authorized by Ordinance 68478,  
7 approval November 6, 2009 (the “Program”); adopts an Amended and Restated Air Service  
8 Incentive Program (the “Amended Program”) as set out in ATTACHMENT A, which was  
9 approved and previously adopted by the City’s Airport Commission and the City’s Board of  
10 Estimate and Apportionment; and grants the Director of Airports the authority to waive certain  
11 Airport fees and charges associated with qualifying flights operated by eligible airlines, as  
12 provided for in the Amended Program.

13 **SECTION THREE.** The Director of Airports is authorized and directed to implement  
14 the terms of the Program and the Amended Program, including, without limitation: securing  
15 appropriations necessary to fund the Program and the Amended Program; accepting applications  
16 from airlines interested in participating in an incentive program; determining airline eligibility  
17 and flight qualifications; approving or rejecting applications based on the standards set forth in  
18 the Program and the Amended Program; monitoring compliance with the terms and conditions  
19 for participation, and, if necessary, terminating an airline’s eligibility for participation; and any  
20 and all other actions necessary to implement and administer the Program and the Amended  
21 Program.

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

7           **SECTION FIVE.** This being an ordinance for the preservation of public peace, health,  
8 or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20  
9 of the City Charter and shall become effective immediately upon its approval by the Mayor of  
10 the City.

ATTACHMENT A

AMENDED AND RESTATED AIR SERVICE  
INCENTIVE PROGRAM FOR FISCAL YEARS 2010 THROUGH 2014