

June 22, 2022

WHEREAS, a lawsuit styled City of Dallas v. Delta Air Lines, Inc., et al., Cause No. 3:15-cv-02069-K, was filed by the City against multiple defendants, seeking a declaratory ruling from the court interpreting the rights and obligations of the City and airlines with respect to gate accommodation at Dallas Love Field; and

WHEREAS, the City and Delta Air Lines, Southwest Airlines, and Alaska Airlines have agreed to a proposed settlement of the case whereby Delta Air Lines will have the right to fly on one gate at Dallas Love Field, all gates at the airport will be fully utilized until the expiration of the current Use and Lease Agreements on September 30, 2028, and all gate accommodation issues in the lawsuit will be resolved; and

WHEREAS, the settlement of the lawsuit includes a lease of facilities between the City and Delta Air Lines, Inc. for certain space at Dallas Love Field in support of its scheduled airline passenger service; and

WHEREAS, the settlement of the lawsuit includes a use agreement between the City and Southwest Airlines for certain space at Dallas Love Field for terminal storage and support; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit, styled City of Dallas v. Delta Air Lines, Inc., et al., Cause No. 3:15-cv-02069-K, is hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute a lease of facilities at Dallas Love Field, approved as to form by the City Attorney, between the City of Dallas and Delta Air Lines, Inc. for scheduled airline passenger service support space.

SECTION 3. That the City Manager is hereby authorized to execute a use agreement at Dallas Love Field, approved as to form by the City Attorney, between the City of Dallas and Southwest Airlines for terminal storage and support space.

SECTION 4. That the Chief Financial Officer is hereby authorized to issue a discount or refund to Alaska Airlines in the amount of up to \$200,000.00 annually over a six-year period until the expiration of the current Use and Lease Agreements at Love Field from Fund 0130, Department AVI, Unit 7710, Object 3521.

SECTION 5. That the Chief Financial Officer is hereby authorized to deposit all revenues received under the lease of facilities to: Aviation Operating Fund, Fund 0130, Unit 7725, Revenue Code 7708.

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SECTION 6. 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.