

**ORDINANCE #66329**  
**Board Bill No. 212**

An ordinance submitting to the qualified voters of the city of St. Louis a proposed amendment to the charter of the city of St. Louis to reorganize certain city offices which exercise traditional county functions; the proposed amendment incorporates into the charter the present offices of recorder of deeds, collector of revenue, license collector, treasurer, circuit clerk, public administrator, and sheriff, and reorganizes the number, kinds, manner of selection, terms, salaries, powers, duties, and functions of said offices, provides for a chief administrative officer to supervise, administer, and report to the Mayor on the operations of said reorganized offices and other city offices, provides opportunity for the present staff of the offices proposed for reorganization to become employees of the city with their individual seniority and compensation unaffected, and other related matters; providing for effective dates of said changes upon the expiration of the terms of office of the current holders of offices proposed for reorganization; providing for an election to be held for voting on the proposed amendment and for the manner of voting; and for the publication, certification, deposit, and recording of this ordinance; and containing an emergency clause.

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

**SECTION ONE.** This ordinance shall be known as the "City Office Reorganization Ordinance." The following amendment to the Charter of the City of St. Louis is hereby proposed and submitted to the voters of the city and to be voted upon at an election to be held as hereinafter provided.

The said amendment is in words and figures as follows:

Part A. The Charter of the City of St. Louis is hereby amended by enacting one new Article XXVI to be added thereto, which shall be and read as follows:

Article XXVI Reorganization of Certain City Offices

Section 1 Declaration of purpose and intent.

This article is enacted pursuant to the home rule powers of sections 31, 32(a), and 32(b) of article VI of the Missouri constitution, which allows for amendment of this charter to provide for the number, kinds, manner of selection, terms and salaries of the county officers of the city of St. Louis, for the exercise of all powers and duties of county officers prescribed by the constitution and laws of the state of Missouri, and for the reorganization of any such county office and/or transfer of any or all of the duties, powers, and functions of any such county officer. Notwithstanding any provision of law, charter or ordinance to the contrary, the following county offices of the city of St. Louis, and all of their attendant powers, duties, and functions as prescribed by the constitution and laws of the state of Missouri, are hereby declared to be fully incorporated into the government of the city of St. Louis, fully subject to this charter, and reorganized as set forth herein: recorder of deeds, collector of revenue, license collector, treasurer, circuit clerk, public administrator, and sheriff.

Section 2 Recorder of deeds.

The mayor shall appoint the recorder of deeds at the mayor's convenience, to hold during the term for which the mayor was elected, and thereafter until a successor recorder of deeds qualifies. The recorder of deeds shall be head of the department of the recorder of deeds, and shall succeed to and have custody and control of all records and properties of the present office of the recorder of deeds. The recorder of deeds shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the recorder of deeds by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, as well as such other, further, or amended rights, powers, duties and functions as may be conferred by this charter or by ordinance. The recorder of deeds may appoint such deputies and employees as may be provided by ordinance. The recorder of deeds shall receive a salary as provided by ordinance. All of the staff of the present office of recorder of deeds shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. The recorder of deeds in office at the time of approval of this amendment shall serve out the remainder of his or her term, and the amendment as set forth in this section 2 shall take effect, as to such office, upon the expiration of the term of such office holder. All rules, regulations, standards, criteria and guidelines in effect for the office of recorder of deeds immediately prior to the expiration of the current term of office of the present recorder of deeds shall survive the expiration of said term and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed recorder of deeds or any successor recorder of deeds.

## Section 3 Collector of revenue; license collector.

The head of the department of finance shall appoint the collector of revenue as an employee under the classified service of the city under Article XVIII of this charter. The collector of revenue shall be head of the division of collection under the department of finance as described in sections 19, 20, and 21 of article XV of this charter. The collector of revenue shall succeed to and have custody and control of all records and properties of the present office of the collector of revenue and of the present office of the license collector. The collector of revenue shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the collector of revenue and for the present office of the license collector by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, as well as such other, further, or amended rights, powers, duties and functions as may be conferred by this charter or by ordinance. All of the staff of the present office of the collector of revenue and of the present license collector shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. The collector of revenue and license collector in office at the time of approval of this amendment shall serve out the remainder of their terms, and the amendment as set forth in this section 3 shall take effect, as to such offices, upon the expiration of the terms of such office holders. All rules, regulations, standards, criteria and guidelines in effect for the office of collector of revenue immediately prior to the expiration of the current term of office of the present collector of revenue, and all rules, regulations standards, criteria and guidelines in effect for the office of license collector immediately prior to the expiration of the current term of the office of the present license collector, shall survive the expiration of said terms and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed collector of revenue or any successor collector of revenue.

## Section 4 Treasurer.

The head of the department of finance shall appoint the treasurer as an employee under the classified service of the city under Article XVIII of this charter. The treasurer shall be head of the treasury division under the department of finance as described in sections 23 and 24 of article XV of this charter. The treasurer shall succeed to and have custody and control of all records and properties of the present office of the treasurer. Except as provided below with respect to parking matters, the treasurer shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the treasurer by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, as well as such other, further, or amended rights, powers, duties and functions as may be conferred by this charter or by ordinance. However, the rights, powers, duties, and functions of the present office of treasurer as the "supervisor of parking meters" under sections 82.485 to 82.530 of the Revised Missouri Statutes (2000), as amended, shall be divided as follows: the head of the department of streets shall serve as the "supervisor of parking meters" with respect to meter installation, maintenance, repair, operation, and the collection of moneys therefrom and contracting therefor, and enforcement of statutes and ordinances pertaining to parking, and the head of the department of finance shall serve as the "supervisor of parking meters" with respect to all other powers, duties, and functions thereof, including but not limited to any budgeting, financing, accounting, disbursing, issuing revenue bonds, pledging revenues, constructing off-street parking facilities, or other functions. Whenever the treasurer as supervisor of parking meters is required or permitted to act or perform any duties or take any action in any law, ordinance, bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, the director of streets or head of the department of finance, as applicable in accordance with this section, shall be substituted for the treasurer. All of the staff of the present office of the treasurer shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. The treasurer in office at the time of approval of this amendment shall serve out the remainder of his or her term, and the amendment as set forth in this section 4 shall take effect, as to such office, upon the expiration of the term of such office holder. All rules, regulations, standards, criteria and guidelines in effect for the office of treasurer immediately prior to the expiration of the current term of office of the present treasurer shall survive the expiration of said term and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed treasurer, the director of streets, or the head of the department of finance, as applicable, or their successors.

## Section 5 Circuit clerk.

A majority of the circuit and associate circuit judges en banc of the circuit court of the city of St. Louis, Missouri twenty-second judicial circuit, shall appoint the circuit clerk, by their order, to serve at will at the court's convenience. The circuit clerk shall succeed to and have custody and control of all records and properties of the present office of the circuit clerk. The circuit clerk shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the circuit clerk by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by orders of the circuit court or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever,

and such other, further, or amended rights, powers, duties and functions as may be conferred by this charter, ordinance, or order of the circuit court. The circuit clerk shall receive such compensation as prescribed by ordinance. The circuit clerk may appoint such deputy circuit clerks as may be provided by order of the circuit court in accordance with applicable administrative rules of court. All of the deputy circuit clerks of the present office of the circuit clerk shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. Notwithstanding that the deputy circuit clerks shall be employees of the city of St. Louis, the compensation of the deputy circuit clerks shall continue to be paid by the state of Missouri or federal grant moneys as provided in section 483.245 of the Revised Missouri Statutes (2000), as amended, or successor or related statutes addressing this subject matter. Notwithstanding the general severability provision of Part B of this City Office Reorganization Amendment, the immediately foregoing sentence pertaining to continued compensation of the deputy circuit clerks by the state of Missouri is hereby declared indispensable to this section 5, and that if said immediately foregoing sentence is held invalid for any reason, the remainder of this section 5 shall similarly be held invalid. This section 5 shall not affect the appointment, removal, or compensation of the division clerks, who shall remain the clerical staff of the circuit court, and shall remain employees of the state of Missouri with compensation paid by the state of Missouri in accordance with applicable law. The circuit clerk in office at the time of approval of this amendment shall serve out the remainder of his or her term, and the amendment as set forth in this section 5 shall take effect, as to such office, upon the expiration of the term of such office holder. All rules, regulations, standards, criteria and guidelines in effect for the office of the circuit clerk immediately prior to the expiration of the current term of office of the present circuit clerk shall survive the expiration of said term and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed circuit clerk or any successor circuit clerk.

Section 6           Public administrator.

A majority of the circuit and associate circuit judges en banc of the circuit court of the city of St. Louis, Missouri twenty-second judicial circuit, shall appoint the public administrator, by their order, to serve at will at the court's convenience. The public administrator shall succeed to and have custody and control of all records and properties of the present office of the public administrator. The public administrator shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the public administrator by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by orders of the circuit court or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, and such other, further, or amended rights, powers, duties and functions as may be conferred by this charter, ordinance, or order of the circuit court. The public administrator with approval of the majority of the circuit and associate judges en banc of the circuit court, may appoint such deputies and employees as may be necessary to perform the duties of the office of public administrator, subject to appropriation by the board of aldermen. The public administrator shall receive such compensation as prescribed by ordinance. All of the staff of the present office of the public administrator shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. The public administrator in office at the time of approval of this amendment shall serve out the remainder of his or her term, and the amendment as set forth in this section 6 shall take effect, as to such office, upon the expiration of the term of such office holder. All rules, regulations, standards, criteria and guidelines in effect for the office of public administrator immediately prior to the expiration of the current term of office of the present public administrator shall survive the expiration of said term and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed public administrator or any successor public administrator.

Section 7           Sheriff.

A majority of the circuit and associate circuit judges en banc of the circuit court of the city of St. Louis, Missouri twenty-second judicial circuit, shall appoint the sheriff, by their order, with confirmation by the mayor, to serve at will at the court's convenience. The sheriff shall succeed to and have custody and control of all records and properties of the present office of the sheriff. The sheriff shall succeed to, assume, and possess all rights, powers, duties and functions as prescribed for the present office of the sheriff by the constitution and laws of the state of Missouri or by the charter and ordinances of the city of St. Louis or by orders of the circuit court or by any bond, lease, investment contract, indenture or other contract, instrument or obligation of any type whatsoever, and such other, further, or amended rights, powers, duties and functions as may be conferred by this charter, ordinance, or order of the circuit court. The sheriff, with approval of the majority of the circuit and associate judges en banc of the circuit court, may appoint such deputies and employees as may be necessary to perform the duties of the sheriff's office, subject to appropriation by the board of aldermen. The sheriff shall receive such compensation as prescribed by ordinance. All of the staff of the present office of the sheriff shall be afforded the opportunity to become employees of the city of St. Louis with their individual seniority and compensation unaffected, and shall thereupon be in the classified service of the city under Article XVIII of this charter. The sheriff in office at the time of approval of this amendment shall serve out the remainder of his or her term, and the amendment as set forth in this section 7 shall take effect, as to such office, upon the expiration of the term of such office holder. All rules, regulations,

standards, criteria and guidelines in effect for the office of sheriff immediately prior to the expiration of the current term of office of the present sheriff shall survive the expiration of said term and remain in full force and effect thereafter, unless and until amended or repealed by the newly appointed sheriff or any successor sheriff.

Section 8 Chief administrative officer.

There shall be a chief administrative officer who shall supervise, administer and report to the mayor on the operations of all departments, divisions and offices described in this Article XXVI, and all other departments, divisions, and offices of the city, may advise the mayor on any department-level appointments, and shall have such other powers, duties, and functions as may be delegated by the mayor as the mayor’s deputy. The chief administrative officer shall have the following minimum qualifications: master’s degree in public administration, public policy, public affairs, business administration, or related field, and five years of executive level experience in a managerial or administrative position in private or public employment. The mayor shall appoint the chief administrative officer, with the advice and consent of the board of aldermen, to serve at will at the pleasure of the mayor, notwithstanding any provision in this charter to the contrary. The mayor shall nominate a candidate for chief administrative officer within 120 days from the commencement of the mayor’s term of office, or within 120 days of a vacancy in the office of chief administrative officer. If the mayor fails to make a nomination within said 120 day period, the board of aldermen may select the chief administrative officer by resolution. If the board of aldermen does not act upon the mayor’s nominee for chief administrative officer within thirty (30) days from the date of nomination, said board shall be deemed to have consented to the appointment of the mayor’s nominee. The chief administrative officer shall have such compensation as provided by ordinance. This section 8 shall take effect upon the expiration of the current term of office of the present mayor.

Part B. Severability

All sections of this amendment are hereby declared to be independent sections and parts of sections. It is hereby declared to be the controlling legislative intent that if any section or part of a section, or the application thereof to any person or circumstance is held invalid for any reason, then the remaining sections and parts of sections shall not be affected thereby, and it is hereby declared that this amendment would have been passed independently of such section or parts of a section so held to be invalid.

**SECTION TWO.** The foregoing proposed amendment to the Charter of the City of St. Louis shall be submitted to the qualified voters of the City at the next State or City election at which this proposal can be lawfully submitted, and if said proposed amendment shall receive in its favor the number of votes required by law, such amendment shall be adopted and become a part of the Charter of the City of St. Louis from the date of said election or such other date as prescribed in said amendment. Qualified voters of the City of St. Louis may at the election aforesaid vote a ballot in substantially the following form:

OFFICIAL BALLOT  
CHARTER AMENDMENT  
(City Office Reorganization Amendment)

Shall the Charter of the City of St. Louis be amended to reorganize certain city offices in accordance with the City Office Reorganization Ordinance?

This amendment adds a new Article XXVI to the Charter of the City of St. Louis to incorporate into said Charter the present offices of Recorder of Deeds, Collector of Revenue, License Collector, Treasurer, Circuit Clerk, Public Administrator, and Sheriff, and reorganizes the number, kinds, manner of selection, terms salaries, powers, duties and functions of said offices, provides for a chief administrative officer to supervise, administer, and report to the mayor on the operations of said reorganized offices and other city offices, provides opportunity for the present staff of the offices proposed for reorganization to become employees of the City of St. Louis, with their individual seniority and compensation unaffected, provides and for the effective dates of such changes upon the expiration of the terms of office of the current holders of the offices proposed for reorganization. The proposed amendment also addresses other related matters as set forth in the “City Office Reorganization Ordinance,” a copy of which is available at all polling places.

YES [ ]  
NO [ ]

Instructions to Voters: If you are in favor of the question, place an X in the box opposite ‘YES’. If you are opposed to the question, place an X in the box opposite ‘NO’.

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

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

**SECTION FOUR.** Upon the approval of this amendment to the Charter of the City of St. Louis, it shall be certified, deposited and recorded as required by Article VI, Section 33 of the Constitution of Missouri.

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

**Approved: July 23, 2004**