

**BOARD BILL NO. 92AA INTRODUCED BY: ALDERWOMAN HEATHER NAVARRO,
ALDERMAN JOE VOLLMER, ALDERMAN JOE VACCARO, CHRISTINE
INGRASSIA, ALDERMAN DAN GUENTHER**

1 An ordinance adopted pursuant to Sections 70.210-70.325 of the Revised Statutes of
2 Missouri; authorizing and directing the City of St. Louis, a constitutional charter city of the State
3 of Missouri, by and through its Director of Parks, Recreation & Forestry, (the “City”) to execute
4 and deliver an Intergovernmental Cooperation Agreement by and among the City and the Art
5 Museum Subdistrict of the Metropolitan Zoological Park and the Museum District of the City of
6 St. Louis, a political subdivision of the state of Missouri (the “Museum”).

7 **WHEREAS**, it is the purpose and intent of the City of St. Louis to cooperate with the
8 Museum to allow the sculpture entitled “To Encircle Base Plate Hexagram, Right Angles
9 Inverted”, which was created by Richard Serra in 1970, and was designed by Richard Serra to be
10 walked upon, driven over, and embedded in a public street, to be seen and experienced by
11 visitors to the Museum by its placement in the City’s right of way, in front of the Museum.

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

13 **SECTION ONE:** Pursuant to Section 16 of Article VI of the Missouri constitution and
14 the Intergovernmental Agreement Act, Sections 70.210 to 70.325, RSMo., the City is authorized
15 to enter into an intergovernmental cooperation agreement, here, the Cooperation Agreement
16 attached hereto as Exhibit A and incorporated herein by this reference, with the Museum.

17 **SECTION TWO.** The Board of Aldermen hereby adopts the foregoing as findings and
18 further finds as follows:

19 A. It is in the best interest of the City to coordinate with the Museum and join together
20 with the Museum to provide the public with the experience of the sculpture called “To Encircle

1 Base Plate Hexagram, Right Angles Inverted”, as intended by Richard Serra, in the
2 right of way in from of the St. Louis Art Museum, for the benefit of the public, and as
3 approved and recommended by the Preservation Board of the City of St. Louis.

4 B. The terms, conditions, premises and covenants contained in the Cooperation
5 Agreement attached hereto and incorporated herein are reasonable and necessary to achieve
6 the objectives described in the Cooperation Agreement and this Ordinance.

7 **SECTION THREE.** The Board of Aldermen hereby approves, and the City is hereby
8 authorized and directed to execute, and the Director of Parks, Recreation & Forestry is
9 hereby authorized to execute on behalf of the City, the Cooperation Agreement attached
10 hereto as Exhibit A, and the City Register is hereby authorized and directed to attest to the
11 Cooperation Agreement and to affix the seal of the city thereto. The Cooperation Agreement
12 shall be in substantially the form attached, with such changes therein as shall be approved by
13 the City Counselor as may be consistent with the intent of this Ordinance and necessary and
14 appropriate in order to carry out the matters herein authorized.

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

1 **SECTION FIVE.** The Director of Parks, Recreation & Forestry or his designated
2 representatives, with the advice and concurrence of the City Counselor, are hereby further
3 authorized and directed to make any changes to the documents, agreements and instruments
4 approved and authorized by this Ordinance as may be consistent with the intent of this
5 Ordinance and necessary and appropriate in order to carry out the matters herein authorized,
6 with no such further action of the Board of Aldermen necessary to authorize such changes by
7 the Director or his designated representatives.

8 **SECTION SIX.** In order to implement and facilitate the effectuation of the
9 Cooperation Agreement hereby approved, it is found and determined that the Board of
10 Aldermen hereby:

11 A. Directs the various officials, departments, boards and agencies of the City which
12 have any administrative responsibilities with respect to the Park property and the
13 City's public rights of way, to consider and take appropriate action upon proposals
14 and measures necessary for implementation and effectuation of the Cooperation
15 Agreement.

16 **SECTION SEVEN.** It is hereby declared to be the intention of the Board of Aldermen
17 that each and every part, section, and subsection of this Ordinance shall be separate and
18 severable from each and every other part, section and subsection hereof and that the Board of
19 Aldermen intends to adopt each said part, section and subsection separately and independently
20 of any other part, section and subsection. In the event that any part, section, or subsection of
21 this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the
22 remaining parts, sections and subsections shall be and remain in full force and effect, unless

1 the court making such finding shall determine that the valid portions standing alone are
2 incomplete and are incapable of being executed in accord with the legislative intent.

3 **SECTION EIGHT. Emergency Clause. This being an ordinance for the**
4 **preservation of public peace, health and safety, it is hereby declared to be an emergency**
5 **measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the**
6 **City of St. Louis, and therefore, this ordinance shall become effective immediately upon**
7 **its passage and approval by the Mayor.**