

ORDINANCE 71528

**BOARD BILL NUMBER 19 INTRODUCED BY PRESIDENT LEWIS REED/
ALDERWOMAN MARLENE DAVIS/ALDERMAN JOSEPH VOLLMER**

1 An Ordinance pertaining to the Transit Sales Tax imposed pursuant to Section 94.660, RSMo., as
2 adopted by the voters of St. Louis City on August 2, 1994, pursuant to Ordinance Number 63168
3 creating the “City Public Transit Sales Tax Trust Fund” directing the Treasurer of the City of St.
4 Louis to deposit funds received pursuant to said sales tax into the “City Public Transit Sales Tax
5 Trust Fund – Account ONE” appropriating **\$11,107,000** from the said sales tax for the period of
6 July 1, 2022 through June 30, 2023 to the Bi-State Development Agency for certain purposes; and
7 containing a severability and emergency clause.

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

16 **BE IT ORDAINED BY THE CITY OF ST. LOUIS, AS FOLLOWS:**

17 **SECTION ONE.** All sales taxes collected pursuant to Section 94.660, RSMo., and Ordinance
18 Number 63168 and distributed by the Director of Revenue to the Treasurer of St. Louis City as
19 authorized by Senate Bill 432 (the “Act”) as approved and adopted by the voters of St. Louis City

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1 on August 2, 1994, pursuant to Ordinance Number 63168, shall be deposited in a special trust
2 fund, to be known as the “City Public Transit Sales Tax Trust Fund – Account ONE.”

3 **SECTION TWO.** There is hereby appropriated out the “City Public Transit Sales Tax Trust Fund
4 – Account ONE,” subject to the conditions herein contained in Sections Four and Five, the amount
5 of **\$11,107,000**, for the period herein stated to the Bi-State Development Agency to be used for
6 the purposes authorized by the Act.

7 **SECTION THREE.** The Comptroller of the City of St. Louis is hereby authorized and directed
8 to draw warrants from time to time on the Treasurer of the City of St. Louis for payments to the
9 Bi-State Development Agency, as authorized herein on the “City Public Transit Sales Tax Trust
10 Fund – Account ONE” as the proceeds from the one-quarter percent (1/4 percent) sales tax
11 authorized by Section 94.660, RSMo., as approved and adopted by the voters of the City of St.
12 Louis on August 2, 1994, pursuant to Ordinance Number 63168, are received from the Director of
13 Revenue of the State of Missouri and are deposited in the “City Public Transit Sales Tax Trust
14 Fund – Account ONE” as provided herein from July 1, 2022 through June 30, 2023.

15 **SECTION FOUR.** In no event shall the Comptroller draw warrants on the Treasurer of the City
16 of St. Louis for an amount greater than the amount of proceeds received from the Director of
17 Revenue of the State of Missouri and deposited in the “City Public Transit Sales Tax Trust Fund”
18 during the period from July 1, 2022 through June 30, 2023.

19 **SECTION FIVE.** The sections of the Ordinances shall be severable. In the event that any section
20 of this Ordinance is found by a court of competent jurisdiction to be unconstitutional or is

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1 inconsistent with the ability of Bi-State to receive funding from the United States, the remaining
2 sections of the Ordinance are valid unless the court finds the valid or consistent sections of this
3 Ordinance are so essentially and inseparably connected with, and so dependent upon, the void or
4 inconsistent section that is cannot be presumed that the Aldermen would have enacted the valid
5 sections without the void or inconsistent sections, or unless the court finds that the valid or
6 consistent sections, standing alone, are incomplete and incapable of being executed in accordance
7 with the legislative intent.

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