

1 AN ORDINANCE AUTHORIZING THE CITY OF ST. LOUIS, MISSOURI TO ENTER INTO  
2 AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE  
3 METROPOLITAN SEWER DISTRICT AND ST. LOUIS COUNTY AND TO EXPEND  
4 MUNICIPAL REVENUES FOR THE PURPOSE OF COMMISSIONING A DISPARITY  
5 STUDY FOR THE CITY OF ST. LOUIS; AUTHORIZING THE CITY TO EXECUTE  
6 CERTAIN DOCUMENTS RELATED THERETO; AUTHORIZING AND DIRECTING THE  
7 TAKING OF OTHER ACTIONS AND APPROVAL AND EXECUTION OF OTHER  
8 DOCUMENTS AS NECESSARY OR DESIRABLE TO CARRY OUT AND COMPLY WITH  
9 THE INTENT HEREOF; AND CONTAINING A SEVERABILITY CLAUSE.

10 WHEREAS, the City of St. Louis, Missouri (the “City”) is authorized and empowered  
11 under the Intergovernmental Agreement Act, Sections 70.210 to 70.325, inclusive, of the  
12 Revised Statutes of Missouri, to contract and cooperate with any other municipality or political  
13 subdivision for the planning, development, construction, acquisition or operation of any public  
14 improvement or facility, or for a common service.

15 WHEREAS, pursuant to Ordinance No. [\_\_\_\_\_] [Board Bill # 211] adopted on January  
16 18, 2013 (the “Approving Ordinance”), the City approved commissioning a Disparity Study for  
17 the City of St. Louis, Missouri; and

18 WHEREAS, pursuant to \_\_\_\_\_ adopted \_\_\_\_\_, 201\_, the County approved  
19 commissioning a Disparity Study for St. Louis County, Missouri; and

20 WHEREAS, the Metropolitan Sewer District (“MSD”) has engaged the firm of Mason  
21 Tillman Associates, LTD (“Mason Tillman”), a nationally recognized consultant firm, to conduct

1 a Disparity Study for MSD (“the MSD Study”) and has entered into an agreement with Mason  
2 Tillman to provide the MSD Study and recommendations for implementation of the findings;  
3 and

4 WHEREAS, the City of St. Louis (“the City”) and St. Louis County (“the County”) see a  
5 substantial benefit in collaborating with MSD and joining the MSD Study to realize a cost  
6 savings from the work on the MSD Study that overlaps with work required for both a City and  
7 County disparity study and that may lead to a more uniform implementation of minority and  
8 women-owned business programs in the region; and

9 WHEREAS, MSD, the City and the County desire to enter into an Intergovernmental  
10 Cooperation Agreement in substantially the form attached to this Authorizing Ordinance (the  
11 “Intergovernmental Agreement”); and

12 WHEREAS, the Intergovernmental Agreement provides that MSD will amend its  
13 contract with Mason Tillman to include services for the City and the County and the City share  
14 of expenses will be equally apportioned to the City, the St. Louis Development Corporation and  
15 Lambert-St. Louis International Airport.

16 WHEREAS, the Board of Aldermen of the City hereby finds it is advisable, necessary  
17 and in the best interests of the City to enter into the Intergovernmental Agreement and provide  
18 Municipal Revenues to pay the City’s proportion of the study expenses.

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

20 **SECTION ONE.** The Board of Aldermen hereby confirms its approval of the  
21 Intergovernmental Cooperation Agreement. The Board of Aldermen further finds and  
22 determines that it is necessary and desirable to enter into the Intergovernmental Agreement with  
23 the Metropolitan Sewer District and St. Louis County to facilitate a Disparity Study for the City

1 and the County in conjunction with the MSD Disparity Study, in substantially the form attached  
2 hereto as EXHIBIT A and incorporated herein by reference.

3 **SECTION TWO.** The Board of Aldermen hereby finds and determines that it is  
4 necessary and in the best interests of the City to provide a portion of the financing for the  
5 Disparity Study, pursuant to the Intergovernmental Agreement, in an amount not to exceed  
6 Seventy-Five Thousand Dollars (\$75,000).

7 **SECTION THREE.** The City is hereby authorized to enter into, and the Mayor and the  
8 Comptroller and such other officers of the City as are appropriate are hereby authorized and  
9 directed to execute, seal, attest and deliver, for and on behalf of and as the act and deed of the  
10 City, the Intergovernmental Agreement, with such changes as shall be approved by the  
11 appropriate officers of the City executing such documents, such officers' signatures thereon  
12 being conclusive evidence of their approval thereof. The Mayor, the Comptroller, and other  
13 appropriate officers, agents and employees of the City, with the advice and concurrence of the  
14 City Counselor, are hereby further authorized and directed to execute and deliver such  
15 agreements as are necessary and desirable in order to carry out and comply with the intent this  
16 Authorizing Ordinance, and to carry out, comply with and perform the duties of the City with  
17 respect to the Intergovernmental Agreement .

18 **SECTION FOUR.** It is hereby declared to be the intent of the Board of Aldermen that  
19 each and every part, section and subsection of this Ordinance shall be separate and severable  
20 from each and every other part, section and subsection hereof and that the Board of Aldermen  
21 intends to adopt each said part, section and subsection separately and independently of any other  
22 part, section and subsection. In the event that any part, section or subsection of this Ordinance  
23 shall be determined to be or to have been unlawful or unconstitutional, the remaining parts,

1 sections and subsections shall be and remain in full force and effect, unless the court making  
2 such finding shall determine that the valid portions standing alone are incomplete and are  
3 incapable of being executed in accord with the legislative intent.

4 **SECTION FIVE.** In the event of any inconsistency between the provisions of this  
5 Ordinance and the provisions of any prior ordinances, the provisions of this Ordinance shall  
6 prevail.

7 **SECTION SIX.** This Ordinance shall be governed exclusively by and construed in  
8 accordance with the applicable laws of the State of Missouri.

**EXHIBIT A**

**FORM OF INTERGOVERNMENTAL COOPERATION AGREEMENT**

**(Attached hereto.)**