

ORDINANCE 70974

BOARD BILL NO. 28 INTRODUCED BY ALDERWOMAN MARLENE E. DAVIS

1 An Ordinance recommended and approved by the Board of Estimate and Apportionment
2 authorizing and directing the Director of Airports and the Comptroller of The City of St. Louis (the
3 "City"), owner and operator of St. Louis Lambert International Airport® (the "Airport"), to enter into
4 and execute on behalf of the City the "Assignment and Assumption of Interest in Dual Customs
5 Agreement and Consent of The City of St. Louis" agreement ("Assignment Agreement") whereby
6 the City consents to the assignment by Bi-National Gateway Terminal, LLC ("Assignor") to
7 Brownsville International Air Cargo, Inc. ("Assignee"), all of Assignor's right, title and interest in the
8 Dual Customs Agreement AL-353, between the City and Assignor, dated January 9, 2015; said
9 Assignment Agreement was approved by the Airport Commission and is attached hereto as
10 **ATTACHMENT "1"** and made a part hereof, and its terms are more fully described in Section One
11 of this Ordinance; containing a severability clause; and containing an emergency clause.

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

13 **SECTION ONE.** The Director of Airports and the Comptroller of the City of St. Louis (the
14 "City"), owner and operator of St. Louis Lambert International Airport® (the "Airport") are hereby
15 authorized and directed to enter into and execute on behalf of the City the "Assignment and
16 Assumption of Interest in Dual Customs Agreement and Consent of The City of St. Louis" agreement
17 ("Assignment Agreement") whereby the City consents to the assignment by Bi-National Gateway
18 Terminal, LLC ("Assignor") to Brownsville International Air Cargo, Inc. ("Assignee"), all of
19 Assignor's right, title and interest in the Dual Customs Agreement AL-353, between the City and

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20 Assignor, dated January 9, 2015; said Assignment Agreement was approved by the City’s Airport
21 Commission and is to read in words and figures substantially as set out in **ATTACHMENT “1”**,
22 which is attached hereto and made a part hereof.

23 **SECTION TWO.** The sections or provisions of this Ordinance or portions thereof are
24 severable. In the event that any section or provision of this Ordinance or portion thereof is held invalid
25 by a court of competent jurisdiction, such holding will not invalidate the remaining sections or
26 provisions of this Ordinance unless the court finds the valid sections or provisions of this Ordinance
27 are so essentially and inseparably connected with, and so dependent upon, the illegal, unconstitutional
28 or ineffective section or provision that it cannot be presumed that the Board of Aldermen would have
29 enacted the valid sections or provisions without the illegal, unconstitutional or ineffective sections or
30 provisions or unless the court finds that the valid sections or provisions, standing alone, are incomplete
31 and incapable of being executed in accordance with the legislative intent.

32 **SECTION THREE.** This being an Ordinance for the preservation of public peace, health,
33 or safety, it is hereby declared an emergency measure as designed in Article IV, Section 20 of the
34 City’s Charter and will become effective immediately upon its approval by the City’s Mayor.