

SUBSTITUTE BILL NO. 1 FOR BILL NO. 4, 2025

ORDINANCE NO. 29,241, 2025

Introduced by Councilmember Days

AN ORDINANCE

AN ORDINANCE CALLING AND PROVIDING FOR THE HOLDING OF AN ELECTION IN ST. LOUIS COUNTY ON APRIL 8, 2025, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF ST. LOUIS COUNTY A PROPOSITION TO ADD SECTION 2.190.3 TO AND AMEND SECTIONS 4.020 AND 5.020 OF THE ST. LOUIS COUNTY CHARTER PERTAINING TO THE REMOVAL OF THE COUNTY COUNSELOR AND DEPARTMENT DIRECTORS

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. An election shall be and the same is hereby called and ordered to be held in St. Louis County on April 8, 2025 for the purpose of submitting to the qualified voters of St. Louis County for adoption or rejection a proposition to amend the Charter of St. Louis County by adding Section 2.190.3 and amending Sections 4.020 and 5.020 of the St. Louis County Charter, said amendment being attached hereto as Exhibit A.

SECTION 2. The following question is hereby submitted to the qualified voters of St. Louis County and shall be voted upon at an election to be held as hereinbefore provided. The question shall be in substantially the following form:

PROPOSITION B

Shall Section 2.190.3 be added to and Sections 4.020 and 5.020 of the Charter of St. Louis County be amended to restore checks and balances, oversight, and accountability of the executive branch by authorizing removal of the St. Louis County Counselor or any Department Director by five of the seven Councilmembers as set forth in Exhibit A of Ordinance No. 29,241 on file with the St. Louis County Administrative Director and the St. Louis County Board of Election Commissioners? The cost of legal counsel authorized if this amendment passes has no fiscal impact on taxes.

YES

NO

SECTION 3. Upon enactment of this ordinance, the Administrative Director is authorized to insert into Section 2 of this ordinance the ordinance number assigned and shall certify the enactment of this ordinance.

ADOPTED: January 21, 2025

RITA HEARD DAYS
CHAIR, COUNTY COUNCIL

ENACTED: _____

COUNTY EXECUTIVE

ATTEST: DIANN L. VALENTI
ADMINISTRATIVE DIRECTOR

APPROVED AS TO LEGAL FORM:

COUNTY COUNSELOR

ARTICLE II – COUNTY COUNCIL

Section 2.190.3. The council shall have the authority to remove the county counselor and/or the head or director of any department by affirmative vote of two-thirds (2/3) of the total membership of the council on a resolution introduced by at least two (2) members of the council (“removal resolution”);

- (1) a copy of the removal resolution shall be served upon the individual sought to be removed by hand delivery or electronic mail at the individual’s county email address at least seven (7) days prior to the introduction of a proposed removal resolution by two members of the council; service is effective as of the date of hand delivery or the date on which the electronic mail is sent, whichever is sooner;
- (2) a removal resolution may outline basis for the introduction of the removal resolution;
- (3) upon written request to the council chair via hand delivery or electronic mail at least twenty-four (24) hours prior to a vote on the proposed removal resolution, the individual sought to be removed shall be granted the opportunity to submit a written response to the proposed removal resolution or appear before the council prior to a vote on the proposed removal resolution or both;
- (4) upon approval of the removal resolution as provided herein, the position held by the individual removed becomes vacant;
- (5) a vacancy created by a removal shall be filled as provided by law; however, any individual removed pursuant to this section shall be permanently ineligible to be appointed to, or to hold the same office or position in the future, for any length of time, whether in an acting or permanent role.

ARTICLE IV - DEPARTMENTS

Section 4.020. Except as otherwise provided in this charter the head of each department shall be a director who shall an at will employee of the county and be appointed by the county executive subject to confirmation by the council and shall hold office unless and until removed by the county executive or by the council pursuant to Section 2.190.3. Each director shall have a knowledge of the principles and practices of administrative organization, be familiar with the functions for which the director is responsible and have had at least three years of executive or responsible administrative experience. In appointing a director the county executive shall consider the potential director's character, reputation, formal education, personality, technical training, experience and administrative and managerial ability.

ARTICLE V – LEGAL OFFICERS

Section 5.020. The county counselor shall be appointed by the county executive subject to confirmation by the county council and shall hold office unless and until removed by the county

executive or the council pursuant to Section 2.190.3 of this charter. The county counselor shall be the county's attorney and counselor at law as provided by this Charter. The county counselor may, within the merit system, appoint a deputy county counselor and such number of associate and assistant county counselors as may be authorized by ordinance. There are three divisions of the Office of the County Counselor: one serves the legislative branch of County Government; one serves the executive branch of County Government; and one serves the judicial branch of County Government.