

**BOARD BILL NO. 26 INTRODUCED BY ALDERMAN TERRY KENNEDY**

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  
3 (the “City”) to enter into and execute on behalf of the City the “First Amendment To Lambert-St.  
4 Louis International Airports® (the “Airport”) Concession Agreement (Airport Spa)” (the “First  
5 Amendment”) to the Airport Spa Concession Agreement AL-431 between the City and XpresSpa  
6 St. Louis Airport, LLC, (the “Concessionaire”) a corporation organized and existing under the  
7 laws of the State of New York, and authorized by City Ordinance No. 67907, approved March 3,  
8 2008 (the “Agreement”); the First Amendment, which is attached hereto as ATTACHMENT “1”  
9 and made a part hereto, was approved by the City’s Airport Commission, and its terms more  
10 fully described in Section One of this Ordinance; providing that the provisions set forth in this  
11 Ordinance shall be applicable exclusively the Agreement as amended by the First Amendment;  
12 containing a severability clause; and containing an emergency clause.

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

14 **SECTION ONE.** The Director of Airports and the Comptroller of the City of St. Louis  
15 (the “City”) are hereby authorized and directed to enter into and execute on behalf of the City the  
16 “First Amendment To Lambert-St. Louis International Airport® (the “Airport”) Concession  
17 Agreement (Airport Spa) (the “First Amendment”) to the Airport Spa Concession Agreement  
18 AL-431 between the City and XpresSpa St. Louis Airport, LLC (the “Concessionaire”), a  
19 corporation organized and exiting under the laws of the State of New York, and authorized by  
20 City Ordinance No. 67907, Approved March 3 2008 (the “Agreement”); the First Amendment to  
21 the Agreement, which was Approved by the City’s Airport Commission, is to read in words and  
22 figures as set out in ATTACHMENT “1” and is attached hereto and made part hereof.

1           **SECTION TWO.** The terms, covenants, and conditions set forth in this Ordinance shall  
2 be applicable exclusively to the Agreement as amended by the First Amendment and shall not be  
3 applicable to any other existing or future agreements, documents, or instruments unless  
4 specifically authorized by an ordinance after the effective date of this Ordinance. All provisions  
5 of other ordinances of the City that are in conflict with this Ordinance shall be of no force or  
6 effect as to this Ordinance or the agreements, documents, and instruments approved and/or  
7 authorized by this Ordinance.

8           **SECTION THREE.** The sections, conditions, and provisions of this Ordinance or  
9 portions thereof shall be severable. If any section, condition, or provision of this Ordinance or  
10 portion thereof is held invalid by a court of competent jurisdiction, such holding shall not  
11 invalidate the remaining sections, conditions, or provisions of this Ordinance.

12           **SECTION FOUR.** This being an Ordinance for the preservation of public peace, health,  
13 or safety, it is hereby declared to be an emergency measure as defined in Article IV, Section 20  
14 of the City’s Charter and shall become effective immediately upon its approval by the Mayor of  
15 the City.