

May 28, 2025

WHEREAS, on June 25, 2008, the City Council adopted the term sheet between the City of Dallas (City) and Southwest Airlines Co. setting forth the terms of the Love Field Modernization Program by Resolution No. 08-1877; and

WHEREAS, effective October 1, 2008, the City entered into an Amended and Restated Lease of Terminal Building Premises (Airport Use and Lease Agreement) with Southwest Airlines Co., authorized by City Council Resolution 08-3403, adopted on December 10, 2008, which Airport Use and Lease Agreement, as amended, will terminate on September 30, 2028; and

WHEREAS, the Department of Aviation (DOA), through the City of Dallas, ~~(the “City”)~~ desires to ~~adopt~~ enter into a new twelve-year airline use and lease agreement with Southwest Airlines ~~(SWA) Co.~~ for 18 of the 20 aeronautical gates at Dallas Love Field, commencing on October 1, 2028, ~~through~~ and terminating on September 30, 2040; and

WHEREAS, the DOA, through the City, desires to set forth the terms for an airline/airport project agreement for the Love Field Expansion Airport Program (LEAP) of 2025 – 2035, which includes approval of a capital development program and significant infrastructure enhancements to the airport over the next ten years; and

WHEREAS, the DOA, through the City, plans to create the LEAP Advisory Council to oversee and execute the Capital Development Program funding for general aviation revenue bonds.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to **(1)** ~~adopt~~ execute a twelve-year use and lease agreement with Southwest Airlines Co. for 18 of the 20 aeronautical gates at Dallas Love Field, commencing on October 1, 2028, ~~until~~ and terminating on September 30, 2040; **(2)** set forth the terms for an airline/airport project agreement for the Love Field Expansion Airport Program (LEAP) of 2025-2035, which includes approval of a capital development program and significant infrastructure enhancements to the airport over the next ten years; and **(3)** ~~the creation of~~ the LEAP Advisory Council to oversee and execute the Capital Development Project funding for general aviation revenue bonds.

SECTION 2. That in the event that the rentals, fees, and charges paid by Southwest Airlines Co. during a fiscal year were more than the amount of Southwest Airlines Co.’s rentals, fees, and charges required as recalculated based on actual costs, expenses, and revenues, such excess amount shall be paid in lump sum to Southwest Airlines Co. from the revenue account in a timely manner as prescribed in the use and lease agreement.

May 28, 2025

SECTION 3. That in the event that the rentals, fees, and charges paid by Southwest Airlines Co. during a fiscal year were **less than** the amount of Southwest Airlines Co.'s rentals, fees, and charges required as recalculated based on actual costs, expenses, and revenues, such deficiency shall be billed to Southwest Airlines Co. by the city and payable by Southwest Airline Co. in a timely manner as prescribed in the use and lease agreement.

SECTION 4. That the Chief Financial Officer be and is hereby authorized to deposit all revenues received under the Lease, in an amount not to exceed \$5,000,000,000.00 over twelve years to: Aviation Operation Fund, Fund 0130, Department AVI, Unit 7722 and 7725, Revenue Code 7708 and 7809.

SECTION 2-5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.