

ORDINANCE 71172

BOARD BILL NUMBER 45 INTRODUCED BY: ALDERMAN JOSEPH VOLLMER/PRESIDENT LEWIS REED

1 An Ordinance pertaining to the Transit Sales Tax imposed pursuant to Section 94.660, RSMo.,
2 as adopted by the voters of St. Louis City on August 2, 1994, pursuant to Ordinance 63168
3 creating the “City Public Transit Sales Tax Trust Fund” directing the Treasurer of the City of
4 St. Louis to deposit funds received pursuant to said sales tax into the “City Public Transit Sales
5 Tax Trust Fund – Account ONE” appropriating **\$9,354,000** from the said sales tax for the
6 period herein stated to the Bi-State Development Agency for certain purposes; providing for
7 the payment of such funds during the period July 1, 2020, through June 30, 2021; further
8 providing that in no event shall the Comptroller draw warrants on the Treasurer for an amount
9 greater than the amounts of the proceeds deposited in the “City Public Transit Sales Tax Trust
10 Fund” during the period of July 1, 2020 through June 30, 2021; and containing a severability
11 and emergency clause.

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

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

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

8 **SECTION TWO.** There is hereby appropriated out the “City Public Transit Sales Tax Trust
9 Fund – Account ONE,” subject to the conditions herein contained in Sections Four and Five,
10 the amount of **\$9,354,000**, for the period herein stated to the Bi-State Development Agency to
11 be used for the purposes authorized by the Act.

12 **SECTION THREE.** The Comptroller of the City of St. Louis is hereby authorized and
13 directed to draw warrants from time to time on the Treasurer of the City of St. Louis for
14 payments to the Bi-State Development Agency, as authorized herein on the “City Public
15 Transit Sales Tax Trust Fund – Account ONE” as the proceeds from the one-quarter percent
16 (1/4%) sales tax authorized by Section 94.660, RSMo., as approved and adopted by the voters
17 of the City of St. Louis on August 2, 1994, pursuant to Ordinance 63168, are received from
18 the Director of Revenue of the State of Missouri and are deposited in the “City Public Transit
19 Sales Tax Trust Fund – Account ONE” as provided herein from July 1, 2020 through June 30,
20 2021.

1 **SECTION FOUR.** In no event shall the Comptroller draw warrants on the Treasurer of the
2 City of St. Louis for an amount greater than the amount of proceeds received from the Director
3 of Revenue of the State of Missouri and deposited in the “City Public Transit Sales Tax Trust
4 Fund” during the period from July 1, 2020 through June 30, 2021.

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

14 **SECTION SIX.** This Ordinance is deemed necessary for the immediate preservation of the
15 public peace, health and safety and it is hereby declared an emergency measure as defined by
16 Article IV, Section 20, of the Charter of the City of St. Louis and shall take effect immediately
17 upon its passage and approval by the Mayor of the City of St. Louis.