

# BOA Rules Comprehensive Update

April 2023

*Prepared by the staff of the President of the Board of Aldermen*

## Purpose

The Rules govern how the Board of Aldermen function and are adopted on an annual basis by its Members through a Resolution.

## History of Rule Updates

Rule changes were previously discussed in closed Caucus meetings prior to the start of session. Rules have traditionally been passed as the first Resolution of the Board of Aldermen at the first meeting of the session. The Engrossment, Rules, Resolutions & Credentials Committee had the responsibility to recommend changes to the Rules on an annual basis, but in recent history there has been limited discussion and minimal changes recommended.

In the November 2020 election, St. Louis City voters approved Prop D, which changes the primary election for Municipal offices from a partisan (Democratic or Republican) primary to an open non-partisan primary. The first nonpartisan primary municipal election in St. Louis was held on March 2, 2021. A closed meeting was still held in 2021 despite the nonpartisan nature of the elections.

Discussions of changes to the Rules will now be made in open session. In December 2022, President Megan Green established the Special Committee on the Transition to 14 Wards which among its duties recommended changes to the structure and purview of Committees as outlined in the Rules. The staff of the Board of Aldermen, including the President's Office, the Clerk, and the Board Counsel completed a comprehensive review of the Rules this spring to ensure the smooth day-to-day operation of the Board.

## Contents of Update

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## Types of Changes

### **Related to Transition from 28 to 14 Wards**

These are changes needed due to the reduction from 28 wards and alderpersons to 14, such as quorum, number of committees, and voting majorities.

### **Changes to Committees**

These are changes needed to reflect the updated names and purview of committees.

### **Modernization**

These are changes to reflect the use of technology and to reduce our use of paper.

### **Democratizing Decision-making within Board of Aldermen**

These are changes to improve the decision making process within the Board of Aldermen to reduce the emphasis on seniority and/or the power of the President.

### **Codifying Practice**

These are changes to codify current practices used at the Board of Aldermen.

### **Flexibility in Implementation**

These are changes that remove details that are not required by law or add guidance to allow for flexibility in implementation. This includes offering secular alternatives to an opening prayer and appropriate titles for nonbinary persons.

### **Streamlining**

These are changes to clarify the intent of the rule by removing outdated or unnecessary language.

### **Clarification**

These are changes to add details or definitions of processes and functions at the Board of Aldermen.

### **Employee Handbook**

These are sections that do not belong in the Rules governing the Board of Aldermen but shall be integrated into an Employee Handbook (lead: Director of Operations). This includes what happens to a bill once it has passed out of the Board of Aldermen and compensation of Alderpersons.

## Major Changes by Section

### Officers

1. Change in rule so Board Officers are elected by its Members, not automatic assignment by seniority. Requires at least two years service on the Board to be eligible for Vice President and Floor Leader..

### Sessions

No major changes.

### Meetings

1. Added subsections of rules governing how and when Members can participate in hybrid meetings.
2. Members are not allowed to vote or be counted for quorum if they are operating a motor vehicle.
3. A quorum is eight Members (50% plus one).

### Order of Business and Procedures

1. Changed order of business to include a secular option (opening reflection) in addition to religious prayer.
2. Added rule so the default for written communication shall be electronic, unless otherwise required.
3. Added rule to provide guidance on the establishment of caucuses and their relation to the Board.
4. Moved rule regarding the privileges of seniority up to this section.
5. Moved rule regarding hiring of Board staff up to this section.

### Committees

1. Changed the number of standing committees from 14 to 7 and merged their duties. All committees now have standardized descriptions as to the matters and governmental entities under their purview.
2. Gives power to Board Officers to select committee chairs through a nomination process. Added guidance that each Member can serve as Chair and/or Vice Chair of a single committee. Requires at least two years service on the Board to be eligible for Committee Chair.
3. Members are to submit their committee preferences and will now have the option to appeal their committee assignments.
4. Added new rules outlining the committee meeting order of business and governing the creation and requirements of subcommittees.
5. Added new subsections of rules to clarify how committees exercise subpoena power, and how Committee Chairs schedule meetings in consultation with the Clerk and run virtual committee hearings.

### **Committee of the Whole**

No major changes.

### **Debate and Decorum**

1. Added definition of decorum.
2. Members are no longer permitted to carry weapons into the Chamber.
3. Clarified who can be admitted to the floor of the Chamber, removed some loopholes that remained for lobbyists.

### **Motions**

1. Outlined streamlined process for making amendments to a bill during a committee meeting.
2. Can make a motion to suspend any of the rules without debate.

### **Voting Procedure**

1. Members shall vote “abstain” on issues for which they have a private interest. Disclosures of conflict of interest will be comprehensively shared, including with the public via the City website.
2. Clarified that if a Member is present at a meeting, they must vote. They cannot be silent on a question.

### **Bills**

1. Introduction requirements now includes guidance on complying with City ordinances and Charter requirements when writing specific types of legislation, including when a Development Proposal Report, Fiscal Note, or Special Business District Report are required.
2. Distinguishes between principal sponsors and cosponsors of bills.
3. Principal sponsors can appeal the committee assignment of their bill.
4. Committee Chairs are required to hold committee hearings of all bills assigned to their committee, if requested by the principal sponsor.
5. Added definitions of Amendments and Engrossment.
6. Changed timing of when Committee Substitutes must be submitted to the Clerk by the principal sponsor.
7. Following sections were deemed unnecessary for inclusion in Rules, including effective date of ordinance, definition of emergency measure, ordinances to be numbered and published by Register, regular revision of ordinances (all recorded in Charter).

### **Resolutions**

1. Added guidance on introducing resolutions related to Special Business Districts.
2. Codified that principal sponsors of resolutions can request assignment to a specific committee.
3. Moved up rule on Courtesy Resolutions.

### **Rules**

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1. When Rules are silent, Roberts Rules will be referenced.

### **Employees of the Board**

The majority of this section is to be moved to the new Employee Handbook. These aren't rules that govern the Board of Aldermen. However, the rule requiring the

### **Employees of the President**

Entire section to be moved to the new Employee Handbook. These aren't rules that govern the Board of Aldermen.

### **Miscellaneous**

1. Rules on seniority and courtesy resolutions were moved into different sections.
2. The rule prohibiting smoking has been modified to include vaping.
3. Sections on Missouri Sunshine Law, aldermanic records, legal contingency fund will be moved to the new Employee Handbook.
4. Rules regarding postage are no longer needed, as we are updating the aldermanic budget to allow for mailing expenses.

### **Appendix**

1. Sections on board composition, wards, elections, powers, fines and imprisonment, qualifications, resignations, vacancies in office, compensation, expenses, and financial disclosure reports will be moved to the new Employee Handbook.
2. Cases removed from Rules.
3. City Marshal is no longer empowered to execute subpoenas on behalf of the Board.
4. Voting majorities updated to reflect the new size of the Board.
5. New appendix on Special Business District Petition Requirements added.

## Examples of Rule Changes

### Related to Transition from 28 to 14 Wards

These are changes needed due to the reduction from 28 wards and alderpersons to 14, such as quorum, number of committees, and voting majorities.

#### Rules it impacts

Rule 9

Rule 10

Rule 27

#### Example

##### *RULE 9 Original Text:*

**Fifteen** members shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of absentees under penalty of censure and/or fine. (See City Charter, Art. IV, Sec. 7)

##### *RULE 9 Updated Text:*

**Eight** members shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of absentees under penalty of censure and/or fine. (See City Charter, Art. IV, Sec. 4)

##### *Reasoning Behind the Change:*

Changes the required number of alderpersons required for quorum from 15 to 8 so that the amount will remain half of the members plus one, commensurate with the change in the size of the board.

### Changes to Committees

These are changes needed to reflect the updated names and purview of committees.

#### Rules it impacts

Rule 2

Rule 20

Rule 71

Rule 73

Rule 74

### Example

*RULE 73 Original Text:*

A bill that has been perfected and engrossed may not be further amended unless there is a favorable vote to reconsider Perfection. If subsequently amended, the bill must be perfected again and referred to the **Committee on Engrossment** before being considered for Final Passage.

*RULE 73 Updated Text:*

A bill that has been perfected and engrossed may not be further amended unless there is a favorable vote to reconsider Perfection. If subsequently amended, the bill must be perfected again and referred to the **Legislation & Rules Committee** before being considered for Final Passage.

*Reasoning Behind the Change:*

Updated name of the Committee that engrosses the bill.

### Modernization

These are changes to reflect the use of technology and to reduce our use of paper.

#### Rules it impacts

Rule 6	Rule 34
Rule 11	Rule 40
Rule 12	Rule 53
Rule 15	Rule 77
Rule 30	Rule 81

### Example

Rule 11

*RULE 11 Original Text:*

A copy of the tentative agenda for each Board meeting including the date, place, time and whether the meeting is open or closed to the public, **shall be placed on the desk of each Alderman**, electronically mailed to each Alderman by the Clerk, posted by the Clerk on the Aldermanic Bulletin Board, posted on the official Board of Aldermen website and be available to any person by 5:00 p.m. on the second day before each Board Meeting.

*RULE 1 Updated Text:*

A copy of the tentative agenda for each Board meeting including the date, place, time and whether the meeting is open or closed to the public, ~~shall be placed on the desk of each Alderman~~, shall be electronically mailed to each Alderman by the Clerk, posted by the Clerk on the Aldermanic Bulletin Board, posted on the official Board of Aldermen website and be available to any person by 5:00 p.m. on the second day before each Board Meeting.

*Reasoning Behind the Change:*

Removes requirement to print paper agendas and place them on Members' desks.

## **Democratizing Decision-making within Board of Aldermen**

These are changes to improve the decision making process within the Board of Aldermen to reduce the emphasis on seniority and/or the power of the President.

### **Rules it impacts**

Rule 1  
Rule 24  
Rule 26  
Rule 27

### **Example**

#### *RULE 27 Original Text:*

The President shall, immediately after the organization of the Board of Aldermen on the third Tuesday of April in each year, or as soon thereafter as possible, appoint the Standing Committees which shall consider all bills and other matters referred to them, examine them, and report their findings to the Board of Aldermen.

#### *RULE 27 Updated Text:*

The President shall appoint the Standing Committees within ten days of the selection of Chairs of Standing Committees. **The President shall ask members to submit in writing their committee assignment preferences. Members can appeal their Committee assignment by sending a written notice to the officers of the Board and the Clerk within seven days of appointment. Officers must provide a written notice of their decision within three days.**

#### *Reasoning Behind the Change:*

Requires the president to ask for committee membership preferences before making assignments and creates an appeal process for members unhappy with their committee assignment.



## Codifying Practice

These are changes to codify current practices used at the Board of Aldermen.

### Rules it impacts

Rule 13	Rule 41
Rule 18	Rule 43
Rule 22	Rule 46
Rule 23	Rule 67
Rule 25	Rule 73
Rule 32	Rule 81
Rule 34	Rule 82
Rule 39	

### Example

*RULE 39 Original Text:*

5. It shall be the duty of the **Sergeant at Arms and/or their designees and other staff members** to see that all other persons are excluded from the floor of the chamber.

*RULE 39 Updated Text:*

5. It shall be the duty of the **Clerk or their designee** to see that all other persons are excluded from the floor of the Chamber

*Reasoning Behind the Change:*

Switches responsibility for exclusion of persons from the floor to the Clerk instead of the Sergeant at Arms, which is currently and sometimes is a vacant position.

## Flexibility in Implementation

These are changes that remove details that are not required by law or add guidance to allow for flexibility in implementation. This includes offering secular alternatives to an opening “prayer” and appropriate titles for nonbinary persons.

### Rules it impacts

Rule 4  
Rule 5  
Rule 7  
Rule 13

## Example

*RULE 5 Original Text:*

The Board of Aldermen shall be annually convened on the third Tuesday in April and shall be called to order by the President **at 10:00am.**

*RULE 5 Updated Text:*

The Board of Aldermen shall be annually convened on the third Tuesday in April and shall be called to order by the President **at 10:00am.**

*Reasoning Behind the Change:*

Removes the requirement that the meeting start at exactly 10:00am. It's not required by the Charter.

## Streamlining

These are changes to clarify the intent of the rule by removing outdated or unnecessary language.

### Rules it impacts

Rule 5	Rule 57
Rule 6	Rule 59
Rule 10	Rule 63
Rule 28	Rule 65
Rule 32	Rule 72
Rule 33	Rule 73
Rule 34	Former Rule 66
Rule 39	Rule 75
Former Rule 39	Rule 76
Rule 50	Rule 83

## Example

*RULE 57 Original Text:*

Any Alderman voting on any subject may have an explanation of their vote entered in the Journal, **if the explanation would have been admissible in discussion of the subject.**

*RULE 57 Updated Text:*

Any Alderman voting on any subject may have an explanation of their vote entered into the Journal. **if the explanation would have been admissible in discussion of the subject.**

*Reasoning Behind the Change:*

Members can explain their vote and have it entered into the record, period. Exceptions have been removed.

## Clarification

These are changes to add details or definitions of processes and functions at the Board of Aldermen.

## Rules it impacts

Rule 2	Rule 52
Rule 17	Rule 53
Rule 21	Rule 56
Rule 29	Rule 61
Rule 30	Rule 62
Rule 34	Rule 67
Rule 38	Rule 73
Rule 41	Rule 79
Rule 45	Rule 87
Rule 47	Appendix

## Example

*RULE 62 Original Text:*

Each bill shall repose in the Committee to which it was assigned, and shall remain there until either the Committee acts and reports upon said bill, or the bill is discharged from the Committee's consideration as provided for in Rule 58.

*RULE 62 Updated Text:*

1. **Each bill assigned to a Committee shall be given at least one Committee Hearing upon the request of the principal sponsor.**
2. Each bill shall repose in the Committee to which it was assigned, and shall remain there until either the Committee acts and reports upon said bill, or the bill is discharged from the Committee's consideration as provided for in Rule 63.

*Reasoning Behind the Change:*

Added requirement that a bill will get a committee hearing if requested by sponsor. Committee chairs cannot unilaterally kill bills by not hearing them in committee.

## **Employee Handbook**

These are sections that do not belong in the Rules governing the Board of Aldermen but may provide useful information. This includes what happens to a bill once it has passed out of the Board of Aldermen and compensation of Alderpersons.

### **Rules it Impacts**

Former Rule 7

Former Rule 8

Appendix

## Review of Precedent

*Electing leadership of the legislative branch*

*Selection of committee chairs*

**Summary of Findings:**

***St. Louis is alone in using seniority to determine leadership and committee chairs.*** Of the eleven peer cities reviewed, all of them have at least one leadership position elected or confirmed by members of the body. Even among municipalities with a unilateral committee chair selection process—where the legislative leader appoints committee chairs—none base those decisions on seniority. ***A new Board needs new rules.***

***The proposed reforms will democratize decision-making, creating a culture of accountability and encouraging collegiality among the Board of Aldermen.*** Board leadership (the Vice President, Floor Leader, and Assistant Floor Leader) will be elected by a vote of the Board; those leaders, together with the President, will then receive committee chair nominations from the full Board and come to a consensus on chair selection.

The following is a review of precedent consulted to inform the Board’s revisions. It examines how eleven peer cities elect their legislative leaders and assign committee chairs. It finds that legislative leaders are elected either by voters (as in St. Louis) or by a vote of the legislative body. For municipalities with more than one legislative leadership role, all of those roles are elected or confirmed by a vote of the legislative body among peer cities. Committee chair selection can be done either unilaterally (by the leader) or through more democratic means. Specific details of leadership and committee chair selection are cited below.

**LEADERSHIP:**

<b>Municipality</b>	<b>Legislative Leader Elected by Voters</b>	<b>Legislative Leader Elected by Members</b>	<b>Other Leaders (eg. Floor Leader) Elected or Confirmed by Members</b>	<b>Other Leaders (eg. Floor Leader) by Seniority</b>
St. Louis (Current)	✓			✓
Kansas City	✓		✓	
Chicago		✓	✓	
Indianapolis		✓	✓	
Louisville		✓	✓	
Cincinnati		✓		
Memphis		✓	✓	
Nashville	✓		✓	
Milwaukee		✓		
Minneapolis		✓	✓	
Pittsburgh		✓	✓	
New Orleans		✓	✓	

St. Louis is one of the rare cities where the leader of its legislative body is elected by the voters. It is the only city where seniority is the sole determinant of other leadership designations. Of the eleven peer cities reviewed, all of them have at least one leadership position elected or confirmed by members of the body.

**COMMITTEES:**

<b>Municipality</b>	<b>Unilateral Committee Chair Selection</b>	<b>Democratic Committee Chair Selection</b>	<b>Committee Chairs by Seniority</b>
St. Louis (Current)			✓
Kansas City	✓		
Chicago		✓	
Indianapolis		✓	
Louisville	✓		
Cincinnati	✓		
Memphis	✓		
Nashville	✓		
Milwaukee	✓		
Minneapolis	✓		
Pittsburgh	✓		
New Orleans		✓	

Among peer cities, St. Louis is the only city where committee chairmanships are determined by seniority. Most cities employ a unilateral committee chair selection process in which the legislative leader appoints committee chairs; some employ more democratic processes, with chair appointments determined by a committee or appointed and confirmed by vote. However, even the unilateral processes are more democratic than in St. Louis. In those cities, the legislative leader appointing committee chairs has either been elected by the voters or by the legislative body's members.

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### LOCAL: Kansas City

Leadership: The mayor is the chief elected official of the City, and president of the City Council. The mayor also suggests, for City Council ratification, one City Councilmember as mayor pro tem to serve during the mayor's absence or a period of disability.

Source: [KCMO.gov](http://KCMO.gov)

Committees: The mayor appoints all committee members and committee chairs.

Source: [City Clerk Marilyn Sanders](#)

### LOCAL: Chicago City Council

Leadership: At the beginning of each term, the City Council elects one of its members to serve as President Tempore to preside over Council meetings in the absence of the Mayor and adopts parliamentary rules and regulations governing its meetings. Also, in accordance with Illinois law, the City Council elects a Vice-Mayor who serves as Interim Mayor in the event of a vacancy in the office of the Mayor or the inability of the Mayor to serve due to illness or injury.

Source: [Chicago City Clerk](#)

Committees: As established by resolution, the City Council is organized into sixteen standing committees. The jurisdiction, membership and appointment of chairman and vice-chairman are approved by a full vote of the City Council.

Source: [Managing Editor Council Journal Peter Polacek, Office of Chicago City Clerk](#)

### LOCAL: Indianapolis City-County Council

Leadership: Four councilors are chosen each year to fill the offices of president, vice president, majority leader, and minority leader. The president and vice president are elected by a vote of all councilors...The majority leader and minority leader are chosen by the members of their respective political parties on the council and preside over meetings of their party caucuses.

Source: [Encyclopedia of Indianapolis](#)

Committees: The Committee on Committees assigns councilors to the other committees and appoints committee chairs. By law, this committee is made up of the Council President, Majority Leader, and Minority Leader.

Source: [Indy.gov](http://Indy.gov)

### LOCAL: Louisville Metro Council

Leadership: The presiding officer of the Council shall be a president who shall be chosen annually by a majority vote of the entire Council from among its Members at the first meeting of the Council in January. The Members of the Council belonging to a party of the same political affiliation shall hold separate caucuses and shall elect a Chair and Vice Chair of such respective caucuses...The Chair and Vice Chair of the party which has the allegiance of the greatest number of Members of the Council shall be called the "majority leaders." The Chair and Vice Chair of the other parties shall be called the "minority leaders."

Source: [Louisville Metro Council Rules](#)



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Committees: a) The President shall appoint the Chair and may appoint a Vice Chair for each committee. The Chair and Vice Chair may be removed in the same manner.

Source: [Louisville Metro Council Rules](#)

### LOCAL: Cincinnati City Council

Leadership: A vote of a majority of the Members shall be required to select a President Pro-Tem at the first regular meeting in December following the regular municipal election for the choice of Members of Council.

Source: [Cincinnati Rules of Council](#)

Committees: The standing Committees and vice-chairs shall be appointed by a vote of a majority of the Members. The chairs of the standing Committees shall be appointed by the Mayor.

Source: [Cincinnati Rules of Council](#)

### LOCAL: Memphis City Council

Leadership: The Chairperson shall be elected by a majority vote of the duly sworn Council Members during the second meeting of November preceding the year he/she shall serve. The Vice Chairperson shall be elected by a majority vote of the Council Members during the second meeting of the November preceding the year he/she shall serve.

Source: [Memphis City Council Rules of Procedure](#)

Committees: The Chairperson shall appoint all committees, unless otherwise directed by the Council, and shall have other powers granted to him/her hereunder.

Source: [Memphis City Council Rules of Procedure](#)

### LOCAL: Nashville Metro Council

Leadership: Vice-Mayor is a city-wide elected role and heads the legislative branch of city government.

Source: [Ballotpedia](#)

A president pro tempore (“pro tem”) of the Council shall be a Council member elected by the Council to serve in the absence of the Vice Mayor.

Source: [Rules of Procedure of the Council of the Metropolitan Government of Nashville and Davidson County](#)

Committees: Except as otherwise provided in the Metropolitan Charter, all members of the standing committees of the Council, and the chair of each, shall be appointed by the Vice Mayor...The chair of each committee shall appoint a member of the committee to serve as vice chair for the committee.

Source: [Rules of Procedure of the Council of the Metropolitan Government of Nashville and Davidson County](#)

### LOCAL: Milwaukee Common Council

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Leadership: The Common Council President is elected by a vote of the majority of the council members-elect.

Source: [Milwaukee Common Council Procedure and Rules](#)

Committees: Standing committees, including their chairs and vice-chairs, shall be appointed by the president.

Source: [Milwaukee Common Council Procedure and Rules](#)

### LOCAL: Minneapolis City Council

Leadership: The City Clerk shall officiate at the opening of the organizational meeting and preside over the election of a President and Vice-President of Council.

Source: [The Rules of Order of the City Council, City of Minneapolis](#)

Committees: At the start of each elective term, or whenever else the Council may organize, the Council President shall appoint the membership of each committee, including the chair and vice-chair, subject to ratification by formal action of the City Council.

Source: [The Rules of Order of the City Council, City of Minneapolis](#)

### LOCAL: Pittsburgh City Council

Leadership: At its organization meeting or thereafter Council shall, by a majority vote of all Council Members, elect one member to serve as Council President and one member to serve as President Pro Tempore for the ensuing term.

Source: [Pittsburgh Rules of Council](#)

Committees: Once elected, the President shall appoint a Council Member to Chair each of the Standing Committees set forth in Rule VI.

Source: [Pittsburgh Rules of Council](#)

### LOCAL: New Orleans City Council

Leadership: At its organizational meeting, the Council shall elect a president and vice president, which shall thereafter be rotated annually between the two councilmembers at-large.

Source: [Rules and Regulations of the Council of the City of New Orleans](#)

Committees: The President of the Council shall make all such designations, subject to Council confirmation by motion; provided, however, that a majority vote of the members of the Council may, at any regular or special meeting of the Council, redesignate or change any or all such designations.

Source: [Rules and Regulations of the Council of the City of New Orleans](#)

STATE: State Senates

Leadership at the state legislative level refers to a range of different positions, including senate presidents and presidents pro tempore, house and assembly speakers, and minority and majority leaders. Voters typically have little direct say in who holds these positions. Instead, the members of the legislatures themselves usually select their leadership. A notable exception to this rule are the 26 state senates in which the lieutenant governor serves as the senate president.

Source: [Ballotpedia](#)

Source: [Michigan Congress](#)

FEDERAL: U.S. Senate

The floor leaders and whips of each party are elected by a majority vote of all the senators of their party assembled in a conference or, as it sometimes is called, a caucus. The practice has been to choose the leader for a two-year term at the beginning of each Congress.

Source: [U.S. Senate](#)