

1 **BOARD BILL NO. 176 INTRODUCED BY: ALDERWOMAN LYDA KREWSON,**  
2 **ALDERMAN JOHN COATAR, ALDERMAN KENNETH ORTMANN,**  
3 **ALDERWOMAN SHARON TYUS, ALDERWOMAN DIONNE FLOWERS,**  
4 **ALDERMAN FREEMAN BOSLEY, ALDERMAN SAMUEL MOORE,**  
5 **ALDERWOMAN TAMMIKA HUBBARD, ALDERWOMAN CHRISTINE**  
6 **INGRASSIA, ALDERMAN STEPHEN CONWAY, ALDERMAN JOSEPH**  
7 **VOLLMER, ALDERMAN THOMAS VILLA, ALDERMAN LARRY**  
8 **ARNOWITZ, ALDERWOMAN BETH MURPHY, ALDERWOMAN CAROL**  
9 **HOWARD, ALDERWOMAN MEGAN GREEN, ALDERWOMAN DONNA**  
10 **BARINGER, ALDERMAN JOSEPH RODDY, ALDERMAN TERRY KENNEDY,**  
11 **ALDERWOMAN MARLENE DAVIS, ALDERWOMAN CARA SPENCER,**  
12 **ALDERMAN ANTONIO FRENCH, ALDERMAN JEFFREY BOYD,**  
13 **ALDERMAN JOSEPH VACCARO, ALDERMAN SHANE COHN, ALDERMAN**  
14 **FRANK WILLIAMSON, ALDERMAN CHRIS CARTER, PRESIDENT LEWIS**  
15 **REED**

16  
17 An ordinance authorizing the Board of Public Service (“BPS”) to execute a Construction  
18 Oversight, Museum Development and Operating Agreement with the Missouri Historical Society  
19 (“MHS”), authorizing BPS to execute such Agreement, and authorizing and directing the taking  
20 of other actions and approval and execution of other documents as necessary or desirable to carry  
21 out and comply with the intent hereof, and containing a savings clause, a severability clause, and  
22 an emergency clause.

23 **WHEREAS**, the MHS, a non-profit corporation, and the City, a constitutional charter  
24 city of the State of Missouri, have been working to inventory and process the City’s collection of

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**BOSLEY, ALDERMAN SAMUEL MOORE, ALDERWOMAN TAMMIKA HUBBARD,**  
**ALDERWOMAN CHRISTINE INGRASSIA, ALDERMAN STEPHEN CONWAY,**  
**ALDERMAN JOSEPH VOLLMER, ALDERMAN THOMAS VILLA, ALDERMAN**  
**LARRY ARNOWITZ, ALDERWOMAN BETH MURPHY, ALDERWOMAN CAROL**  
**HOWARD, ALDERWOMAN MEGAN GREEN, ALDERWOMAN DONNA BARINGER,**  
**ALDERMAN JOSEPH RODDY, ALDERMAN TERRY KENNEDY, ALDERWOMAN**  
**MARLENE DAVIS, ALDERWOMAN CARA SPENCER, ALDERMAN ANTONIO**  
**FRENCH, ALDERMAN JEFFREY BOYD, ALDERMAN JOSEPH VACCARO,**  
**ALDERMAN SHANE COHN, ALDERMAN FRANK WILLIAMSON, ALDERMAN**  
**CHRIS CARTER, PRESIDENT LEWIS REED**

1 artifacts held in its Soldiers' Memorial Military Museum, and desire to continue to work together  
2 in substantially renovating the Soldiers' Memorial Military Museum; and

3 **WHEREAS**, pursuant to Sections 70.210-70.325 RSMo., municipalities and private  
4 enterprises, such as the Parties to this Agreement, are authorized to contract and cooperate for  
5 the planning, development, construction, acquisition or operation of any public improvement or  
6 facility or for a common service; and

7 **WHEREAS**, the City is committed to honoring our Country, our Military forces, and  
8 those who have sacrificed and protected our freedoms, and to that end, to prioritize the  
9 maintenance, renovation and promotion of its Soldiers' Memorial Military Museum; and

10 **WHEREAS**, the City of St. Louis and the Missouri Historical Society together can  
11 achieve restoration and renovation of the Soldiers' Memorial Military Museum and maintain the  
12 highest standards in bringing the history contained therein to the public and furthering the  
13 Mission of the Soldiers' Memorial Military Museum, which is to honor the service and sacrifice  
14 of our military, our veterans, and their families; to document and facilitate learning about the  
15 military, veteran and wartime (both battlefield and homefront) experience; and to maintain a  
16 collection of donated artifacts to use toward this end; and

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1           **WHEREAS**, the City sees a substantial benefit in collaborating with the MHS to this  
2 end, and desires to enter into a Construction Oversight, Museum Development and Operating  
3 Agreement in substantially the form attached to this Authorizing Ordinance; and

4           **WHEREAS**, the City’s Board of Public Service (“BPS”) has authority under the Charter  
5 to approve plans and specifications for public works and improvement projects and to supervise  
6 such work; and

7           **WHEREAS**, the Construction Oversight, Museum Development and Operating  
8 Agreement will enable MHS to make significant improvements to the Soldiers’ Memorial  
9 Military Museum without cost to taxpayers; and

10           **WHEREAS**, the Soldiers’ Memorial Building Commission shall continue to perform its  
11 advisory role regarding matters pertaining to veterans.

12           **WHEREAS**, the Board of Aldermen of the City hereby finds it advisable, necessary, and  
13 in the best interests of the City to enter into the Agreement.

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

15           **SECTION ONE.** The Board of Aldermen hereby approves and authorizes the execution  
16 of the Construction Oversight, Museum Development and Operating Agreement (the

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1 “Agreement”) between City, acting through BPS, and MHS in substantially the form attached  
2 hereto as EXHIBIT A and incorporated herein by reference.

3 **SECTION TWO.** BPS is hereby authorized to execute, seal, attest and deliver, for and  
4 on behalf of the City, the Agreement, with such changes as are consistent with the intent of this  
5 Authorizing Ordinance and approved by the city counselor, without further action of the Board  
6 of Aldermen. BPS, with the advice and concurrence of the city counselor, is hereby authorized  
7 and directed to execute and deliver the agreements as are necessary and desirable in order to  
8 carry out and comply with and perform the duties of the City with respect to the Agreement.

9 **SECTION THREE.** It is hereby declared to be the intent of the Board of Aldermen that  
10 each and every part, section and subsection of this Ordinance shall be separate and severable  
11 from each and every other part, section and subsection hereof and that the board of Aldermen  
12 intends to adopt each said part, section and subsection separately and independently of any other  
13 part, section and subsection. In the event that any part, section or subsection of this Ordinance  
14 shall be determined to be or to have been unlawful or unconstitutional, the remaining parts,  
15 sections and subsections shall be and remain in full force and effect, unless the court making  
16 such finding shall determine that the valid portions standing alone are incomplete and are  
17 incapable of being executed in accord with the legislative intent.

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1           **SECTION FOUR.** In the event of any inconsistency between the provisions of this  
2 Ordinance and the provisions of any prior ordinances, the provisions of this Ordinance shall  
3 prevail.

4           **SECTION FIVE.** This Ordinance shall be governed exclusively by and construed in  
5 accordance with the applicable laws of the State of Missouri.

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