

**Filed**  
**MAR 20 2013**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION, )  
)  
3411-A Knipp Drive )  
Jefferson City, MO 65109 )  
)  
Petitioner, )  
) Case No. 12E238, 12E244  
v. )  
)  
SAINT LOUIS COUNTY LIBRARY )  
DISTRICT, )  
a political subdivision of the State of )  
Missouri, )  
)  
1640 South Lindbergh )  
Saint Louis, MO 63131 )  
)  
and )  
)  
CHARLES PACE, )  
Director, Saint Louis County Library )  
District, )  
)  
1640 South Lindbergh )  
Saint Louis, MO 63131 )  
)  
Respondents. )

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, Saint Louis County Library District and Pace, acknowledge that they have received and reviewed a copy of the Complaint filed by the

Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that they are aware of the various rights and privileges afforded by law, including but not limited to: the right appear and be represented by counsel; the right to have all charges against Respondents be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

**JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Saint Louis County Library District is a political subdivision of the State of Missouri.

3. Respondent Charles Pace is the director of the Saint Louis County Library District.

4. Pursuant to Section 105.961, RSMo, the Commission's staff has investigated a complaint filed with the Commission and reported the investigation's findings to the Commission.

5. Based on the report of the Commission's staff, the Commission determined that there are reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

6. Proposition L was a ballot measure in Saint Louis County for the November 2012 election, regarding a tax levy funding the Saint Louis County Library.

7. Respondents published, circulated, and/or distributed three different printed materials relative to Proposition L:

a. The library district published and displayed counter cards at its library branches. A true and accurate copy of such a counter card is attached hereto and incorporated by reference as Exhibit 1.

b. The library district published, circulated, and distributed bookmarks relative to Proposition L. A true and accurate copy of such a bookmark is attached hereto and incorporated by reference as Exhibit 2.

c. The library district published, circulated, and distributed brochures relative to Proposition L. A true and accurate copy of such a brochure is attached hereto and incorporated by reference as Exhibit 3.

8. These counter cards, bookmarks, and brochures contained the library's logo and name, but they did not include the full disclosure stating, "Paid for by the Saint Louis County Library District, Charles Pace, Director, 1640 South Lindbergh Blvd., Saint Louis, MO 63131."

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

9. "Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, 'printed matter' shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material..." § 130.031.8, RSMo.

10. "In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (7) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer." § 130.031.8(3), RSMo.

11. For purposes of Chapter 130, RSMo, "ballot measure" means, "any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter." § 130.011(2), RSMo.

12. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by knowingly publishing, circulating, and distributing printed materials relative to Proposition L, a ballot measure, and that such printed materials did not include the full “paid for by” disclosure.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$100, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission at the time of execution of this Joint Stipulation.

c. Respondents shall be jointly and severally liable for all fees imposed under this order.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or

from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

RESPONDENT SAINT LOUIS COUNTY  
LIBRARY DISTRICT

By: Charles Pace 3-14-13  
Charles Pace, Director Date

By: Lisa O. Stump 3-14-13  
Lisa O. Stump Date  
Attorney for Respondent  
Saint Louis County Library District

RESPONDENT CHARLES PACE

By: Charles Pace 3-14-13  
Charles Pace Date

By: Lisa O. Stump 3-14-13  
Lisa O. Stump Date  
Attorney for Respondent  
Charles Pace

PETITIONER MISSOURI ETHICS  
COMMISSION

By: Stacey Heislen 3/20/13  
Stacey Heislen Date  
Acting Executive Director

By: Curtis R. Stokes 3/20/13  
Curtis R. Stokes Date  
Attorney for Petitioner



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EXHIBIT

# Share your story.

If St. Louis County Library has made a positive difference in your life we want to hear from you! Tell us about a time when the library came to your rescue or a staff member provided exceptional service—or just tell us why you love the library—by submitting your story. Share your story at [www.slcl.org/make-a-difference](http://www.slcl.org/make-a-difference).

For more information visit [www.slcl.org](http://www.slcl.org).

Connect with us.

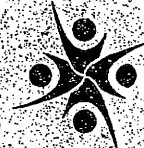


# Libraries Matter

## St. Louis County Library Locations

Bridgeton Trails 3455 McKelvey Road Bridgeton, MO 63044	Meramec Valley 625 New Smizer Mill Road Fenton, MO 63026
Cliff Cave 6430 Telegraph Road St. Louis, MO 63128	Mid-County 7821 Maryland Ave. St. Louis, MO 63105
Daniel Boone/Asian Center 300 Clarkson Road Ellisville, MO 63011	Natural Bridge 7606 Natural Bridge Road St. Louis, MO 63121
Eureka Hills 156 Eureka Town Center Eureka, MO 63025	Oak Bend 842 S. Holmes Ave. St. Louis, MO 63122
Florissant Valley 195 New Florissant Road, South Florissant, MO 63031	Prairie Commons 916 Utz Lane Hazelwood, MO 63042
Grand Glaize 1010 Meramec Station Road Manchester, MO 63021	Rock Road 10267 St. Charles Rock Road St. Ann, MO 63074
Headquarters 1640 S. Lindbergh Blvd. St. Louis, MO 63131	Samuel C. Sachs 16400 Burkhardt Place Chesterfield, MO 63017
Indian Trails 8400 Delpoit Drive St. Louis, MO 63114	Tesson Ferry 9920 Lin-Ferry Drive St. Louis, MO 63123
Jamestown Bluffs 4153 N. Highway 67 Florissant, MO 63034	Thorntill 12663 Willowick Drive St. Louis, MO 63146
Lewis and Clark 9008 Lewis-Clark Blvd. St. Louis, MO 63198	Weber Road 4444 Weber Road St. Louis, MO 63123

Program sites are accessible. Upon two weeks' notice, accommodations will be made for persons with disabilities. Call 314-994-3300 or visit us at [www.slcl.org](http://www.slcl.org).



St. Louis County Library



# Questions?

For more information visit [www.slcl.org](http://www.slcl.org).

**1. Why is the library going for a 6 cent tax increase now?**

St. Louis County Library District needs additional support to maintain the services that our community has come to expect from its library. We've done as much as we can with the current tax rate. Many of our library branches are in need of major renovation or replacement.

**2. When was the last time the library asked for an increase?**

The last time St. Louis County Library District asked the voters for a tax increase was April 1983. That's almost 30 years!

**3. How do I know the library will spend my tax dollars wisely?**

St. Louis County Library District is required by law to be audited by an independent CPA firm every year. The audits are public documents, which you can access online at [www.slcl.org/about/library\\_publications](http://www.slcl.org/about/library_publications) or in person at Library Headquarters.

**4. What will it cost homeowners?**

The proposed 6 cent increase would cost \$17.10 per year on a \$150,000 home.

**5. Where does St. Louis County Library District rank in tax rates for other library systems?**

Even if the proposed 6 cent tax increase passes, St. Louis County Library District will still be in the mid-range of tax rates as compared to other regional library systems.

Library	Resident Rate	Commercial Rate	Agriculture Rate	Personal Property Rate
SLCL (current)	.163	.19	.2	.15
SLCL (proposed increase)	.223	.22	0	.22
Ferguson Library	.22	.444	0	.47
Maplewood Library	.428	.344	0	.355
Kirkwood Library	.302	.144	.17	.17
Valley Park Library	.136	.289	0	.355
Rock Hill Library	.27	.281	0	.315
Webster Groves Library	.285			



**6. What benefits will my local library branch receive?**

All branches will benefit from an increase in the collection budget. The collection budget is used to buy books, DVDs, databases, CDs, electronic resources and reference material—basically everything that gets checked out or used for reference.

In addition, several local branches need major repairs and renovations.

Revenue generated by the tax increase will be used to remodel or replace the branches that are most in need. A copy of the Master Facilities Plan is online at [www.slcl.org](http://www.slcl.org).

**7. With the growth of the Internet, do we really need public libraries anymore?**

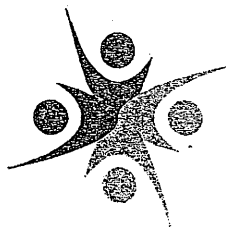
Yes! In fact, St. Louis County Library just completed our biggest year ever in 2011 by circulating a record-breaking 12.7 million items. In addition, more than 5.7 million users came through our doors and more than 312,000 people attended programs at St. Louis County Library. It's pretty clear that St. Louis County loves its libraries!



# Did you know...

Visitors used the library's computers more than **ONE MILLION TIMES** last year!

- **SLCL is more than just books!** Free computer classes, GED assistance, video games, DVDs, eMedia, free Wi-Fi...it's all at your local St. Louis County Library branch.
- Annual attendance at our educational programs is **more than 450,000** a year.
- The St. Louis County Library is the **largest and busiest library system in Missouri.**
- On average, nearly **480,000** people visit the Library's 20 locations each month.



St. Louis  
County  
Library

[www.slcl.org/libraries-matter](http://www.slcl.org/libraries-matter)



## Well used, well loved, well worth it.

Libraries are critical to the fabric of a community. It's time to make sure we maintain the quality of services long provided by our St. Louis County Library.

To keep up with growing demand and new technologies,

- six Library branches need completely new facilities,
- four need major additions, and
- nine need significant renovations.

The St. Louis County Library system is funded by a property tax assessment on residents and business properties in the Library District.

**Proposition L is an initiative to increase the current tax rate from 16.3¢ to 22.3¢.** Prop L will be on the November 2012 election ballot.

**Library tax funds can only be spent to improve Library facilities and operations.** None of the funds go to the St. Louis County government.

**The Library has not asked for a tax increase since 1983.** You can find complete information about proposed renovation plans, as well as comprehensive audits of Library finances, at [www.slcl.org/libraries-matter](http://www.slcl.org/libraries-matter)



St. Louis County Library

EXHIBIT

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# Learn more about Prop L

[www.supportslcl.org](http://www.supportslcl.org)

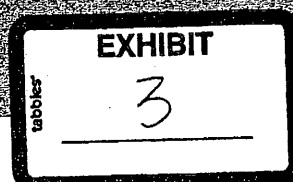
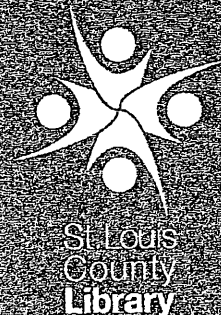
**OUR COMMUNITY  
STARTS HERE**

St. Louis County Library

## Prop L would fund:

- five new library branches
- renovations and additions at 14 branches
- enhanced programming for all ages

Learn more at  
[www.supportslcl.org](http://www.supportslcl.org)



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CHARLES PACE, )  
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Respondents. )

**CONSENT ORDER**

The parties having filed a Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Proposed Findings of Fact and Conclusions of Law (“Joint Stipulation”) with the Missouri Ethics Commission in this matter, the Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that Respondents St. Louis County Library District and Charles Pace violated Sections 130.031.8, RSMo, as stated in the Joint Stipulation.


The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$100 pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

3. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 20<sup>th</sup> day of March, 2013

By:

A handwritten signature in cursive script, appearing to read "Dennis Rose".

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Dennis Rose, Chair  
Missouri Ethics Commission