

BOARD BILL NO. 104 INTRODUCED BY: ALDERWOMAN MARLENE DAVIS

1 An ordinance enlarging the boundaries of the Port Authority of the City of St.
2 Louis Port District, subject to the approval of the Missouri Highways and Transportation
3 Commission, and authorizing certain actions in connection therewith.

4 **WHEREAS**, pursuant to Chapter 68 of the Revised Statutes of Missouri, as
5 amended (the “Port Authority Act”), cities and counties that are situated upon, adjacent to,
6 or which embrace within their boundaries a navigable waterway are authorized to form a
7 local port authority;

8 **WHEREAS**, by adoption of Ordinance Nos. 56707 and 56939 and in accordance
9 with the requirements of the Port Authority Act, The City of St. Louis, Missouri (the
10 “City”) created The Port Authority of the City of St. Louis (the “Port Authority”) and
11 designated the areas of the City in which the Port Authority may operate (as amended from
12 time to time, the “Port District”);

13 **WHEREAS**, the boundaries of the Port District were subsequently amended by
14 adoption of Ordinance No. 57512 and approval of the Missouri Highways and
15 Transportation Commission (the “MHTC”);

16 **WHEREAS**, on January 9, 2018, the Board of Commissioners of the Port
17 Authority adopted Resolution No. 18-PT-2 recommending that the Board of Aldermen
18 adopt an ordinance expanding the Port District to include all of the property within the City
19 limits;

20 **WHEREAS**, the Board of Aldermen hereby finds and determines that the inclusion
21 of the entire City limits in the Port District is reasonably connected to the business of a port
22 and in furtherance of the general welfare of the residents of the City;

1 **WHEREAS**, the Board of Aldermen desires to expand the boundaries of the Port
2 District to include the entire City limits and to authorize all such actions as are required
3 under the Port Authority Act and other applicable laws to cause such expansion.

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

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7 **SECTION ONE.** The Board of Aldermen hereby approves the expansion of the
8 Port District to include the entire City limits as of the date of passage of this Ordinance,
9 subject to the approval of the MHTC, as required by Section 68.015 of the Port Authority
10 Act. The Executive Director of the Port Authority is hereby authorized to request the
11 MHTC's approval to enlarge the boundaries of the Port District. Upon approval by the
12 MHTC, the Executive Director of the Port Authority shall file evidence of the MHTC's
13 approval with the Clerk of the Board of Aldermen.

14 **SECTION TWO.** The Mayor and Comptroller of the City or their designated
15 representatives are hereby authorized and directed to take any and all actions to execute
16 and deliver for and on behalf of the City any and all additional certificates, documents,
17 agreements or other instruments as may be necessary and appropriate in order to carry out
18 the matters herein authorized, with no such further action of the Board of Aldermen
19 necessary to authorize such action by the Mayor and the Comptroller or their designated
20 representatives.

21 **SECTION THREE.** It is hereby declared to be the intention of the Board of
22 Aldermen that each and every part, section and subsection of this Ordinance shall be
23 separate and severable from each and every other part, section and subsection hereof and

1 that the Board of Aldermen intends to adopt each said part, section and subsection
2 separately and independently of any other part, section and subsection. If any part, section
3 or subsection of this Ordinance shall be determined to be or to have been unlawful or
4 unconstitutional, the remaining parts, sections and subsections shall be and remain in full
5 force and effect, unless the court making such finding shall determine that the valid
6 portions standing alone are incomplete and are incapable of being executed in accord with
7 the legislative intent.

8 **SECTION FOUR.** After adoption of this Ordinance by the Board of Aldermen,
9 this Ordinance shall become effective on the 30th day after its approval by the Mayor or
10 adoption over her veto.