

BOARD BILL # 29 INTRODUCED BY ALDERWOMAN MARLENE DAVIS

1 An ordinance recommended by the Airport Commission and the Board of Estimate and
2 Apportionment authorizing the Director of Airports of The City of St. Louis ("City"), the owner and
3 operator of St. Louis Lambert International Airport® ("Airport") to approve and execute on behalf of
4 the City the "Consent to Change In Ownership and Control Structure of Bi-National Gateway
5 Terminal LLC" substantially in the form as set out in **ATTACHMENT "1"** to this Ordinance, which
6 is attached hereto and incorporated herein, whereby the City consents to the change in ownership of
7 Bi-National Gateway Terminal, LLC ("Bi-National"), the lessee, under that certain Second Restated
8 and Amended Lease Agreement AL-094, dated February 14, 2019 and authorized by City Ordinance
9 No. 70909 approved February 11, 2019, between the City and Bi-National ("Lease Agreement"), as
10 such consent by the City is required in accordance with Section 1001 entitled "Assignment" of the
11 Lease Agreement; providing that the provisions set forth in this Ordinance will be applicable
12 exclusively to the document approved or authorized by this Ordinance; and containing a severability
13 clause and an emergency clause.

14 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

15 **SECTION ONE.** The Director of Airports for the City of St. Louis ("City"), the owner
16 and operator of St. Louis Lambert International Airport® ("Airport"), is hereby authorized to approve
17 and execute on behalf of the City the "Consent to Change In Ownership and Control Structure of Bi-
18 National Gateway Terminal LLC" substantially in the form as set out in **ATTACHMENT "1"** to
19 this Ordinance, which is attached hereto and incorporated herein, whereby the City consents to the
20 change in ownership of Bi-National Gateway Terminal, LLC ("Bi-National"), the lessee, under that
21 certain Second Restated and Amended Lease Agreement AL-094, dated February 14, 2019 and
22 authorized by City Ordinance No. 70909 approved February 11, 2019, between the City and Bi-

1 National (“Lease Agreement”), as such consent by the City is required in accordance with Section
2 1001 entitled “Assignment” of the Lease Agreement.

3 **SECTION TWO.** The terms, covenants, and conditions set forth in this Ordinance are
4 applicable exclusively to the documents approved or authorized by this Ordinance and are not
5 applicable to any other existing or future documents or instruments unless specifically authorized by
6 an ordinance enacted after the effective date of this Ordinance. All provisions of other ordinances of
7 the City that are in conflict with this Ordinance will be of no force or effect as to the documents
8 approved or authorized by this Ordinance.

9 **SECTION THREE.** The sections or provisions of this Ordinance or portions thereof are
10 severable. In the event that any section or provision of this Ordinance or portion thereof is held invalid
11 by a court of competent jurisdiction, such holding will not invalidate the remaining sections or
12 provisions of this Ordinance unless the court finds the valid sections or provisions of this Ordinance
13 are so essentially and inseparably connected with, and so dependent upon, the illegal, unconstitutional
14 or ineffective section or provision that it cannot be presumed that the Board of Aldermen would have
15 enacted the valid sections or provisions without the illegal, unconstitutional or ineffective sections or
16 provisions; or unless the court finds that the valid sections or provisions, standing alone, are
17 incomplete and incapable of being executed in accordance with the legislative intent.

18 **SECTION FOUR.** This being an Ordinance providing for public peace, health, and safety,
19 it is hereby declared to be an emergency measure as defined in Article IV, Section 20, of St. Louis’
20 Charter and shall become effective immediately upon its approval by the Mayor of the City.