

1 **ORDINANCE 66760** **INTRODUCED BY PRESIDENT JAMES F.**
2 **SHREWSBURY AND ALDERMAN STEPHEN CONWAY**

3 An Ordinance pertaining to the Transportation Sales Tax imposed pursuant to Senate Bill 432 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
6 City of St. Louis to deposit funds received pursuant to said sales tax into the City Public Transit
7 Sales Tax Trust Fund" appropriating **NINE MILLION, SIX HUNDRED, SIXTY-SEVEN**
8 **THOUSAND DOLLARS (\$9,667,000)** from the said sales tax for the period herein stated to the
9 Bi-State Development Agency for certain purposes; providing for the payment of such funds
10 during the period July 1, 2005 through, June 30, 2006 ; further providing that in no event shall
11 the Comptroller draw warrants on the Treasurer for an amount greater than the amounts of the
12 proceeds deposited in the "City Public Transit Sales Tax Trust Fund" during the period of July 1,
13 2005 through June 30, 2006 ; containing a severability 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 quarter-cent sales
17 tax levied for public mass transportation purposes, and pursuant to provisions of Section 3.2 of
18 the MOA, the City shall transfer monthly to the Trustee, BNY Trust of Missouri, in immediately
19 available funds, all moneys on deposit in the City Public Transit Sales Tax Fund;

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

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

7 SECTION TWO. There is hereby appropriated out of the "City Public Transit
8 Sales Tax Trust Fund", subject to the conditions herein contained in Sections Four and
9 Five, the amount of **NINE MILLION, SIX HUNDRED, SIXTY-SEVEN THOUSAND**
10 **DOLLARS (\$9,667,000)**, for the period herein stated to the Bi-State Development
11 Agency to be used for the purposes authorized by the Act.

12 SECTION THREE. The Comptroller of the City of St. Louis is hereby
13 authorized and directed to draw warrants from time to time on the Treasurer of the
14 City of St. Louis for payments to the Bi-State Development Agency, as authorized
15 herein on the "City Public Transit Sales Tax Trust Fund", as the proceeds from the
16 one-quarter percent (1/4%) sales tax authorized by Senate Bill 432 as approved and
17 adopted by the voters of the City of St. Louis on August 2, 1994, pursuant to
18 Ordinance 63168 are received from the Director of Revenue of the State of Missouri
19 and are deposited in the "City Public Transit Sales Tax Trust Fund" as provided herein
20 from July 1, 2005 through June 30, 2006.

1 SECTION FOUR. In no event shall the Comptroller draw warrants on the
2 Treasurer of the City of St. Louis for an amount greater than the amount of proceeds
3 received from the Director of Revenue of the State of Missouri and deposited in the
4 "City Public Transit Sales Tax Trust Fund" during the period from July 1, 2005
5 through June 30, 2006.

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