

Sponsored by: Joe Brazil, John White

A RESOLUTION OPPOSING UNIFYING THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY INTO A NEW FORM OF GOVERNMENT, CURRENTLY REFERRED TO AS A “METROPOLITAN CITY,” THROUGH CONSTITUTIONAL AMENDMENT, AS IT WOULD DISENFRANCHISE LOCAL VOTERS BY SUBMITTING A PURELY LOCAL MATTER TO A STATE-WIDE REFERENDUM AND SUBJUGATE THE WILL OF THE VOTERS IN THOSE POLITICAL SUBDIVISIONS TO THE WILL OF THE MANY.

WHEREAS, the St. Charles County Council promotes the goals of economic development, public safety, and efficient use of tax dollars in local government and believes that such decisions in furtherance of those goals must be made directly by the voters of those localities or through their elected officials; and

WHEREAS, the St. Charles County Council affirms Thomas Jefferson’s declaration that “The government closest to the people serves the people best,” and believes that local government is the foundation of American democracy, designed specifically to be accountable, available, and answerable to the taxpayer; and

WHEREAS, the St. Charles County Council believes that the right to vote is fundamental to the citizens of our nation, and the right to vote on purely local interests is fundamental to the citizens of those specific localities; and

WHEREAS, the St. Charles County Council maintains that, when matters pertain solely to the interests of the citizens of a specific local governmental entity, the will of those

citizens should not be subjugated to the will of the many who do not necessarily share those specific, common interests; and

WHEREAS, the St. Charles County Council has concerns regarding the proposal to unify the City of St. Louis and St. Louis County into a new form of government, currently referred to as a “Metropolitan City,” through an amendment to the Missouri Constitution; and

WHEREAS, the St. Charles County Council has concerns that the process currently proposed for such action would entail a state-wide referendum to decide matters concerning only the citizens of the City of St. Louis and St. Louis County; and

WHEREAS, the St. Charles County Council has further concerns that the merger of these two political subdivisions without the local voter approval of the citizens of the City of St. Louis would create a dilution of voter rights to the citizens of the City, specifically to the minority voters of the City, calling into question whether such a merger may result in a violation of the Equal Protection Clause of the 14<sup>th</sup> Amendment of the United States Constitution; and

WHEREAS, the St. Charles County Council contends that a process currently exists under the Missouri Constitution which allows the voters of the City of St. Louis and St. Louis County, independently, to approve and effectuate a substantial portion of the changes necessary to complete the merger proposed; and

WHEREAS, the St. Charles County Council notes that this process outlined in Article VI, Sections 30(a)-30(b) of the Missouri Constitution (more commonly known as the “Board of Freeholders” process) grants the citizens of these political subdivisions the opportunity to petition

the local governments for the changes desired and to approve these changes by a referendum of local voters.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The St. Charles County Council hereby opposes unification of the City of St. Louis and St. Louis County into a new form of government by means that would not allow the citizens of those political subdivisions to vote on their fate independently first, as it would disenfranchise local voters by submitting a purely local matter to a state-wide referendum; subjugate the will of the voters in those political subdivisions to the will of the many; and raise potential issues under the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

Section 2. The St. Charles County Council recommends that, to the extent possible, any process to unify the City of St. Louis and St. Louis County first be achieved by local petition, proposal, and popular vote through a “Board of Freeholders” process pursuant to Article VI, Sections 30(a)-30(b) of the Missouri Constitution, so that the local voters directly affected by such unification may have their say before being subject to the vote of the entire state.

Section 3. St. Charles County Council Staff shall forward a certified copy of this Resolution to Missouri state legislators and/or representatives.

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DATE PASSED

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CHAIR OF THE COUNCIL