

1 **BOARD BILL NO. 146** **INTRODUCED BY PRESIDENT LEWIS REED AND**
2 **ALDERWOMAN APRIL FORD GRIFFIN**

3 An Ordinance pertaining to the Transit Sales Tax imposed pursuant to Section 94.660, RSMo., as
4 adopted and approved by the voters of St. Louis City on August 2, 1994, pursuant to Ordinance
5 63168 creating the “City Public Transit Sales Tax Trust Fund” directing the Treasurer of the City
6 of St. Louis to deposit funds received pursuant to said sales tax into the “City Public Transit
7 Sales Tax Trust Fund – Account ONE” appropriating \$9,975,000 from the said sales tax for the
8 period herein stated to the Bi-State Development Agency for certain purposes; providing for the
9 payment of such funds during the period July 1, 2011 through, June 30, 2012; further providing
10 that in no event shall the Comptroller draw warrants on the Treasurer for an amount greater than
11 the amounts of the proceeds deposited in the “City Public Transit Sales Tax Trust Fund” during
12 the period of July 1, 2011 through June 30, 2012; containing a severability clause and an
13 emergency clause.

14 WHEREAS, In accordance with Ordinance 65613, the City of St. Louis, Missouri is authorized
15 to enter into a Memorandum of Agreement (MOA) with the Bi-State Development Agency and
16 St. Louis County, Missouri providing for the City’s annual appropriation of the sales tax levied
17 for public mass transportation purposes, and pursuant to provisions of Section 3.2 of the MOA,
18 the City shall transfer monthly to the Trustee, BNY Trust of Missouri, in immediately available
19 funds, moneys on deposit in the City Public Transit Sales Tax Fund account attributable to the
20 quarter-cent sales tax imposed pursuant to Ordinance 63168 and approved by the voters on
21 August 2, 1994;

22 **NOW THEREFORE BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:**

1 **SECTION ONE.** All sales taxes collected pursuant to Section 94.660, RSMo., and Ordinance
2 63168 and distributed by the Director of Revenue to the Treasurer of St. Louis City as authorized
3 by Senate Bill 432 (the “Act”) as approved and adopted by the voters of St. Louis City on
4 August 2, 1994, pursuant to Ordinance 63168, shall be deposited in a special trust fund, to be
5 known as the “City Public Transit Sales Tax Fund – Account ONE.”

6 **SECTION TWO.** There is hereby appropriated out of the “City Public Transit Sales Tax Trust
7 Fund – Account ONE,” subject to the conditions herein contained in Sections Four and Five, the
8 amount of \$9,975,000, for the period herein stated to the Bi-State Development Agency to be
9 used for the purposes authorized by the Act.

10 **SECTION THREE.** The Comptroller of the City of St. Louis is hereby authorized and directed
11 to draw warrants from time to time on the Treasurer of the City of St. Louis for payments to the
12 Bi-State Development Agency, as authorized herein on the “City Public Transit Sales Tax Trust
13 Fund – Account ONE,” as the proceeds from the one-quarter percent (1/4%) sales tax authorized
14 by Section 94.660 RSMo., as approved and adopted by the voters of the City of St. Louis on
15 August 2, 1994, pursuant to Ordinance 63168, are received from the Director of Revenue of the
16 State of Missouri and are deposited in the “City Public Transit Sales Tax Trust Fund – Account
17 ONE” as provided herein from July 1, 2011 through June 30, 2012.

18 **SECTION FOUR.** In no event shall the Comptroller draw warrants on the Treasurer of the City
19 of St. Louis for an amount greater than the amount of proceeds received from the Director of
20 Revenue of the State of Missouri and deposited in the “City Public Transit Sales Tax Trust
21 Fund” during the period from July 1, 2011 through June 30, 2012.

1 **SECTION FIVE.** The sections of this Ordinance shall be severable. In the event that any
2 section of this Ordinance is found by a court of competent jurisdiction to be unconstitutional or is
3 inconsistent with the ability of the Bi-State Development Agency to receive funding from the
4 United States, the remaining sections of the Ordinance are valid unless the court finds the valid
5 or consistent sections of this Ordinance are so essentially and inseparably connected with, and so
6 dependent upon, the void or inconsistent section that it cannot be presumed that the Aldermen
7 would have enacted the valid sections without the void or inconsistent sections, or unless the
8 court finds the valid or consistent sections, standing alone, are incomplete and incapable of being
9 executed in accordance with the legislative intent.

10 **SECTION SIX.** This Ordinance is deemed an emergency measure as defined by Article IV,
11 Section 20, of the Charter of the City of St. Louis and shall take effect immediately upon its
12 passage and approval by the Mayor of the City of St. Louis.