

HJR 27 -- CONSOLIDATION OF ST. LOUIS CITY AND COUNTY

SPONSOR: Mackey

Currently, St. Louis City and St. Louis County function independently from one another. Upon voter approval, this Constitutional amendment merges the county and city.

The territory of St. Louis County will be extended to embrace the territory of the City of St. Louis. St. Louis County, so expanded, will continue its corporate existence as a new political subdivision, hereafter known as the "Metropolitan City" of St. Louis.

Nothing concerning the consolidation will impair any existing obligation, contract or debt of either the city or the county. Continuation or change of employment and collective bargaining agreements are specified in the resolution. Retirement and pension benefits, if earned before the effective date of the resolution remain unchanged. The members of the board of trustees or similar governing body for any retirement fund or pension system created before the effective date of this resolution will continue to hold office until a successor is appointed.

Geographic designations in the Constitution or State law based on the territorial boundaries of St. Louis City or County continue to apply. Any city, town, or village located partially within the territory of the Metropolitan City of St. Louis will detach that part of its territory located within the City and that territory which is annexed by the Metropolitan City. Any municipal district with territory outside the Metropolitan City may continue providing services within its existing territory.

The seat of government of the Metropolitan City is located within the St. Louis City. The Metropolitan City will be a metropolitan city form of government, hereby created, and possesses all the powers and privileges of both a Constitutional charter county and a Constitutional charter city. The Metropolitan City will be governed by a charter. The initial charter is the charter of St. Louis County, as it currently exists. Any amendment to the charter submitted by ordinance requires an affirmative vote of two-thirds of the voters voting thereon for approval.

Unless otherwise provided by the charter after the "transition period", defined as the period between the effective date of this resolution and January first of the fifth year after the effective date of the resolution, there will be no elective officers of the Metropolitan City other than the Mayor, the Metropolitan Council members, the Assessor, and the Prosecuting Attorney. Elective

officers must be qualified voters of the Metropolitan City and possess any additional qualification provided by the Metropolitan City's charter. Except as otherwise provided in this resolution, elective officers of the Metropolitan City are nominated and elected in the manner provided in the election laws for State and county officers. Terms of office, vacancy, and salary of elected officers are provided in the resolution.

The "Metropolitan Council", as defined in the bill consists of 33 members, as specified in the bill. Before April first of the third year after the effective date of this resolution, the Mayor and Transition Mayor will jointly appoint members of the faculty of universities located within the Metropolitan City to prepare a plan to divide the Metropolitan City into districts from which members of the Metropolitan Council are elected. Members must not have partisan affiliation. Districts will be compact, contiguous, contain as nearly equal population as possible, and respect boundaries of municipal districts and communities of interest wherever practicable. Before September third of the third year after the effective date of this resolution, the plan must be submitted for adoption by the County Council of St. Louis County and the governing body of St. Louis City as they existed before the effective date of this resolution. If, before January first of the fourth year after the effective date of this resolution, both fail to adopt identical plans with the required characteristics, the plan as submitted will be deemed approved by both. Council districts will be reapportioned the year after each Federal decennial census. Members of the Metropolitan Council must designate a president and vice president, whose term must be for two years.

All executive power will be vested in the Mayor. The initial Mayor will duly serve as County Executive of St. Louis County beginning on January 1 of the year immediately following the effective date of this resolution. Duties of the Mayor and terms of office are specified in the resolution. A vacancy in the office of Mayor will be filled by the President of the Metropolitan Council. While the President of the Council fills a vacancy in the office of Mayor, the Vice President of the Metropolitan Council must fill the role of President of the Metropolitan Council.

If a vacancy in the office of Mayor occurs during the transition period, the vacancy will be filled by the Transition Mayor. A resulting vacancy in the office of Transition Mayor will be filled by appointment by the Transition Mayor from a list of at least three qualified voters nominated by resolution of the County Council of St. Louis County. The Transition Mayor must be serving as the Mayor of St. Louis City on January 1 of the year immediately following the effective date of this resolution.

The Mayor will appoint no fewer than four deputy mayors, to serve at the pleasure of the Mayor, with duties related to the following: public health and safety, economic development and innovation, community development and housing, community engagement and equity, and any other subject designated by charter.

There will be an Assessor of the Metropolitan City and Prosecuting Attorney of the Metropolitan City. The serving Assessor of St. Louis County and the serving Prosecuting Attorney for St. Louis County will assume those offices, respectively, upon the effective date of this resolution. Terms of office are specified in the resolution. Vacancies in either of these offices are filled by appointment by the Mayor of the Metropolitan City. There will be a Metropolitan City Counselor appointed by the Mayor, whose qualifications will be provided by the charter, who serves as the Metropolitan City's attorney and counselor at law and has all the powers and duties of a county counselor and a city attorney.

The Metropolitan City will have the departments and offices as established by St. Louis County as of the effective date of this resolution. Departments may thereafter be changed and otherwise provided by the charter. Except for the heads of departments appointed by a majority of the circuit judges as provided by the charter, the heads of each department are appointed by the Mayor. Boards and commissions of St. Louis County will continue as boards or commissions of the Metropolitan City, unless otherwise provided by charter or ordinance. Current members will continue holding office until a successor is duly appointed. Members will be appointed by the Mayor.

Until the conclusion of the transition period, executive functions are filled jointly by the Mayor and Transition Mayor of the Metropolitan City, as provided in the resolution.

During the transition period, the Mayor and Transition Mayor will present a plan for organization of executive departments and offices to the Metropolitan Council. Specifications of the plan are prescribed in the resolution. The plan takes effect unless disapproved by a resolution adopted by two thirds of the Council. If the plan affects the department of judicial administration, the plan does not become effective unless upon the concurrence of a majority of the circuit judges within the Metropolitan City. Upon approval, the plan supersedes and replaces all charter provisions, ordinances, rules, or other regulations inconsistent with the plan.

During the transition period, no municipal district will dispose of its property, except as required by contract, or incur any new

obligation extending beyond the transition period, other than with respect to the refunding of financing obligations.

On January first of the fifth year after the effective date of this resolution, the City of St. Louis as it existed immediately before the adoption of this resolution continues its corporate existence as a political subdivision and municipal corporation and is established as the "St. Louis Municipal Corporation". The Municipal Corporation may continue the financial obligations of the City of St. Louis, as specified in the resolution. The Municipal Corporation will continue as a taxing subdistrict of the Metropolitan City. The Municipal Corporation will have a board of governors of five qualified voters appointed by the Mayor of the Metropolitan City.

Upon the effective date of this resolution, other municipalities in St. Louis County will continue their corporate existence as municipal districts within the Metropolitan City. They will be considered political subdivisions authorized to provide services within their territories that are not otherwise provided by the Metropolitan City. All existing rights, responsibilities, obligations, and liabilities relating to employment and employee benefits, and financial obligations will continue for municipal districts without impairment. The Metropolitan City may assume any outstanding obligation of a municipal district.

The governing bodies of municipal districts are the currently-serving governing bodies of the municipalities until successors are duly elected, beginning with the first general municipal election after the transition period. The boundaries of municipal districts are not to be altered except as approved by ordinance of the Metropolitan City. A board or commission of a municipality continues as a board or commission of the municipal district until otherwise provided by the municipal district, the Metropolitan City, or by law.

The resolution establishes the St. Louis Fire Protection District, the territory of which will be coextensive with the boundaries of what is currently the territory of the City of St. Louis.

All special districts and school districts and any provisions of law relating to them continues unaffected by the consolidation.

After the effective date of the resolution, the General Assembly must provide by law for a board of election commissioners or other election authority to conduct elections within the Metropolitan City. Until the General Assembly does so, the respective boards of election commissioners of St. Louis City and St. Louis County will cooperate in the performance of election duties.

During the transition period, neither the Metropolitan City nor any municipal district has the power to submit any question to voters concerning the continued levy or imposition of any tax.

This resolution gradually phases out the St. Louis City earnings tax.

Neither the Metropolitan City nor any municipal district has the power to call an election or to submit any question to voters with respect to any other office of the Metropolitan City or any municipal district.

Taxes, licenses, fees, or special assessments of the Metropolitan City levied or imposed solely within the territory of a municipal district may be different from those levied or imposed generally throughout the Metropolitan City.

Municipal districts are considered separate taxing districts with taxing powers. Municipal districts may continue to require licenses and collect fees for the provision of municipal services. The fiscal year of each municipal district is the same as the fiscal year for the Metropolitan City.

The Metropolitan City is deemed as both a city and a county for determining the right to receive moneys from the State or the U.S. government. A municipal district is deemed as a political subdivision of the State and a municipal corporation for the purpose of determining the right to receive moneys from the State or the U.S. government.

Procedures for the creation and oversight of the Metropolitan City budget during the transition period are specified in the resolution. Before November 16th of the fourth year after the effective date of this resolution, the Mayor and Transition Mayor will jointly recommend and publish a balanced budget for the Metropolitan City, and a financial plan including proposed tax rates, all estimated revenue, proposed expenditures, and other items. Thereafter the Mayor must recommend a budget and the Metropolitan Council must amend and approve the budget. The Mayor may adjust expenditures as provided in the resolution.

The Judicial Conference is authorized to submit a circuit realignment plan for the alteration of the boundaries of the judicial circuits to create a single circuit for the Metropolitan City. Until the modification of the judicial circuits, the judges of the circuit courts for St. Louis City and County will continue as judges of the Metropolitan City and the number of judges will remain the same unless changed by the circuit realignment plan.