

**ST. LOUIS COUNTY COUNCIL
ST. LOUIS COUNTY, MISSOURI**

ADD ONS September 12, 2017

1. Communication dated *September 12, 2017* from The Honorable Steven V. Stenger, County Executive, to the Honorable Sam Page, County Council Chair, and Members of the St. Louis County Council, requesting the necessary legislative action to appropriate funds totaling \$152,537,397 from the Transportation Trust Fund sales tax (estimated at \$43,232,044) and Proposition A transportation sales tax receipts in the amount of \$64,760,753 to the Bi-State Development Agency (d/b/a Metro) for the 2017-2018 annual appropriation, as indicated, stating that the Proposition M Mass Transit sales tax receipts (estimated to be \$44,544,600) are included in this total amount but require no legislation as this was authorized in the 2017 budget appropriation; further stating this recommendation is an increase of \$5 million over what was appropriated last year and what was originally requested by the County Executive on *August 15, 2017* and recommended by the Public Transportation Commission of St. Louis County; also requesting Proposition A transportation sales tax receipts in the amount of \$4,155,596.25 to be appropriated for the St. Louis County Police Department to provide public safety services for Metro

2. 2nd District

Communication with attachment dated *September 12, 2017* to Genevieve Frank, Administrative Director, from the Honorable Sam Page, Council Chair and Councilman for the 2nd District, RE: Council Resolution for Agenda Pertaining to Vacancies in the Council Department and Appointment of Special Counsel to be introduced at the *September 19, 2017* Council Meeting



Add-On #1
9-12

OFFICE OF THE COUNTY EXECUTIVE

SAINT LOUIS COUNTY
41 SOUTH CENTRAL AVENUE
SAINT LOUIS, MISSOURI 63105

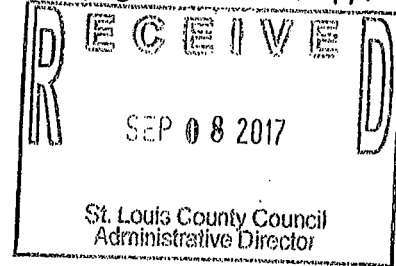
STEVEN V. STENGER

September 12, 2017

(814) 615-7016

add-on o.b. 9/12/17

Honorable Sam Page, Chair
And Members of the St. Louis County Council
Lawrence K. Roos County Government Building
Clayton, Missouri 63105



Honorable Council Members:

On August 15, 2017, I presented a request for legislation to appropriate monies from the Transportation Trust Fund sales tax and the Proposition A transportation sales tax to the Bi-State Development Agency (d/b/a Metro) for the 2017-2018 annual appropriation. The total amount of my original request to the County Council was \$147,537,397, which is an increase of \$5 million over what was appropriated last year. My request reflected the recommendation of the Public Transportation Commission.

Given the recent budget explanation provided by Bi-State Development, I am amending my appropriation request to \$152,537,397. This allocation and appropriation will be as follows:

- Fifty percent (50%) of Transportation Trust Fund sales tax receipts, estimated to be \$43,232,044, to be appropriated to Bi-State for public transportation services (account 5600-8031-531210);
- Proposition A transportation sales tax receipts in the amount of \$64,760,753, to be appropriated into the Public Mass Transit Trust Fund (account 5620-8731-531210);
- The Proposition M Mass Transit sales tax receipts, estimated to be \$44,544,600, have already been approved in the annual budget process, and no appropriation is needed at this time.

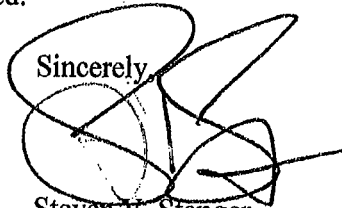
In addition to the above amounts, Proposition A transportation sales tax receipts in the amount of \$4,155,596.25 (account 5620-8731-531210) are requested to be appropriated for the St. Louis County Police Department to provide public safety services for Metro.

I am taking the extraordinary action of changing my recommendation so that the Bi-State appropriation does not face legal challenges. Substitute Bill No. 2 for Bill No. 223, which is currently being considered by the Council, is unlawful and contrary to the St. Louis County Charter. The appropriation to Bi-State Development is a supplemental appropriation governed by Section 8.050 of the Charter, and therefore, the appropriation must not exceed the County

Executive's recommendation. Please be advised that in future years, I will adhere to my original recommendation. The rapidly escalating appropriations for Bi-State's operation cannot continue. Bi-State Development's management must learn to operate efficiently and transparently in order to restore public confidence.

It is my recommendation that the St. Louis County Council take the necessary legislative action to appropriate the funds as requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven V. Stenger', written over the word 'Sincerely,'.

Steven V. Stenger
County Executive

SVS/ism
Attachment

St. Louis County Council

Add On #2
9-12

SAM PAGE

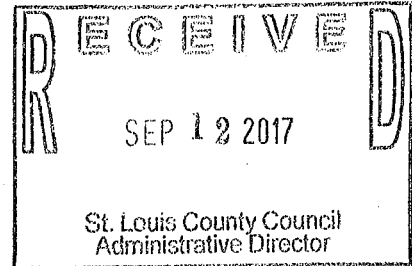
Councilman, 2nd District

Email: SPage@stlouisco.com



COUNTY GOVERNMENT CENTER
41 S. CENTRAL AVENUE
CLAYTON, MISSOURI 63105
314 / 615-5437
FAX 314 / 615-7890

Add. on o.b. 9/12/17



MEMORANDUM

To: Genevieve Frank, Administrative Director
From: Sam Page, Council Chair
Date: September 12, 2017
Re: Council Resolution for Agenda Pertaining to Vacancies in the Council
Department and Appointment of Special Counsel

To allow the Council Members the opportunity to review, please place on the Agenda of the September 12, 2017 Council meeting the attached draft Council Resolution. I will introduce the Resolution for adoption at the September 19, 2017 Council meeting.

GMF/gmf

Attachment

RESOLUTION NO. _____, 2017

Introduced by Councilmember _____ Page _____

R E S O L U T I O N

WHEREAS, recent media reports have raised concerns by the citizens of St. Louis County that more oversight is needed of St. Louis County Government; and

WHEREAS, the May 13, 2013 Quality Assessment Review of the St. Louis County Auditor's Office has recognized a need for more auditing staff stating: "Sufficient staffing of the internal audit activity, which allows efficient and effective operation, is crucial to provide the most benefit to all stakeholders. During surveys of County management, one item consistently mentioned for improvement was additional staffing so that the Auditor's Office could expand their services. Also, based on comparisons with other governmental audit activities, the staff appears to be incommensurately small for the size of the organization"; and

WHEREAS, the Association of Local Government Auditors (ALGA) published a study in October 2016 titled, "Benchmarking, Best Practices, and Salary Survey" with participants from cities and counties across the nation including St. Louis City which concluded that 75% of respondents have audit staffs of 3-15 and 40% of respondents had between 6-10 on the staff; and

WHEREAS, St. Charles County, with a population of 390,000 and a 2017 operating budget of approximately \$320 million has an audit staff of six (6) in the department; and

WHEREAS, the office of the St. Louis County Auditor is created by § 55.010 of the Revised Statutes of Missouri and § 2.200 et seq. of the St. Louis County Charter, and the duties and powers of that office are described therein; and

WHEREAS, the St. Louis County special countywide audit report requested by the St. Louis County Executive and published on December 29, 2015 states on page 20 of the report the need for additional auditing staff in the St. Louis County Auditor's Office; and

WHEREAS, the St. Louis County Council has included in St. Louis County's 2017 budget a line item for the funding of several County Auditor staff positions, and appropriated funds to be spent to provide compensation for the employees who would occupy them; and

WHEREAS, the St. Louis County Executive Administration has a responsibility to staff the office of the St. Louis County Auditor so that it may perform its important governmental functions; and

WHEREAS, the St. Louis County Council through its Chairman and County Clerk has repeatedly requested the County Administration to complete the staffing of the Auditor's Office and expend the appropriated funds accordingly, and

WHEREAS, the St. Louis County Executive Administration, with the knowledge and support of the St. Louis County Executive, has obstructed the interview and hiring process for budgeted audit staff; and

WHEREAS, as a direct result of the St. Louis County Executive's obstruction of the County Auditor's hiring process, the County Auditor has only one employee on staff, thus impairing the Auditor's ability to perform its functions;

NOW, THEREFORE,

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

SECTION 1. The County Council declares that a dispute exists between it and the St. Louis County Executive with regard to the St. Louis County Executive's duty to cooperate with the county council in providing adequate staff to the office of the St. Louis County Auditor.

SECTION 2. The County Council intends to seek judicial relief to direct that the County Executive proceed with the hiring of sufficient audit staff and any other budgeted positions in the legislative branch of County government.

SECTION 3. The County Council declares a conflict of interest exists for the office of the County Counselor with regard to the above dispute.

SECTION 4. The County Council relieves the County Counselor of the duty to provide bifurcated representation to both the plaintiff and defendant County Executive branch of government in this dispute, and requests that, pursuant to St. Louis County Revised

Ordinances 1974 as Amended, Section 110.040, the St. Louis County Counselor appoint the law firm of Bick & Kistner, PC, James p. Bick, Jr. And Elkin L. Kistner as special counsel to the St. Louis County Council for purposes of pursuing the judicial relief described above, with said special counsel to be compensated at the rate of \$225 per hour.

SECTION 5. The County Council petitions for access to county council funds for legal expenses as invoices are presented as prescribed by the County and accepted county protocols.

ADOPTED: _____

CHAIRMAN, COUNTY COUNCIL

ATTEST: _____
ADMINISTRATIVE DIRECTOR

APPROVED AS TO LEGAL FORM:

COUNTY COUNSELOR