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LYDA KREWSON
MAYOR

September 18, 2019

Alderwoman Cara Spencer
1200 Market Street, Room 230
St. Louis, MO 63103

Dear Alderwoman Spencer:

This is in response to your August 29 inquiry regarding airport privatization, originally sent to Mayor Krewson but which you redirected to me on September 16, 2019.

As you know, Mayor Slay submitted a preliminary application to the Federal Aviation Administration in 2017, seeking admission in the federal government's Airport Privatization Pilot Program. The application was submitted to the FAA shortly before the end of Mayor Slay's final term as mayor.

The FAA application correctly notes that authorization of an airport lease may be accomplished by way of an ordinance or Charter amendment. The Charter amendment contemplated in the Mayor Slay's FAA application would have authorized the mayor to unilaterally execute an airport lease on behalf of the City without legislative approvals. If the Charter amendment approach was chosen, the FAA application indicated that a draft would be prepared within 30 days. To my knowledge, no draft Charter amendment was prepared. While Mayor Slay's tentative inclination was to pursue a Charter amendment, the application left both options open for Mayor Krewson.

In the initial months of her term, Mayor Krewson decided to pursue the legislative approval approach, meaning that the Board of Estimate and Apportionment and the Board of Aldermen would need to approve any airport lease transaction. Mayor Krewson's position has been consistent throughout the process. There is no "change" in that respect.

- In September 2017, the City issued its Request for Proposals for a consulting team to advise the City regarding the possibility of leasing the airport. The RFP specifically stated that:

The City intends to conduct a competitive solicitation and procurement for the creation of a public-private partnership for the lease of the Airport through the APPP Program, and, if the bids received are acceptable, submit the necessary documents to the Board of Aldermen and the Board of Estimate and Apportionment for their review and approval.

The RFP was unanimously approved by the selection committee members, including the three E & A representatives.

- Briefing materials provided to the Transportation and Commerce Committee of the Board of Aldermen in January 2018 confirmed that approval of E & A and the Board of Aldermen would be required (in addition to the approvals of the airlines that use the airport and the FAA).

- The Consultant Agreement for the City's consulting team, executed more than a year ago, states that "the City, its Board of Aldermen and the Board of Estimate and Apportionment, shall make the final decision as to whether or not to enter into any [airport lease] Transaction."

- Additional materials available on the public website www.fly314.com and distributed at community meetings state and restate the fact that the Board of Aldermen and E & A must approve any airport lease transaction.

In short, although your inquiry suggests that the City's approach has "changed" regarding the required approvals, the opposite is true. It has been obvious to anyone paying attention that Mayor Krewson was not seeking Charter authority to execute an airport lease and that an ordinance approved by the Board of Aldermen and E & A will be required for any airport lease transaction.

Very truly yours,



Michael A. Garvin
Deputy City Counselor