

**BOARD BILL #504**

**INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

1           An Ordinance recommended and approved by the Board of Estimate and Apportionment  
2 authorizing and directing the Director of Airports and the Comptroller for the City of St. Louis  
3 (the "City") to enter into and execute on behalf of the City a First Amendment (the "First  
4 Amendment") to its Airport Use and Lease Agreement with a term ending June 30, 2011 (the  
5 "Use Agreement") authorized by Ordinance 66926 approved December 14, 2005 for the use of  
6 Lambert- St. Louis International Airport®; said First Amendment to be between the City and  
7 any airline operator listed in ATTACHMENT A attached to this Ordinance executing the First  
8 Amendment by which the Use Agreement is modified to provide for a Base Landed Weight of  
9 9,323,323 pound units of Landed Weight for determining landing fee rate mitigation in the Use  
10 Agreement and which was approved by the City's Airport Commission and the City's Board of  
11 Estimate and Apportionment, and is attached hereto as ATTACHMENT B to this Ordinance and  
12 made a part hereof; containing a severability clause; and containing an emergency clause.

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

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

20           **WHEREAS**, the City has granted certain rights and privileges for the use of the Airport

1 and its facilities to any of the airlines listed in ATTACHMENT A to this Ordinance, which is  
2 attached hereto and incorporated herein, upon the terms and conditions set forth in the City's  
3 Airport Use and Lease Agreement with a term ending June 30, 2011 authorized by Ordinance  
4 66926 approved December 14, 2005 (the "Use Agreement"); and

5 **WHEREAS**, the City desires to amend the terms of the Use Agreement by a First  
6 Amendment attached hereto as ATTACHMENT B to this Ordinance.

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

8 **SECTION ONE.** The Director of Airports and the Comptroller for the City of St.  
9 Louis (the "City") are hereby authorized and directed to enter into and execute on behalf of the  
10 City a First Amendment (the "First Amendment") to its Airport Use and Lease Agreement with a  
11 term ending June 30, 2011 for the use of Lambert-St. Louis International Airport® authorized  
12 by Ordinance 66926 approved December 14, 2005 between the City and any airline operator  
13 listed in ATTACHMENT A to this Ordinance, which is attached hereto and incorporated herein,  
14 executing the First Amendment that was approved by the City's Airport Commission and the  
15 City's Board of Estimate and Apportionment, and which First Amendment is to read in words  
16 and figures substantially as set out in ATTACHMENT B, which is attached hereto and made a  
17 part hereof.

18 **SECTION TWO.** The sections, conditions, or provisions of this Ordinance or portions  
19 thereof shall be severable. If any section, condition, or provision of this Ordinance or portion  
20 thereof contained herein is held invalid by a court of competent jurisdiction, such holding shall  
21 not invalidate the remaining sections, conditions, or provisions or portion thereof of this

1 Ordinance unless the court making such finding shall determine that the valid portions standing  
2 alone are incomplete and are incapable of being executed in accord with the legislative intent.

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