

Summary
Board Bill Number 44
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 INTRODUCED BY ALDERWOMAN ANNIE RICE/
ALDERWOMAN CHRISTINE INGRASSIA/ALDERWOMAN CARA SPENCER**

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
21 members should approach their work not simply as policy entrepreneurs, but as facilitators

1 responsible for guiding a process designed to include a wide range of perspectives and experiences
2 into transformation; and

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

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

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

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

13 Said amendment is in words and figures as follows:

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

17 **Section 7 – Charter Commission**

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

1 2. After November 8, 2022, and before April 15 in 2023, and every ten (10) years
2 thereafter, or 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 ten (10) days of certification of November 2022 election
6 results, and on December 1st every ten (10) years thereafter, or within ten (10)
7 days of certification as provided in Paragraph F, the Mayor of the City of St.
8 Louis shall publish and make available to the public an application to serve on the
9 Charter Commission. Such application shall remain open for thirty (30) days,
10 shall verify applicant's eligibility under the provisions of subparagraph a of this
11 paragraph, and require applicants to disclose conflicts of interest and inform
12 applicants that 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 appointed to, elected to, or been a candidate for state,
22 county, or City office; or

2. Been a lobbyist representing clients with interests in front of city government; or
3. Have financial or service contracts with any City department or office.

B. Recommendation: Within seven (7) days of applications closing, the Mayor's Office shall provide copies of each application, categorized by the ward in which the applicant resides, to the Board of Aldermen for review. Within fifteen (15) days of receipt of applications, each member of the Board of Aldermen shall review the applications and select two (2) applicants to forward to the Mayor's office for nomination. If any member of the Board of Aldermen fails to select two (2) applicants by the timeline herein, the member forfeits their unselected applicants.

C. Nomination: Within fifteen (15) days of receipt of aldermen's recommendations, the Mayor shall deliver, from the pool of recommended applicants, nine (9) nominations to serve on the Charter Commission to the Board of Aldermen for confirmation.

D. Confirmation: Within thirty (30) days of the Mayor's nomination, the Board of Aldermen committee that is ordinarily charged with hearing bills and issues related to intergovernmental affairs shall hold public hearings with public testimony concerning the nominees and the full Board of Aldermen shall vote on whether to confirm the nominees. If a majority of the members of the Board of Aldermen vote to confirm a nominee, the nominee shall be appointed as a Charter

1 Commission member. In the event an individual is not confirmed by a majority of
2 the Board of Aldermen, the Mayor shall deliver to the Board of Aldermen a new
3 nominee from the pool of applicants recommended by members of the Board of
4 Aldermen for the Charter Commission within seven (7) days of the Board of
5 Aldermen voting not to confirm the prior nominee.

6 E. Alternative Selection Mechanism: If, by April 15th, there are any remaining open
7 positions on the Charter Commission, any open positions on the Charter
8 Commission shall be filled by random selection according to the following
9 process. At a public meeting of the Board of Aldermen committee that is
10 ordinarily charged with hearing bills and issues related to intergovernmental
11 affairs the names of all remaining candidates recommended to the Mayor by
12 members of the Board of Aldermen, and neither appointed nor rejected by the
13 Board of Aldermen, shall be placed into a container, and names shall be drawn by
14 the Chair of the committee to fill open positions until all open positions are filled.
15 This public meeting shall take place immediately so as to have a fully appointed
16 Charter Commission by the required start date of May 1st. If there is a vacancy on
17 the Charter Commission resulting from the death, resignation or inability of any
18 member to serve for more than thirty days, the process outlined in this Subsection
19 E shall be followed within thirty (30) days of the Charter Commission notifying
20 the Board of Aldermen of said vacancy.

21 F. Initiative Petition Process: Upon the filing with the Board of Election
22 Commissioners in the city of St. Louis of a petition proposing the exercise of the

1 Charter Commission powers hereby granted, signed by registered voters of the
2 city in such number as shall equal five percent of the total vote cast in the city at
3 the last general election for Mayor, and the certification thereof by the Board of
4 Election Commissioners to the mayor, then, within ten days after the
5 certification, the mayor shall publish and make available to the public an
6 application to serve on the Charter Commission and follow the process set out in
7 Paragraphs A, B, C, D and E of this subsection.

8 3. Charter Commission Operating Framework

9 A. The appointment of the ten year Charter Commission shall take effect on May 1st,
10 and the Charter Commission shall hold its first public meeting no later than May
11 15th. The Charter Commission shall hold public meetings on at least a monthly
12 basis, and shall recommend any Charter amendments to the Board of Election
13 Commissioners within one year of its first public meeting. The Charter
14 Commission shall stand discharged and cease to exist within one year of its first
15 public meeting.

16 B. In addition to the voting members of the Charter Commission, described in Sub-
17 section 2, the Charter Commission shall include the following six non-voting ex-
18 officio members, who shall not count for the purposes of a quorum, and who shall
19 present information and expertise to the Charter Commission upon request: the
20 Mayor or his/her designee, the Comptroller or his/her designee, the President of
21 the Board of Aldermen or his/her designee, the Director of Personnel or his/her
22 designee, the City Counselor or his/her designee, and the Chairperson of the

1 Board of Aldermen committee that is ordinarily charged with hearing bills and
2 issues related to intergovernmental affairs. It shall be the responsibility of the City
3 Counselor's Office to ensure that the Charter Commission is adequately staffed
4 and funded.

5 C. The Charter Commission's mandate shall be to frame charter amendments for
6 submission to the qualified voters. In order to fulfill this duty, the Charter
7 Commission shall solicit input from the public and from experts, publish a draft
8 set of proposed charter amendments not more than 10 months into its term, and
9 hold at least one public hearing before and after the publication of the draft
10 proposed charter amendments.

11 D. Each voting member of the Charter Commission shall receive a stipend, if
12 requested, for each meeting he/she attends 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.

21 4. Any charter or amendments framed by the Commission shall take effect on the day
22 fixed therein if approved by vote of three-fifths of the City's qualified voters voting thereon at a

1 special or general election held on a day fixed by the Commission not less than sixty (60) days
2 nor more than one (1) year after the completion of the charter or amendments.

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

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

11 **OFFICIAL BALLOT:**

12 Instructions to voters:

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

16 **PROPOSITION 1**

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

- 19 • Consist of nine registered city voters free of conflicts of interest recommended by
20 members of the Board of Aldermen, nominated by the Mayor of the City of St. Louis,
21 and confirmed by the full Board of Aldermen.

- Be appointed on May 1, 2023, and every ten years thereafter, or upon the certification of a petition signed by five percent of city registered voters who voted in the last general election for mayor, and discharge its duties and cease to exist within one year of its first public meeting.
- Solicit public input and consult experts to consider revisions to the City Charter, and, in accordance with the provisions of the Missouri Constitution, submit proposed amendments to the qualified voters for approval, which amendments shall go into effect subject to a three-fifths vote in favor.

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

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