A RESOLUTION

BY TRANSPORTATION COMMITTEE **04-R-0308**

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT WITH CHAUTAUQUA AIRLINES, INC., COVERING THE USE OF RUNWAYS, TAXIWAYS AND OTHER COMMON AIRFIELD FACILITIES AT HARTSFIELD - JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPORSES.

WHEREAS, Chautauqua Airlines, Inc. intends to provide regularly scheduled Passenger and Cargo Service from Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, Chautauqua Airlines, Inc. desires to enter into an Airport Use License Agreement with the City of Atlanta ("City") as a domestic carrier serving the Airport; and

WHEREAS, it is in the best interest of the Airport and the City to enter into an Airport Use License Agreement with Chautauqua Airlines, Inc., as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute on behalf of the City of Atlanta an Airport Use License Agreement with Chautauqua Airlines, Inc. which shall contain the following terms, conditions, and provisions:

1) a term effective as of November 1, 2003 and ending April 30, 2008; and

2) landing fee rates to be computed in the manner set forth in the Master Airport Use Agreement; and as entered into

3) a landing fee to be computed at the initial rate of $0.4556 per 1,000 pounds of the FAA Maximum Certificated Gross Landing Weight of each aircraft scheduled to land at the Airport, which rate shall be subject to adjustment form time to time at the discretion of the City acting through its Aviation General Manager; and

4) such other terms, conditions, and provisions as may be required by City ordinances or Federal regulations or as are customarily included in similar agreements at the Airport.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Airport Use License Agreement for execution by the Mayor.

BE IT FINALLY RESOLVED that said Airport Use License Agreement shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation nor liability thereunder until the same has been signed by the Mayor and delivered to Chautauqua Airlines, Inc.