

1 **COMMITTEE SUBSTITUTE**  
2 **BOARD BILL #329**

3 **INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**

4 An Ordinance recommended and approved by the Board of Estimate and Apportionment  
5 authorizing and directing the Director of Airports and the Comptroller for the City of St. Louis  
6 (the "City") to enter into and execute on behalf of the City an Airport Use and Lease Agreement  
7 with a term ending June 30, 2011 (the "Use Agreement") and, when indicated, an Airport Use  
8 and Lease Agreement Cargo Addendum (the "Cargo Addendum") for Lambert- St. Louis  
9 International Airport® (the "Airport") between the City and executed by any airline operator (the  
10 "Airline") listed in ATTACHMENT A to this Ordinance, which is attached hereto and  
11 incorporated herein, granting to such Airline certain rights and privileges for the use of the  
12 Airport and its facilities subject to the terms, covenants, and conditions set forth in the Use  
13 Agreement and the Cargo Addendum that were approved by the City's Airport Commission and  
14 the City's Board of Estimate and Apportionment, and are attached hereto as ATTACHMENT B  
15 and ATTACHMENT C respectively to this Ordinance and made a part hereof; containing a  
16 severability clause; and containing an emergency clause.

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

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

1           **WHEREAS**, the City is willing to grant certain rights and privileges for the use of the  
2 Airport and its facilities to any of the airlines listed in ATTACHMENT A (the “Airline”) to this  
3 Ordinance, which is attached hereto and incorporated herein, upon the terms and conditions set  
4 forth in the City’s Airport Use and Lease Agreement with a term ending June 30, 2011 and the  
5 City’s Airport Use and Lease Agreement Cargo Addendum attached hereto as ATTACHMENT  
6 B and ATTACHMENT C respectively to this Ordinance and made a part hereof.

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 an Airport Use and Lease Agreement with a term ending June 30, 2011 (the “Use  
11 Agreement”) for Lambert-St. Louis International Airport® (the “Airport”) between the City and  
12 any airline operator executing the Use Agreement (the “Airline”) listed in ATTACHMENT A to  
13 this Ordinance, which is attached hereto and incorporated herein, granting to the Airline certain  
14 rights and privileges for the use of the Airport and its facilities subject to the terms, covenants  
15 and conditions set forth in the Use Agreement that was approved by the City’s Airport  
16 Commission and the City’s Board of Estimate and Apportionment, and is to read in words and  
17 figures substantially as set out in ATTACHMENT B, which is attached hereto and made a part  
18 hereof.

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

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

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

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

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