

Summary
Board Bill Number 44
Committee Substitute
Introduced by Alderwoman Annie Rice
June 3, 2022

The bill proposes an amendment to the City's Charter that would establish a Charter Commission to consider and recommend amendments and revisions to the voters on a decennial basis following the census or upon initiative by the qualified voters of the City as provided in the bill.

**BOARD BILL NUMBER 44 COMMITTEE SUBSTITUTE INTRODUCED BY
ALDERWOMAN ANNIE RICE/ ALDERWOMAN CHRISTINE INGRASSIA/
ALDERWOMAN CARA SPENCER/ ALDERWOMAN TINA PIHL**

1 An ordinance submitting to the qualified voters of the City of St. Louis a proposed
2 amendment to the Charter of the City of St. Louis enacting a new section relating to the
3 establishment of a Charter Commission; providing for the decennial appointment of a Charter
4 Commission to frame a charter or amendment or amendments; providing for an election to be held
5 for voting on the proposed amendment and for the manner of voting; and for publication,
6 certification, deposit, and recording of this ordinance; and containing an emergency clause.

7 **WHEREAS**, the City of St. Louis is empowered by the Missouri Constitution Article VI
8 § 32(a) to amend or revise its charter; and

9 **WHEREAS**, the City of St. Louis has not established a Commission for Reform of the
10 City Charter since 1949 and recent attempts to form a Board of Freeholders have not been
11 successful; and

12 **WHEREAS**, charter forms of government can be reformed and should be flexible to
13 changing conditions, new technologies, and modern realities; and

14 **WHEREAS**, changes to the charter of the City of St. Louis have come from many sources
15 over the years that have had varied effects on the operations of our government; and

16 **WHEREAS**, the residents and voters in the City of St. Louis deserve a transparent,
17 publicly engaged, reliable process through which our governing document can be reviewed and
18 revised to better function for the people of St. Louis; and

19 **WHEREAS**, work to amend our charter should reflect the diversity of our city along a
20 range of criteria: race, gender, socio-economic status, geography, age, and more, and commission

1 members should approach their work not simply as policy entrepreneurs, but as facilitators
2 responsible for guiding a process designed to include a wide range of perspectives and experiences
3 into transformation; and

4 **WHEREAS**, the community-driven process and working groups modeled by the Ferguson
5 Commission showed us an experiment in inclusive democracy, the commission should endeavor
6 to model its engagement and public conversation similarly; and

7 **WHEREAS**, an exclusive conversation around reform will reinforce fear and division, but
8 an inclusive approach has the potential to build shared understanding and goals in this commission
9 process and in our City of St. Louis government.

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

11 **SECTION ONE.** The following amendment to the Charter of the City of St. Louis is hereby
12 proposed and submitted to the voters of the city, to be voted upon at an election to be held as
13 hereinafter provided.

14 Said amendment is in words and figures as follows:

15 A new section of the Charter of the City of St. Louis, relating to the establishment and
16 powers of a Charter Commission, is hereby enacted to be known and numbered as Section 7 of
17 Article V of the Charter of the City of St. Louis, which shall be and read as follows:

18 Section 7 – Charter Commission

19 1. In accordance with the provisions of the Missouri Constitution, and in addition to the
20 people’s power of initiative, as described in Section 1 of Article V, the lawmaking body of the
21 City of St. Louis may submit proposals for the amendment or revision of the City Charter to the
22 qualified voters through a Charter Commission process in the manner hereinafter provided.

1 2. After April 4, 2023, and before August 1, 2023, and every ten (10) years thereafter, or
2 upon the certification of a petition as provided for in Paragraph F of this subsection,
3 a Charter Commission shall be appointed to consider whether to revise and amend the charter
4 according to the following process.

5 A. Application: Within five (5) days of certification of April 4, 2023 election results,
6 and on March 1 every ten (10) years thereafter, or within ten (10) days of
7 certification as provided in Paragraph F, the Mayor of the City of St. Louis shall
8 publish and make available to the public an application to serve on the Charter
9 Commission. Such application shall remain open for fifty (50) days, shall verify
10 applicant's eligibility under the provisions of subparagraph a of this paragraph,
11 and require applicants to disclose conflicts of interest and inform applicants that
12 their responses will be made public.

13 a. Eligibility Criteria:

14 i. Be registered voters in the City of St. Louis for at least two (2)
15 consecutive years immediately preceding the date of appointment
16 to the Commission.

17 ii. Be free of conflicts of interest. For the purposes of this bill, a
18 conflict of interest arises if, in the two years immediately
19 preceding the date of appointment to the Commission, an
20 applicant, or a first-degree relative of the applicant has:

21 1. Been a lobbyist representing clients with interests in front
22 of city government; or

1 Aldermen for the Charter Commission within four (4) days of the Board of
2 Aldermen voting not to confirm the prior nominee.

3 E. Alternative Selection Mechanism: If, by August 7, 2023 and every 10 years
4 thereafter there are any remaining open positions on the Charter Commission, any
5 open positions on the Charter Commission shall be filled by random selection
6 according to the following process. At a public meeting of the Board of Aldermen
7 committee that is ordinarily charged with hearing bills and issues related to
8 intergovernmental affairs the names of all remaining candidates recommended to
9 the Mayor by members of the Board of Aldermen, and neither appointed nor
10 rejected by the Board of Aldermen, shall be placed into a container, and names
11 shall be drawn by the Chair of the committee to fill open positions until all open
12 positions are filled. This public meeting shall take place immediately so as to have
13 a fully appointed Charter Commission by the required start date of August 15,
14 2023 and every 10 years thereafter. If there is a vacancy on the Charter
15 Commission resulting from the death, resignation or inability of any member to
16 serve for more than thirty days, the process outlined in this Subsection E shall be
17 followed within thirty (30) days of the Charter Commission notifying the Board
18 of Aldermen of said vacancy.

19 F. Initiative Petition Process: Upon the filing with the Board of Election
20 Commissioners in the city of St. Louis of a petition proposing the exercise of the
21 Charter Commission powers hereby granted, signed by registered voters of the
22 city in such number as shall equal five percent of the total vote cast in the city at

1 the last general election for Mayor, and the certification thereof by the Board of
2 Election Commissioners to the mayor, then, within ten days after the
3 certification, the mayor shall publish and make available to the public an
4 application to serve on the Charter Commission and follow the process set out in
5 Paragraphs A, B, C, D and E of this subsection.

6 3. Charter Commission Operating Framework

7 A. The appointment of the ten year Charter Commission shall take effect on August
8 15, and the Charter Commission shall hold its first public meeting no later than
9 September 10. The Charter Commission shall hold public meetings on at least a
10 monthly basis, and shall recommend any Charter amendments to the Board of
11 Election Commissioners within one year of its first public meeting. The Charter
12 Commission shall stand discharged and cease to exist within one year of its first
13 public meeting.

14 B. In addition to the voting members of the Charter Commission, described in Sub-
15 section 2, the Charter Commission shall include the following six non-voting ex-
16 officio members, who shall not count for the purposes of a quorum, and who shall
17 present information and expertise to the Charter Commission upon request: the
18 Mayor or their designee, the Comptroller or their designee, the President of the
19 Board of Aldermen or their designee, the Director of Personnel or their designee,
20 the City Counselor or their designee, and the Chairperson of the Board of
21 Aldermen committee that is ordinarily charged with hearing bills and issues
22 related to intergovernmental affairs. It shall be the responsibility of the City

1 Counselor's Office to ensure that the Charter Commission is adequately staffed
2 and funded.

3 C. The Charter Commission's mandate shall be to frame charter amendments for
4 submission to the qualified voters. In order to fulfill this duty, the Charter
5 Commission shall solicit input from the public and from experts, publish a draft
6 set of proposed charter amendments not more than 10 months into its term, and
7 hold at least one public hearing before and after the publication of the draft
8 proposed charter amendments. The draft of proposed charter amendments shall be
9 made publicly available no less than two weeks prior to the required public
10 hearing.

11 D. Each voting member of the Charter Commission shall receive a stipend, if
12 requested, for each meeting they attend to provide for child care, transit, and/or
13 parking vouchers. These stipends shall be vetted by the City Counselor's Office to
14 insure allocations are proportionate to need, and paid out of the City Counselor
15 budget.

16 E. The Charter Commission shall select officers, submit amendments to the Board of
17 Election Commissioners, and make other decisions as necessary subject to a
18 majority vote of the voting members of the commission. Any charter or
19 amendment must receive the affirmative vote of two-thirds of all the members of
20 the commission before submission to the voters.

1 F. All meetings of the Charter Commission shall be open, public meetings when a
2 quorum is present, and shall follow the Transparency in Government Law (City of
3 St. Louis Ordinance 69707, April 15, 2014) requirements for Public Meetings.

4 4. Any charter or amendments framed by the Commission shall take effect on the day
5 fixed therein if approved by vote of three-fifths of the City’s qualified voters voting thereon at a
6 general election held on a day fixed by the Commission not less than sixty (60) days nor more
7 than one (1) year after the completion of the charter or amendments.

8 5. The provisions of the Missouri constitution for framing and adopting a
9 city charter shall apply.

10 **SECTION TWO.** The foregoing proposed amendment to the Charter of the City of St. Louis shall
11 be submitted to the qualified voters of the City at the next primary or general election at which it
12 can be lawfully submitted, and if said proposed amendment shall receive in its favor the number
13 of votes required by law, such amendment shall be adopted and become a part of the Charter of
14 the City of St. Louis from the date of said election. Qualified voters of the City of St. Louis may
15 at the election aforesaid vote a ballot substantially in the following form:

16 **OFFICIAL BALLOT:**

17 Instructions to voters:

18 To vote in favor of the proposition submitted upon this ballot, place a cross (X) mark in
19 the square opposite the word “Yes”; and to vote against the said proposition, place a cross (X)
20 mark in the square opposite the word “NO”.

21 **PROPOSITION 1**

1 Shall Article V of the City of St. Louis Charter be amended to establish a Charter
2 Commission which shall:

- 3 • Consist of nine registered city voters free of conflicts of interest recommended by
4 members of the Board of Aldermen, nominated by the Mayor of the City of St. Louis,
5 and confirmed by the full Board of Aldermen.
- 6 • Be appointed on August 15, 2023, and every ten years thereafter, or upon the
7 certification of a petition signed by five percent of city registered voters who voted in the
8 last general election for mayor, and discharge its duties and cease to exist within one
9 year of its first public meeting.
- 10 • Solicit public input and consult experts to consider revisions to the City Charter, and, in
11 accordance with the provisions of the Missouri Constitution, submit proposed
12 amendments to the qualified voters for approval, which amendments shall go into effect
13 subject to a three-fifths vote in favor.

14 **SECTION THREE.** The Board of Election Commissioners shall provide the ballots or voting
15 machines or both and conduct the election and shall ascertain and certify the result thereof
16 according to the law. If voting machines are used, the aforesaid OFFICIAL BALLOT shall be
17 placed or posted on the said voting machines wherever said machines are used under the
18 direction of the Board of Election Commissioners for the City of St. Louis and according to law.

19 **SECTION FOUR.** Upon the approval of this ordinance, it shall be published in the City Journal,
20 the official publication of the City of St. Louis, Missouri. Proof of the publication of this ordinance
21 shall be made by affidavit of the City Register, and such affidavit shall be filed in the office of the
22 City Register and a copy of such publication shall be attached thereto.

1 **SECTION FIVE.** Upon the approval of this charter amendment, it shall be certified, deposited
2 and recorded as required by Article VI, Section 33 of the Constitution of Missouri, shall be filed
3 in the office of the City Register and shall take effect upon the certification of the result of the
4 election thereon.

5 **SECTION SIX.** This being a bill calling for an election for submission to the people of an
6 amendment to the Charter of the City of St. Louis, it is hereby declared to be an emergency measure
7 and shall become effective immediately upon its passage and approval by the Mayor.