



SEPTEMBER 2008

September 25 Meeting at Kirkwood Train Station

Upcoming League Meetings

- Thursday, September 27, Membership Meeting, 7:30 pm, Kirkwood
Thursday, October 23, Membership Meeting, Overland
Thursday, November 20, Membership Meeting, Site TBD
Saturday, November 22, Legislative Breakfast, 9:00 am, Sheraton Westport

The first League meeting of the fall will be held at 7:30 pm on Thursday, September 25 at the Kirkwood train station, 100 W. Argonne at Kirkwood Rd (Lindbergh). This is one block north of Kirkwood City Hall. From I-270, exit at Manchester Rd. and travel east to Lindbergh. Turn right and go south about 1 mile to the train station.

Program: St. Louis County voters will see a number of important pro-

posals on the November ballot. These include:

- a 1/2 cent sales tax for Metro operations and expansion;
a 1.85% countywide use tax for emergency services, parks, job creation and municipal general revenue;
a no tax increase County bond issue for facility improvements; and
a 1/4 cent sales tax for children's ser-

VICES.

The League Board has endorsed the first three proposals, and has placed resolutions of support for each proposals on the September agenda for membership consideration. The board took no position on the children's services tax.

The guest speaker will be Garry Earls, County Chief Operating Officer to discuss the ballot issues.

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Board Seeks Member Support of Ballot Issues

At a special meeting on August 28, the League Board endorsed the Metro sales tax and the countywide no tax increase bond issue.

Metro Tax

The Metro sales tax of 1/2 cent would generate approximately \$80 million annually and would be allocated 50% for operation and 50% for light rail expansion. Initial plans call for a line from Clayton to the north and west to Westport Plaza because of the high number of jobs in this area.

If the tax is passed it would also trigger a similar tax in St. Louis City that was previously approved by voters. Metro is predicting significant cuts in bus and Metrolink service if the tax does not pass due to a serious budget shortfall in 2009.

Bond Issue

St. Louis County is also proposing a \$120 million no tax increase bond issue to fund a variety of projects, including new construction and facility rehabilita-

tion.

The planned projects are:

- New Family Court Building;
Courthouse Renovation
Upgrade Police Laboratory
New Health Lab and Administration Building;
New Animal Shelter; and
Upgrading and Expanding County Warning Sirens.

Some Immigration Provisions Effective August 28

The following was prepared by the law firm Cunningham, Vogel and Rost for use by their clients. It is reprinted with permission.

While the majority of the provisions of HB1549 that have a direct effect on Missouri municipalities expressly do not take effect until January 1, 2009 or later, municipalities should be aware that two sections of the legislation appear to take effect August 28, 2008. They are the new Section 208.009, which regulates the distribution of "public benefits," and Section 285.309, which requires tax forms to be sent to DOR.

Section 208.009 – Duty of City to obtain proof of lawful presence - Generally speaking Section 208.009 requires local governments to have proof of a person's lawful presence within the United States before distributing "public benefits" to that person. The statute defines public benefits very broadly as "any grant, contract, or loan provided by an agency of state or local government...." The required

documentary proof can be obtained in many ways, including a Missouri's driver license, documents recognized by the MoDOR when processing driver's license applications, or federal documents that confirm an alien's lawful presence (passports, federal "green cards," etc.). Public benefits can also be distributed for up to ninety (90) days, without such documentary proof, if the applicant signs an affidavit attesting to U.S. citizenship or status as an "alien lawfully admitted for permanent residence."

Duty to "provide assistance" Subsection 8 also requires that an "agency" administering the public benefit must "provide assistance in obtaining appropriate documentation to persons applying for public benefits who sign the affidavit" attesting to U.S. citizenship or status as an "alien lawfully admitted for permanent residence." However the statute does not specify the scope of assistance that an agency is required to provide.

Exemptions - Benefits that are offered under 8 U.S.C. 1621(b)

that do not require proof of lawful presence include such things as emergency medical care; short-term, non-cash, disaster relief; public health assistance for immunizations; and programs, services, or assistance that have been "specified by the [U.S.] Attorney General" and meet certain other criteria.

Section 285.309 – 1099 MISC Forms Now Required to be sent to State - Federal Tax Form 1099-MISC is used to report miscellaneous income, such as income earned as a non-employee such as an independent contractor. Under federal tax law, an employer that pays a non-employee \$600 or more in one year must report it to the IRS using a 1099-MISC form. Under the new immigration law, an employer must now also send a copy of this 1099-MISC to the Missouri Department of Revenue. Cities are not exempted as employers in this section.

Shear Institute Annual Walk

U.S. Senator Claire McCaskill and Congresswoman Jo Ann Emerson will co-chair the Sue Shear Institute for Women in Public Life's Second Annual Women Walk Before They Run event at 9 am on Saturday, September 20 in Clayton's Shaw Park. It will be hosted by Mayor Linda Goldstein.

Registration is \$20 in advance, \$25 on the day of the event. All registered walkers will receive a t-shirt. For more information or to register on line, contact the Institute at 314-516-4726 or go to the website at www.umsl.edu/~iwpl.

Mike Swoboda - In Memoriam

League members offer their condolences to the family of former Kirkwood Mike Swoboda, who died on September 6 from complications from the February shooting. The funeral was held on September 11.

Mike served as President of the County League in 1998-99. He was also MML President in 2003-04. In addition, he was an active member of the National League of Cities.

Mayor Swoboda always said how much he loved Kirkwood. He also valued the many friendships he made through his involvement in the associations. Governor Blunt ordered flags flown at half staff in his honor.

Countywide Use Tax to Fund Emergency Communication System

Communications among first responders offering mutual aid to neighboring jurisdictions has been problematic. Most police, fire and ambulance providers use separate radio frequencies. Also, most must be within a few miles of their base tower for the radios to work. Signals may be lost inside buildings. Sometimes, more powerful signals from one user will disrupt transmission of another.

Washington, D.C. first responders noted significant problems when an Air Florida jet crashed into the Potomac River in 1982. This, and the overall high profile nature of Washington, motivated leaders there to ensure that all agencies could talk to each other.

They insisted on a new "interoperable" radio system. When responding to the terrorist attack on the Pentagon, the system was initially saturated but was adjusted and received good marks and is credited with saving lives.

In the mid 1990s a tanker truck overturned in Brentwood and caught fire. While many responded, Police Chief Bill Karabas found that the lack of radio communication made coordination difficult. Police and fire chiefs began meeting to create a commission to build a new system here.

In 2002, the DC sniper attacks presented new challenges because the sniper went into more distant counties that had not yet upgraded to the new interoperable system. Hundreds of police, highway patrol, and federal agents could use radios that talked to others when very close to D.C. but many others could not when further away.

This went on for several weeks. Poor communications increased the risk to first responders. Our emergency personnel cannot make the best decisions without the best information that must come via the radio system.

Many other examples of both good and poor communication systems exist. Minneapolis has a highly successful interoperable system and during the bridge collapse in 2007, tens of thousands of calls were handled very well.

In the Kirkwood shooting disaster, the first responders could not communicate well. When our police pursue a criminal more than a few miles, their radios lose contact with the dispatcher.

The federal government recognizes the need for better radio systems, more frequencies and less interference and has passed laws and offered grants to prepare regional plans. Our region has completed phase I of its plan and is now proceeding with bid specifications, but no money is available to build a system.

To meet the new mandates, protect our first responders and citizens they serve, and to move to a new radio system for all agencies in the County, the League asked the County Council to place the countywide use tax on the November 4 ballot and the Council did so.

You may know that a use tax simply expands the sales tax to items that are shipped into Missouri from out-of-state businesses. They are exempt from the county sales tax unless voters close this loophole, thereby making all County sales tax rates apply equally. Out-of-state businesses would then have to collect the same County taxes as in-state businesses. Most of these

sales are business-to-business.

The State use tax of 4.225% has existed for over 50 years. Many cities and counties also have received voter approval for the local use tax, including St. Louis City and St. Charles County, but it has not yet been the case in St. Louis County.

To determine when the use tax is applicable, a buyer of out-of-state goods simply needs to examine their invoices. If the state use tax is listed, then the County use tax would be added, if approved by voters.

We estimate that about 10% of sales are from out-of-state. Ending the exemption would yield as estimated \$30 million.

In addition to funding the new communications system, the League and County would like to use some funds to improve the countywide emergency siren system and 911 system, especially to pinpoint the location of emergency calls from mobile phones.

Given the increased number of disabled and senior citizens, parks could be enhanced to allow more use by these groups.

"B" and low per capita "A" cities and annexed areas would also receive about \$20 per capita as part of a tax sharing agreement negotiated by cities and the County about 15 years ago. This infusion of funds comes at a time when tax revenues are down with the economy, fuel for police and fire vehicles has skyrocketed, along with asphalt prices and health insurance costs.

We appreciate the County Council action to place the measure on the ballot and allow voters the opportunity to help our first responders.

St. Louis County Municipal League
121 S. Meramec Ave.
Clayton, MO 63105

Please plan to attend the September 25 meeting at the Kirkwood Train Station.

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Pandemic Preparedness in September

PandemicPrep.Org and the U.S. Department of Health and Human Services' *Take the Lead: Working Together to Prepare Now (Take the Lead)* campaign are building support for September - National Preparedness Month. The groups will be conducting a number of outreach activities to drive home the importance of personal preparedness during September. Cities can join the efforts during September, or on National Preparedness Day, September 16, 2008, by pledging to conduct at least one activity. Below are ideas for ways to participate. Most materials (i.e. newsletter articles, blast emails, posters, flyers, stickers, etc.) mentioned in the list are ready-made and can be provided if you are interested in participating in an activity. Remember, response

means nothing if our community is not prepared!

Following are ideas for outreach tactics for National Preparedness Month:

You might run pandemic preparedness articles in newsletters and/or as bulletin supplements on topics such as:

- importance of preparedness, with a focus on pandemic;
- health care providers' unique role in encouraging pandemic awareness if patients inquire;
- importance of family and individual preparedness, with a focus on pandemic flu;
- three elements of pandemic preparedness (stock supplies, hygiene etiquette, & planning).
- Set up in-office tabletop displays providing educational ma-

terials on preparedness.

- Distribute *Take the Lead's* "Are You Prepared?" stickers throughout your organization to help drive awareness of the importance of being prepared.
- Distribute blast e-mails to employees or organization members on topics such as the elements of pandemic preparedness focusing on pandemic flu.
- Display "Cover Your Cough" posters around office facilities.

Cities can create awareness among residents and employees of the need to prepare in advance of a possible flu pandemic this September.

For additional information on *Take the Lead*, visit www.pandemicflu.gov/takethelead.