APPENDIX A

CAPITAL IMPROVEMENT PLAN
POLICY AND PROCEDURES

I. St. Louis Capital Planning established

The City of St. Louis established the Capital Fund along with policies and procedures for capital improvements planning and budgeting by Ordinance 60419 in July, 1987 and as amended by Ordinance 61250 February, 1989.

The ordinance charges the Budget Division, in conjunction with the Capital Committee, with the responsibility of preparing a five year Capital Improvement Plan (CIP) each fiscal year beginning July 1, 1988. The CIP shall be updated annually and submitted by the Budget Division to the Board of Estimate and Apportionment and to the Board of Aldermen for approval.

All capital budget appropriations shall be proposed in accordance with the Capital Improvement Plan.

II. Committees

The Capital Committee as established by ordinance is charged with the responsibility to review and assess capital needs and to develop and recommend the CIP's and corresponding capital budgets. The members of the committee are as follows:

Budget Director, Chairperson
President, Board of Aldermen or designee
Mayor or designee
Comptroller or designee
Representative appointed by Comptroller
Alderman (appointed by the President)
Community Development Agency Director
President, Board of Public Service
Chairperson, Ways and Means Committee

The Citizens Advisory Committee for Capital Expenditures as established by ordinance is charged with the responsibility to review and assess capital needs and to advise the Capital Committee on the development and recommendation of the CIP'S and corresponding Capital Budgets and to review the City's accomplishments with respect to the Capital Budgets approved in previous years. The Committee shall consist of (2) appointees by each member of the Board of Aldermen and (4) appointees by each member of the Board of Estimate and Apportionment.

III. Capital Planning Policies

A. The City will maintain its physical assets and infrastructure at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. The annual operating budget will provide for the adequate maintenance and orderly replacement of capital plant and equipment from current revenues where possible.

B. The City will make every effort to make new capital investments consistent with maximizing the efficiency of operating departments.

C. The City hereby establishes a goal, to be gradually phased-in by Fiscal Year 1992-93, of appropriating an amount equivalent to 10% of the General Fund Budget appropriated for the year immediately preceding to capital improvement projects and/or equipment replacements in the annual capital budget. Funds may come from any lawful source including, but not limited to, the various sources enumerated in Section Seven and shall be appropriated in the Capital Budget hereinafter provided for, and expended from the Capital Fund hereinafter provided for.

IV. Capital Improvement Plan Procedures

1. As part of its budget preparation process, the Budget Division shall annually compile and assemble Board of Public Service capital improvement and public works needs assessments and projects, departmental requests for capital improvements, and any other City programs that include improvements to public infrastructure, buildings, assets and public works and significant capital equipment expenditures.

2. Upon assembling and compiling all such needs assessments, departmental requests, and other programs, the Budget Division shall submit same to the President of the Board of Public Service, who shall develop costs estimates and timetables for all projects.

3. The Capital Committee shall then review, assess, prioritize and recommend a five-year capital improvement plan based on the needs assessments, financing capabilities, and the capital policies set forth in Section Three herein. The proposed plan shall include recommended financing alternatives and specific project timetables.

4. The CIP and proposed Capital Budget for each fiscal year shall be submitted to the Board of Estimate and Apportionment in the same manner and timing as the general operating and enterprise funds budgets. All specific timing requirements and procedures set forth in Section Three of Article XVI of the Charter of the City of St. Louis will apply to the Capital Budget which will be presented with the general and enterprise funds budgets as a total operating and capital plan for the City.

V. CIP Evaluation Criteria

The Capital Committee shall apply the following criteria to evaluate the merit of individual projects.

a. Capital improvements which will foster St. Louis' goal of preserving and improving municipal buildings and other assets will receive priority;

b. Capital improvements, which will foster St. Louis' goal of fiscal stability and soundness, will receive priority;

c. Capital improvements which will foster St. Louis' goal of preserving its infrastructure and heritage, will receive priority;

d. Projects which reduce the cost of operations or energy consumption will receive priority; and

e. Projects which promote operational safety will receive priority.

Additional selection criteria established by the Capital Committee from policy statement dated January 1994.

a. The Capital Committee shall approve all Capital Improvements for the Capital Fund as established by Ordinance.

b. The Capital Committee recommends that the Capital Fund be dedicated for:

1) Required payment for existing debt at a level not less than the amount appropriated in FY1993-94.
2) Known match amounts for bridges, et al;
3) Known current mandates with deadlines;
   - Underground tanks
   - EPA
   - ADA
   - Asbestos removal
4) On going necessary replacements for operation of the City.

c. The Capital Committee recommends that the City-wide portion of the 1/2 cents and any other funding to the Capital Fund be first appropriated for the above mentioned priority items before other appropriations are considered.

VI. Capital Budget

Upon completion of the CIP by the Capital Committee, the Budget Division and the

Comptroller's Office shall develop the Capital Budget based on the first year of the proposed CIP. The sources and uses of funds for the Capital Budget shall be identified specifically in the Capital Fund.

All capital budget appropriations shall be proposed in accordance with the Capital Improvement Plan.

VII Capital Fund

The Capital Fund established by ordinance is under the care and custody of the Comptroller. Sources of funds for the Capital Fund may include, but are not limited to:

1. Income generated from the sale of City assets;
2. One half of any General Fund Balance from the preceding fiscal year;
3. All revenues received from ½ cent sales tax deposited in the Capital Improvements Sales Tax Trust Fund;
4. Proceeds of issuance of bonds, or other general obligation borrowing;
5. Proceeds of issuance of revenue-backed bonds or obligations, including multi-year lease transactions involving issuance of certificates of participation and/or institutional lease loans;
6. Existing or new earmarked tax or fee revenue sources for specific projects;
7. Appropriations from any balance in the Capital Fund; and appropriations from the general fund;
8. The use of intergovernmental grants-in-aid, including matching grants.

Uses of the fund shall be for capital improvement expenditures as defined by ordinance. As defined by ordinance, capital improvements means any action or expenditures taken or made to replace, install, refurbish, rehabilitate, reconstruct, construct, update or otherwise improve the City's public infrastructure, including, for example but not limited to, roads, bridges, parks, other public places (neighborhood parks), sidewalks, arterial streets, alleys and municipal buildings, and efforts or expenditures taken or made to improve the quality of the City's fleet of rolling stock or other major equipment items (dumpsters, for example).

No funds appropriated in the Capital Fund may be transferred to any other fund without an amending ordinance.

VIII. Capital Improvements Sales Tax Trust Fund

All revenues received by the City from the 1/2 cents sales tax authorized by ordinance shall be deposited in the above named special trust fund.

The fund shall consist of five main accounts;

1.	Ward Capital Improvements Account	50%
2.	Major Park Capital Improvements Account	17%
3.	Recreation Center Capital Improvements Account	3%

4.	Citywide Capital Improvements Accounts	20%
5.	Police Department Capital Improvements Account	10%

The Ward Capital Improvements Account revenue shall be allocated in equal amounts to twenty-eight sub-accounts, one for each ward of the City. The Major Parks Capital Improvement Account revenues shall be allocated to six sub-accounts, one each for capital improvements in Carondelet, Fairgrounds, O'Fallon, Forest, Willmore and Tower Grove parks. Revenues credited to each of the six sub-accounts are determined by the percentage of acreage of each Major Park of the total acreage of all the Major Parks.

No money credited and allocated to any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be transferred to any other fund nor appropriated, expended, used or encumbered for any other purpose other than capital improvements as indicated by the name of the respective account or sub-account. In other words, once the revenues have been credited and allocated to an account or sub-account revenues must be used for the purpose of capital improvements for that account or sub-account name.

Police Department Capital Improvement Account shall be used only to pay bonded debt incurred before the effective date of Ordinance 62885, for capital projects of the Police Department.

All monies from any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be expended only by appropriating ordinances.

All accounts and sub-accounts within the Capital Improvements Sales Tax Trust Fund, as part of the Capital Fund by Ordinance 61250 shall adhere to and be consistent with the policies and procedures as outlined in all Sections herein especially, as it refers to timing requirements set forth by the City Charter.

The proposed capital improvements for the twenty eight sub-accounts within the Ward Capital Improvements Account shall be pre-approved by each respective alderperson of said sub-account before being submitted as part of the proposed Capital Budget to the Board of Estimate and Apportionment.

The proposed capital improvements for the Recreation Center Capital Improvement Account, the City-Wide Capital Improvement Account, the Police Department Capital Improvements Account, and the Major Parks Capital Improvement Accounts shall be approved by the Capital Committee before being submitted to the Board of Estimate and Apportionment.

IX. Infrastructure Inventory and Assessment Requirements

The Board of Public Service shall develop and maintain a full infrastructure inventory and an annual assessment of the condition of such infrastructure. This information shall be used as needs assessments to be reviewed by the Capital Committee in developing the CIPs heretofore set forth in Section Four. In addition, the Board of Public Service, through the

Equipment Services Division shall maintain equipment inventory and conditions assessment and submit to the Capital Committee a recommended 5-year equipment replacement schedule based on this information and efficient operating requirements.

X. Ways and Means Aldermanic Committee Review

There shall be an annual review by the above named committee to monitor the distribution of all the funds generated by the Capital Improvements Sales Tax Trust Fund.

XI. Conclusion

The policies and procedures set forth herein have been reviewed by the Capital Committee and are based solely on said Committee recommendations and Ordinances 60419, 61250 and 62885.

Dated: Revised April 1996

APPENDIX B

ORDINANCE #60419
Board Bill No. 141
(Committee Substitute) As Amended

An ordinance establishing capital planning policies and a special fund to be known as The "Capital Fund"; establishing procedures for capital improvement planning and budgeting; repealing Section Three of Ordinance 49318; with an implementation date provision and emergency clause.

WHEREAS, the City of St. Louis is continually faced with pressing capital infrastructure and equipment needs; and

WHEREAS, the City currently has no definitive capital assessment, planning and budgeting procedures established by Charter or Ordinance; and

WHEREAS, attending to the capital infrastructure, municipal building and equipment needs of the city if fundamental to guaranteeing a healthy city government and environment for all citizens;

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

Section One. Capital Planning Policies. The City of St. Louis hereby adopts as its capital planning policies the following:

A. The City will maintain its physical assets and infrastructure at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. The annual operating budget will provide for the adequate maintenance and orderly replacement of capital plant and equipment from current revenues where possible.

B. The City will make every effort to make new capital investments consistent with maximizing the efficiency of operating departments.

C. The City hereby establishes a goal, to be gradually phased-in by Fiscal Year 1992-93, of appropriating an amount equivalent to 10% of the General Fund Budget appropriated for the year immediately preceding to capital improvement projects and or equipment replacements in the annual capital budget. Funds may come from any lawful source, including the various sources enumerated in Section Seven of this ordinance, and shall be appropriated in the Capital Budget hereinafter provided for, and expended from the Capital Fund hereinafter provided for.

Section Two. Capital Fund Established. There is hereby created a special fund to be known as the "Capital Fund", under the care and custody of the Comptroller. Sources of funds for the Capital Fund shall include, but not be limited to, income generated from the sale of city assets, including real property, which shall be credited to the Capital Fund; one-half of any General Fund balance from the immediately preceding fiscal year, which shall be appropriated and transferred to the Capital Fund at the start of each fiscal year; and sources enumerated in Section Seven of this ordinance. No funds appropriated in the Capital Fund may be transferred to any other fund without an amending ordinance.

Section Three. Capital Improvement Plan. There shall be prepared in each fiscal year beginning July 1, 1988, by the Budget Division, in conjunction with the Capital Committee established by Section 3 of this ordinance a five year Capital Improvement Plan ("the CIP"). The CIP shall be updated annually, and submitted by the Budget Division to the Board of Estimate and Apportionment and to the Board of Aldermen for approval. All capital budget appropriations shall be proposed in accordance with the CIP. The CIP shall include: detailed descriptions of proposed capital projects and equipment replacement schedules, proposed timetables, and proposed sources and methods of funding such projects. The CIPs for fiscal years beginning on and after July 1,1989, shall be updated to include details of progress on current projects, any necessary revisions of project schedules and details of any new proposed capital project or equipment replacement schedule. For purposes of this ordinance, no projects shall be included in a CIP which are to be funded from the Water or Airport Enterprise Funds.

Section Four. Capital Committee. There is hereby established a Capital Committee to review and assess capital needs and to develop and recommend the CIPs and corresponding Capital Budgets. The Capital Committee shall consist of the following: the Budget Director, who shall serve as Chairman, the Community Development Agency Director, the Fiscal Manager, the President of the Board of Public Service, the President of the Board of Aldermen (or his designee), one other Alderman appointed by the President of the Board of Aldermen, the Comptroller (or his designee), and the Mayor (or his designee).

Section Five. Capital Improvements defined. As used in this ordinance, capital improvements means any action or expenditures taken or made to replace, install, refurbish, rehabilitate, reconstruct, construct, update or otherwise improve the city's public infrastructure, including, for example, but not limited to, roads, bridges, parks, other public places, sidewalks, alleys and municipal buildings, and efforts or expenditures taken or made to improve the quality of the city's fleet of rolling stock or other major equipment items.

Section Six. Capital Improvement Plan Procedures. The CIP for each fiscal year shall be prepared as follows: (1) As part of its budget preparation process, the Budget Division shall annually compile and assemble Board of Public Service capital improvement and public works needs assessments and projects, departmental requests for capital improvements, and any other City programs that include improvements to public infrastructure, buildings, assets and public works and significant capital equipment expenditures. (2) Upon assembling and compiling all such needs assessment, departmental requests, and other programs, the Budget Division shall

submit same to the President of the Board of Public Service, who shall develop cost estimates and timetables for all projects. (3) The Capital Committee shall then review, assess, prioritize and recommend a five-year capital improvement plan based on the needs assessments, financing capabilities, and the capital policies set forth in Section One hereof. The proposed plan shall include recommended financing alternatives and specific project timetables.

In developing a CIP, the Capital Committee shall apply, but not be limited to, the following broad criteria to evaluate the relative merit of individual capital projects:

a. Capital improvements which will foster St. Louis' goal of preserving and improving municipal buildings and other assets will receive priority;

b. Capital improvements which will foster St. Louis' goal of fiscal stability and soundness will receive priority;

c. Capital improvements which will foster St. Louis' goal of preserving its infrastructure and heritage, will receive priority;

d. Projects which reduce the cost of operations or energy consumption will receive priority; and

e. Projects which promote operational safety will receive priority.

The Capital Committee may establish such additional selection criteria as are deemed necessary and prudent.

(4) Upon completion of a CIP by the Capital Committee, the Budget Division shall submit such CIP to the Board of Estimate and Apportionment as provided by Section Eight of this ordinance.

Section Seven. Capital Budget. Upon completion of a CIP by the Capital Committee, the Budget Division and Comptroller's Office shall develop a Capital Budget based on the first year of such CIP and reasonably anticipated funds therefor in such year. The Capital budget shall identify specific sources of funds for the Capital Fund and uses of such funds and shall be submitted to the Board of Estimate and Apportionment together with the CIP as provided by Section Eight of this ordinance. Sources of funds for Capital Improvements included in the Capital Budget may include any source legally available, including but not limited to:

(i) the proceeds of issuance of bonds, or other general obligation borrowing:

(ii) the proceeds of issuance of revenue-backed bonds or obligations, including multi-year lease transactions involving issuance of certificates of participation and/or institutional lease loans;

(iii) existing or new earmarked tax or fee revenue sources for specific projects;

(iv) appropriations from any balance in the Capital Fund; and appropriations from the general fund;

(v) the use of intergovernmental grants-in-aid, including matching grants.

Any projects and recommended financing included in a capital budget approved by the Board of Estimate and Apportionment and the Board of Aldermen will be considered approved individually by each Board.

Section Eight. Submission of CIP and Capital Budget; Timing and Procedures. The CIP and proposed Capital Budget for each fiscal year shall be submitted to the Board of Estimate and Apportionment in the same manner and timing as the general operating and enterprise funds budgets. All specific timing requirements and procedures set forth in Section Three of Article XVI of the Charter of the City of St. Louis will apply to the Capital Budget, which will be presented with the general and enterprise funds budgets as a total operating and capital plan for the City.

Section Nine. Infrastructure Inventory and Assessment Requirements. The Board of Public Service shall develop and maintain a full infrastructure inventory and an annual assessment of the condition of such infrastructure. This information shall be used as needs assessments to be reviewed by the Capital Committee in developing the CIPs. In addition, the Board of Public Service, through the Equipment Services Division, shall maintain equipment inventory and conditions assessment and submit to the Capital Committee a recommended 5-year equipment replacement schedule based on this information and efficient operating requirements.

Section Ten. Repeal. Section Three of Ordinance 59318 is hereby repealed.

Section Eleven. Implementation. The provisions of sections one, and of sections three to nine, inclusive, of this ordinance, shall be implemented and observed beginning with the commencement of preparation of the budget for fiscal year 1988-89, and thereafter. Section Two of this ordinance shall be implemented immediately upon the effective date of this ordinance.

Section Twelve. Emergency Provision. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article of the Charter of the City of St. Louis and therefore this ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: July 27, 1987

ORDINANCE #61250
Board Bill No. 540
Committee Substitute

An Ordinance amending Ordinance #60419 (the Capital Budgeting Ordinance) by repealing Sections Two and Four thereof pertaining to establishment of a Capital Fund and a Capital Committee, and adopting two new sections pertaining to the same subjects and providing for the establishment of a Citizens Advisory Committee for Capital Expenditures to oversee the preparation of the Capital Improvement Plan and Capital Budget, such budget to include the expenditure of any capital improvements sales taxes and/or bond issues; containing an emergency clause.

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

Section One. Section Two of Ordinance 60419 is hereby repealed and a new Section Two thereof enacted, to read as follows:

Section Two. Capital Fund Established. There is hereby created a special fund to be know as the ""Capital Fund", under the care and custody of the Comptroller. Sources of funds for the Capital Fund shall include, but not be limited to, income generated from the sale of City assets, including real property, which shall be credited to the Capital Fund: one-half of any General Fund balance from the immediately preceding fiscal year, which shall be appropriated and transferred to the Capital fund at the start of each fiscal year; the proceeds of any sales tax for the purpose of capital improvements passed by the voters of the City of St. Louis, which shall be deposited in a special trust fund; and sources enumerated in Section Seven of this Ordinance. No funds appropriate in the Capital Fund may be transferred to any other fund without an amending ordinance.

Section Two. Section Four of Ordinance 60419 is hereby repealed and a new Section Four is hereby enacted to read as follows:

Section Four. Committees. There are hereby established the following committees to review and assess capital needs and to develop and recommend the Capital Improvement Plans and corresponding Capital Budgets:

A. Citizens Advisory Committee for Capital Expenditures. There is hereby established a Citizens Capital Improvements Advisory Committee to review and assess capital needs and to advise the Capital Committee on the development and recommendation of the Capital Improvement Plans (CIPs) and corresponding Capital Budgets and to review the City's accomplishments with respect to the Capital Budgets approved in previous years. The Citizens Advisory Committee for Capital Expenditures shall consist of the following: two (2) representatives appointed by each member of the City of St. Louis Board of Aldermen, to serve at the pleasure of the respective Aldermen, and four (4) representatives appointed by each member of the City of St. Louis Board of Estimate and Appointment to serve at the pleasure of the respective member of said Board. Said Committee shall be established immediately upon

enactment of this Ordinance into law.

3. *Capital Committee.* There is hereby established a Capital Committee to review and assess, with the advice of the Citizens Advisory Committee for Capital Expenditures capital needs and to develop and recommend the CIP's and corresponding Capital Budgets. The Capital Committee shall consist of the following: the Budget Director, who shall serve as chairman, the Community Development Agency Director, the Fiscal Manager, the President of the Board of Public Service, the President of the Board of Aldermen (or his designee), one other Alderman appointed by the President of the Board of Aldermen, the Comptroller (or his designee) and the Mayor (or his designee).

Section Three. Emergency Provision. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: February 15, 1989

ORDINANCE NO. 62885
BOARD BILL NO. 6 (FLOOR SUBSTITUTE)

An ordinance under and by the authority of Section 94.577 R.S.Mo., imposing, subject to the approval of the voters, a one-half of one percent (1/2 of 1%) sales tax on all retail sales made in the City of St. Louis which are subject to the taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo. for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, in addition to any and all other sales taxes allowed by law; submitting to the qualified voters of the City of St. Louis the question whether the City shall impose such a one-half of one percent (1/2 of 1%) sales tax for the purpose of funding capital improvements; providing that if such question shall receive the votes of a majority of the voters voting thereon that such tax shall be authorized and in effect as provided in Section 94.577 R.S.Mo.; incorporating by reference the provisions of Section 94.577 R.S.Mo.; providing that the tax imposed pursuant to the provisions of this ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo.; providing for an election and the manner of voting thereat; providing for the allocation to specified purposes of the proceeds of such tax, and prohibiting use of any such proceeds for certain purposes; with a severability clause and an emergency clause.

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

SECTION ONE. Under and by the authority of Section 94.577 R.S.Mo., there is hereby imposed, subject, however, to the approval of the qualified voters as hereinafter provided, a sales tax of one-half percent (1/2%) in the City of St. Louis for the purpose of funding capital improvements, including the operation and maintenance of capital improvements, in addition to any and all other sales tax allowed by law.

SECTION TWO. The following question is hereby submitted to the qualified voters of the City of St. Louis and shall be voted upon at an election to be held as hereinafter provided. The question shall read in words and figures as follows:

> Shall the municipality of the City of St. Louis impose a sales tax of one-half of one percent (1/2 of 1%) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?
>
> YES [ ] NO [ ]
>
> If you are in favor of the question, place an "X" in box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

SECTION THREE. The foregoing question shall be submitted the qualified voters at an election to be held on Tuesday, the third (3rd) day of August, 1993, and if the question shall receive in its favor the votes of a majority of the voters voting thereon, the tax shall be authorized and shall become effective as provided in Section 94.577 R.S.Mo. The qualified voters may, at such election, vote a ballot in substantially the following form:

> Shall the municipality of the City of St. Louis impose a sales tax of one-half of one percent(1/2 of 1%) for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness?
>
> YES [ ] NO [ ]
>
> If you are in favor of the question, place an "X" in box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

SECTION FOUR. The Board of Election Commissioners of the City of St. Louis shall provide the ballots or voting machines, or both, and conduct the election and shall ascertain the results thereof according to the laws regulating such elections. Upon approval of this ordinance, it shall be published once in the City Journal. Proof of publication of this ordinance shall be made by affidavit of the City Register and such affidavit shall be filed in the office of the City Register and a copy of said publication shall be attached thereto.

SECTION FIVE. The provisions of Section 94.577 R.S.Mo. are adopted and incorporated herein by reference as if fully set forth.

SECTION SIX. The tax imposed pursuant to the provisions of this ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 R.S.Mo.

SECTION SEVEN. As required by Section 94.577.7 R.S.Mo., none of the proceeds of the tax imposed pursuant to this ordinance shall be budgeted, appropriated, used or expended for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

SECTION EIGHT. Pursuant to Section 94.577 R.S.Mo and Chapter 5.35 of the Revised Code, all revenue received by the City from the tax authorized by this ordinance shall be deposited in a special trust fund, hereby created, to be known as the Capital Improvements Sales Tax Trust Fund, to consist of five accounts, namely, a Ward Capital Improvements Account, a Major Park Capital Improvements Account, a Recreation Center Capital Improvements Account, a Citywide Capital Improvement Accounts, and a Police Department Capital Improvements Account. All revenue of the Capital Improvements Sales Tax Trust Fund and all interest on such

revenue shall be allocated and credited upon receipt as follows: 50% to the Ward Capital Improvements Account, 17% to the Major Park Capital Improvements Account, 3% to the Recreation Center Capital Improvements Account, 20% to the Citywide Capital Improvements Account, and 10% to the Police Department Capital Improvements Account. Revenue credited and allocated to the Ward Capital Improvement Account shall be credited and allocated in equal amounts to twenty-eight sub-accounts, one for each ward of the City. Revenue credited and allocated to the Major Park Capital Improvements Account shall be credited and allocated to six sub-accounts, one each for capital improvements in Carondelet, Fairgrounds, Forest, O'Fallon, Will more, and Tower Grove Parks (the "Major Parks") in percentages of the revenue of the Major Park Capital Improvements Account for each such sub- account determined by dividing the acreage of each Major Park for which the sub-account is held by the total acreage of all the Major Parks.

SECTION NINE. No money credited and allocated to any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be transferred to any other fund nor appropriated, expended, used or encumbered for any purpose other than capital improvements as indicated by the name of the respective account or sub-account. Money in the Police Department Capital Improvements Account shall be used only to pay bonded debt incurred before the effective date of this ordinance, or amounts payable on financings concluded before the effective date of this ordinance, for capital projects of the Police Department. All monies from any account or sub-account within the Capital Improvements Sales Tax Trust Fund shall be expended only by appropriating ordinances. There shall be an annual review by the Ways and Means Committee of the Board of Aldermen to monitor the distribution of all the Funds generated by the Capital Improvements Sales Tax Trust Fund.

SECTION TEN. If any provision of this Ordinance shall be held invalid, the remainder of this Ordinance, to the extent severable therefrom, shall not thereby be invalidated.

SECTION ELEVEN. This being an ordinance necessary for the preservation of the public peace, health and safety and providing for the submission of the question to the voters, it is hereby declared to be an emergency ordinance as provided by Article IV, Section 20 of the Charter of the City of St. Louis, and shall be effective immediately upon approval by the Mayor or its approval over his veto.

Approved: June 4, 1993.

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ORDINANCE #63375
Board Bill No. 380
(Committee Substitute)

An ordinance amending Ordinance 60419 (the Capital Budgeting Ordinance), as amended by Ordinance 61250, and codified as Section 3.77.030 of the Revised Code, by repealing Section Four thereof pertaining to the committees to review and assess capital needs and to develop and recommend the Capital Improvement Plans and corresponding Capital Budgets, and adopting a new Section Four pertaining to the same subject but adding, as a member of the Capital Committee, the Chairman of the Ways & Means Committee of the Board of Alderman; and containing an emergency clause.

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

SECTION ONE. Section Four of Ordinance 60419, approved July 27, 1987, as amended by Section Two of Ordinance 61250, approved February 15, 1989, and codified as Section 3.77.030, Revised Code of the City of St. Louis, 1994, Annotated, is hereby repealed and a new Section Four thereof is hereby enacted to read as follows:

> Section Four. Committees. There are hereby established the following committees to review and assess capital needs and to develop and recommend the Capital Improvement Plans and corresponding Capital Budgets:
>
> > A. Citizens Advisory Committee for Capital Expenditures. There is hereby established a Citizens Capital Improvements Advisory Committee to review and assess capital needs and to advise the capital Committee on the development and recommendation of the Capital Improvement Plans (CIPs) and corresponding Capital Budgets and to review the City's accomplishments with respect to the Capital Budgets approved in previous years. The Citizens Advisory Committee for Capital Expenditures shall consist of the following: two (2) representatives appointed by each member of the City of St. Louis Board of Aldermen, to serve at the pleasure of the respective Aldermen, and four (4) representatives appointed by each member of the City of St. Louis Board of Estimate and Apportionment to serve at the pleasure of the respective member of said Board. Said Committee shall be established immediately upon enactment of this Ordinance into law.
>
> > B. Capital Committee. There is hereby established a Capital Committee to review and assess, with the advice of the Citizen Advisory Committee for Capital Expenditures capital needs and to develop and recommend the CIPs and corresponding Capital Budgets. The Capital Committee shall consist of the following: the Budget Director, who shall serve as chairman, the Community Development

Agency Director, the Fiscal Manager, the President of the Board of Public Service, the President of the Board of Aldermen (or his /her designee), one other Alderman appointed by the President of the Board of Aldermen, the Chairman of the Ways & Means Committee of the Board of Aldermen of the City of St. Louis (or his/her designee), the Comptroller (or his/her designee) and the Mayor (or his/her designee).

SECTION TWO. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: February 1, 1995

ORDINANCE 63696
Board Bill No. 357

An ordinance requested by the Comptroller amending Ordinance 60419 (the Capital Budgeting Ordinance), as amended by Ordinances 61250 and 63375, and codified as Section 3.77.030 of the Revised Code, by repealing Section Four thereof pertaining to the committees to review and assess capital needs and to develop and recommend the Capital Improvement Plans and corresponding Capital Budgets, and adopting a new Section Four pertaining to the same subject but removing the Fiscal Manager as a member of the Capital Committee and adding as a member one other person from the Comptroller's office who is employed at a management pay grade and appointed by the Comptroller; and containing an emergency clause.

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

SECTION ONE. Section Four of Ordinance 60419, approved July 27, 1987, as amended by Section Two of Ordinance 61250, approved February 15, 1989, and Section One of Ordinance 63375, approved February 1, 1995, and codified as Section 3.77.030, Revised Code of the City of St. Louis, 1994, Annotated, is hereby repealed and a new Section Four thereof is hereby enacted to read as follows:

> Section Four. Committees. There are hereby established the following committees to review and assess capital needs and to develop and recommend the Capital Improvement Plans and corresponding Capital Budgets:
>
> > A. Citizens Advisory Committee for Capital Expenditures. There is hereby established a Citizens Capital Improvements Advisory Committee to review and assess capital needs and to advise the capital Committee on the development and recommendation of the Capital Improvement Plans (CIPs) and corresponding Capital Budgets and to review the City's accomplishments with respect to the Capital Budgets approved in previous years. The Citizens Advisory Committee for Capital Expenditures shall consist of the following: two (2) representatives appointed by each member of the City of St. Louis Board of Aldermen, to serve at the pleasure of the respective Aldermen, and four (4) representatives appointed by each member of the City of St. Louis Board of Estimate and Apportionment to serve at the pleasure of the respective member of said Board. Said Committee shall be established immediately upon enactment of this Ordinance into law.
>
> > B. Capital Committee. There is hereby established a Capital Committee to review and assess, with the advice of the Citizen Advisory Committee for Capital Expenditures, capital needs and to

develop and recommend the CIPs and corresponding Capital Budgets. The Capital Committee shall consist of the following: the Budget Director, who shall serve as chairman, the Community Development Agency Director, the President of the Board of Public Service, the President of the Board of Aldermen (or his /her designee), one other Alderman appointed by the President of the Board of Aldermen, the Chairman of the Ways & Means Committee of the Board of Aldermen of the City of St. Louis (or his/her designee), the Comptroller (or his/her designee), and one other person from the Comptroller's office who is employed at a management pay grade and appointed by the Comptroller, and the Mayor (or his/her designee).

SECTION TWO. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

Approved: March 26, 1996

ORDINANCE 64994
Board Bill No. 111 FLOOR SUBSTITUTE

An ordinance relating to parks; imposing, under and by the authority of Sections 67.1700 to 67.1769 RSMo1999 Supp., subject to the approval of the voters, a one-tenth of one cent sales tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo, for the purpose of funding the creation, operation and maintenance of a Metropolitan Park and Recreation District, in addition to any and all other sales taxes allowed by law; submitting to the qualified voters of the City of St. Louis a proposal to approve this ordinance; providing for an election and the manner of voting thereat; providing that if such question shall receive the votes of a majority of the voters voting thereon that such tax shall be authorized and in effect as provided in Sections 67.1700 to 67.1769 RSMo 1999 Supp.; providing that the tax imposed pursuant to the provisions of this Ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo; providing for the allocation to specified purposes of a portion of the proceeds of such tax; providing for the appointment of board members to said district from the City of St. Louis; and containing a severability clause and an emergency clause.

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

SECTION ONE. Under and by the authority of Sections 67.1700 to 67.1769 RSMo 1999 Supp., there is hereby imposed, subject, however, to the approval of the qualified voters as hereinafter provided, a one-tenth of one cent sales tax on all retail sales made in the City of St. Louis for the purpose of funding the creation, operation and maintenance of a Metropolitan Park and Recreation District, in addition to any and all other sales tax allowed by law.

SECTION TWO. The following question is hereby submitted to the qualified voters of the City of St. Louis and shall be voted upon at an election to be held as hereinafter provided. The question shall read substantially in words and figures as follows:

PROPOSITION C

Shall there be organized in the City of St. Louis, State of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing community trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall the City of St. Louis join such other counties of St. Louis, St. Charles, Franklin, Jefferson, Lincoln and Warren that approve the formation of such a district in their respective counties to form one metropolitan district to be known as the "Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to the City of St. Louis for local park improvements, all as authorized by the Board of Aldermen of the City of St. Louis pursuant to Ordinance No. _____, approved and in effect on the _____day of _____, 2000?

YES [ ] NO [ ]

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place and "X" in the box opposite a "NO".

SECTION THREE. The foregoing question shall be submitted to the qualified voters at an election called and to be held on Tuesday, the seventh (7th) day of November, 2000, and if the question shall receive in its favor the votes of a majority of the voters voting thereon, the tax shall be authorized and shall become effective as provided in Sections 67.1700 to 67.1769 RSMo 1999 Supp. The qualified voters may, at such election, vote a ballot in substantially the following form:

PROPOSITION C

Shall there be organized in the City of St. Louis, State of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing community trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall the City of St. Louis join such other counties of St. Louis, St. Charles, Franklin, Jefferson, Lincoln and Warren that approve the formation of such a district in their respective counties to form one metropolitan district to be known as the "Metropolitan Park and Recreation District" with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to the City of St. Louis for local park improvements, all as authorized by the Board of Aldermen of the City of St. Louis pursuant to Ordinance No. _____, approved and in effect on the _____day of _____, 2000?

YES [ ] NO [ ]

If you are in favor of the question, place a "X" in the box opposite "YES". If you are opposed to the question, place and a "X" in the box opposite "NO".

SECTION FOUR. The Board of Election Commissioners of the City of St. Louis shall provide notice of such election pursuant to Section 115.127 RSMo, shall provide the ballots or voting machines, or both, and conduct the election and shall ascertain the results thereof, all according to the laws regulating such elections. Upon approval of this ordinance, it shall be published once in the City Journal. Proof of publication of this ordinance shall be made by affidavit of the City Register and such affidavit shall be filed in the office of the City Register and a copy of said publication shall be attached thereto.

SECTION FIVE. The provisions of Sections 67.1700 to 67.1769 RSMo are adopted and incorporated herein by reference as if fully set forth.

SECTION SIX. The tax imposed pursuant to the provisions of this Ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo.

SECTION SEVEN . All revenue returned to the City of St. Louis from the tax authorized by this Ordinance pursuant to Section 67.1754 RSMo shall be deposited in a special trust fund, hereby created, to be known as the Metropolitan Park and Recreation District Capital Improvements Sales Tax Trust Fund (the "Metro Parks Trust Fund"), to consist of two accounts, namely, a Major Parks Capital Improvements Account and a Neighborhood Parks Capital Improvements Account. All revenue of the Metro Parks Trust Fund and all interest on such revenue shall be allocated and credited upon receipt as follows: forty percent (40%) to the Major Parks Capital Improvements Account and sixty percent (60%) to the Neighborhood Parks Capital Improvements Account. Revenue credited and allocated to the Major Parks Capital Improvements Account shall be credited and allocated to six sub-accounts, one each for capital improvements in Carondelet, Fairground, Forest, O"Fallon, Willmore and Tower Grove Parks (the "Major Parks" in percentages of the revenue of the Major Parks Capital Improvements Account for each such sub-account determined by dividing the acreage of each Major Park for which the sub-account is held by the total acreage of all the Major Parks.

SECTION EIGHT. Appropriations from the Metro Parks Trust Fund shall be made pursuant to the policies and procedures for capital improvements planning and budgeting as provided in Ordinance 60419, as amended; provided, however, that as part of the annual budget preparation process, the Director of Parks, Recreation and Forestry shall prepare and submit to the Budget Division his or her recommendations for expenditure of revenues on deposit in: i) the Major Parks Capital Improvements Account in a manner similar to current procedures for appropriating revenues in the Major Park Capital Improvements Account of the Capital Improvements Sales Tax Trust Fund established by Ordinance 62885; and ii) the Neighborhood Parks Capital Improvements Account pursuant to Section Nine hereof.

SECTION NINE. Revenue on deposit in the Neighborhood Parks Capital Improvements Account shall only be expended for capital improvements projects in public parks owned by the City of St. Louis and maintained by the City's Department of Parks, Recreation and Forestry; provided, however, that no revenues in such account shall be expended for projects in any Major Park. Further, revenues in such account shall not be expended for more than seventy-five percent (75%) of the cost of any specific capital improvement project. Matching funds for any such specific capital improvement project shall be accepted by the Comptroller from any source whatsoever, including, but not limited to: i) revenues in any Ward Capital Improvements Sub-Account of the Capital Improvements Sales Tax Trust Fund established by Ordinance 62885; ii) Community Development Block Grant Funds; and iii) private donations and/or private and public grants on deposit in the City Treasury in accounts established by the Comptroller for such purpose.

In preparing and submitting to the Budget Division his or her annual appropriation recommendations for Neighborhood Parks, the Director of Parks, Recreation and Forestry shall consider various factors, including, but not limited to: i) the relative capital improvement needs of the neighborhood parks; ii) the amount of Neighborhood Parks Capital Improvements Account funds appropriated to specific Wards and neighborhoods in previous years; iii) the percentage of non-Metro Parks Trust Fund matching funds available for the project; and iv) that each annual appropriation be balanced to provide neighborhood park improvements in as many different Wards and neighborhoods as possible. In addition, said recommendations shall be approved by resolution of the Parks and Environmental Matters Committee of the Board of Aldermen prior to their submission to the Budget Division.

SECTION TEN. All monies from any account or sub-account within the Metro Parks Trust Fund shall be expended only by appropriating ordinances. No money credited and allocated to any account or sub-account within the Metro Parks Trust Fund shall be: i) transferred to any other fund, account or sub-account; or ii) appropriated, expended, used or encumbered for any purpose other than capital improvements as indicated by the name of the respective account or sub-account.

SECTION ELEVEN. The City shall not decrease its annual general revenue or capital

fund appropriations or expenditures for park and recreation purposes from general revenues or capital funds as a result of the approval of the voters of the sales tax authorized by this Ordinance.

SECTION TWELVE. In addition to the provisions of Sections 67.1724 to 67.1739, RSMo pertaining to the Board of Directors of the Metropolitan Park and Recreation District, the Mayor, with the advice and consent of the Board of Aldermen, shall appoint the number of board members as allocated by law, provided, however, that no two such board members shall be residents of the same Geographic Area of the City until one such board member has been selected from each Geographic Area of the City. For the purposes of this ordinance, the City is hereby divided into the three following Geographic Areas: i) North - that area of the City generally north of Delmar Boulevard; ii) Central -that area of the City generally between Delmar Boulevard and Interstate Highway 44; and iii) South - that area of the City generally south of Interstate Highway 44.

SECTION THIRTEEN. If any provision of this Ordinance shall be held invalid, the remainder of this Ordinance, to the extent severable therefrom, shall not thereby be invalidated.

SECTION FOURTEEN. This being an ordinance providing for the submission of a question to the voters, it is hereby declared to be an emergency ordinance as provided by Article IV, Section 20 of the Charter of the City of St. Louis, and shall be effective immediately upon approval by the Mayor or its approval over his or her veto.