

NOTICE OF STUDY SESSION

OF THE

UNIVERSITY CITY CITY COUNCIL

Public Notice is hereby given that a Study Session of the City Council of University City will be held on **Monday, September 10, 2018, at 5:30 p.m.**, at City Hall, fifth floor, 6801 Delmar, University City, MO.

AGENDA

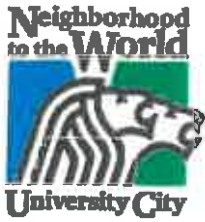
Requested by the City Manager

1. Meeting called to order
2. Changes to Regular Council Agenda
3. Economic Development Retail Sales Tax (EDRST)
4. Adjournment

This meeting is OPEN to the public.

Dated this 7th day of September, 2018

LaRette Reese
City Clerk



Gregory Rose, City Manager

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8534, Fax: (314) 863-9146

September 7, 2018

Council Letter: 0918-01

Honorable Terry Crow and
Members of the City of University City, City Council:

On August 13, 2018 you approved the FY18 – 20 Work Plan. One of the projects included in the Work Plan is the review of all boards, committees, and commission (see attachment 1).

I am attaching for your information a copy of some of the materials that I will reference as a part of my presentation to you on Monday relative to the Economic Development Retail Sales Tax Program (Program) (see attachments 2-5). The purpose for the study session is to get direction from you on how you would like the Program to be administered going forward. Issues such as what role do you want the EDRST Board to have in the evaluation of economic development projects, what criteria should be used to evaluate a proposed project's economic impacts, what is an economic development project, and what are the boundaries for our downtown area should be addressed.

Should you have questions regarding any of the attached materials, please don't hesitate to contact me.

Respectfully submitted,

Gregory Rose, MPA, ICMA-CM
City Manager

Attachments (5)

City of University City

FY 18 – 20 Work Plan

Attachment #1

August 13, 2018

By

Gregory E. Rose
City Manager

Priorities

- Economic Development
- Public Safety
- Encourage High Quality Growth
- Prudent Fiscal Management
- Infrastructure
- Community Quality of Life Amenities
- Employees

Economic Development

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> I-170/Olive TIF Development – Commercial, residential (neighborhood) mixed use development 	<ul style="list-style-type: none"> Community Development 	FY 19 - 20
<ul style="list-style-type: none"> Economic Development Strategic Plan – Identify businesses that are the best fit for U City and provide a living wage for residents 	<ul style="list-style-type: none"> Economic Development / City Manager 	FY 19
<ul style="list-style-type: none"> Olive Blvd Master Plan – Study to gain consensus on traffic flows to take advantage of economic opportunities 	<ul style="list-style-type: none"> Community Development 	FY 19 - 20
<ul style="list-style-type: none"> Downtown Parking Study – Manage parking to improve access and land uses 	<ul style="list-style-type: none"> Community Development 	FY 18 - 19
<ul style="list-style-type: none"> Creation of a Marketing Plan – Identify tools/assets to tailor a strategy for recruiting business that are best for U City 	<ul style="list-style-type: none"> City Manager / Economic Development 	FY 20
<ul style="list-style-type: none"> Creation of a joint City/University planning team – Identify areas of mutual interest to develop future partnerships 	<ul style="list-style-type: none"> Economic Development 	FY 19
<ul style="list-style-type: none"> Economic Development Retail Sales Tax Fund – Create a function and criteria for use of funds collected 	<ul style="list-style-type: none"> City Manager 	FY 19
<ul style="list-style-type: none"> Olive and North & South Development – Identify the type of development desired at intersection and acquire property 	<ul style="list-style-type: none"> City Manager and Attorney 	FY 19
<ul style="list-style-type: none"> Olive and Midland Development – Identify the type of development desired at intersection 	<ul style="list-style-type: none"> Economic Development / Community Development 	FY 20
<ul style="list-style-type: none"> Hotel Feasibility Study 	<ul style="list-style-type: none"> Economic Development / City Manager 	FY 19 3

Public Safety

Strategic Project	Responsible Department	FY Implementation
Police Facility – Constructing a new police station	Public Works / Police Department	FY 19 - 20
Community Policing Strategy – Tailoring a strategy that enhances what works best for U City	Police Department	FY 19
Enhancing use of Technology – Using technology to enhance public safety efforts, i.e. cameras, drones, robotics, analytics, etc.	Fire / Police Department	FY 18 - 20
Fire Marshal – Recruit and train an individual to enforce the International Fire Code within the FD	Fire Department	FY 19
EMS Transport Evaluation – Conduct an analysis of cost and value for fire-based EMS transport	City Manager / Fire Department	FY 19
Accreditation – Police accreditation and certification (state) for improving police services	Police Department	FY 19 - 22

Encourage High Quality Growth

Strategic Project	Responsible Department	FY Implementation
Visioning Process / Comprehensive Plan Update – What does the community want the city to look like in the future?	City Manager / Community Development	FY 19 - 20
Redevelopment Plan – Implementation plan for residential component of I170 / Olive TIF	Community Development	FY 19 - 20
Architectural Review Board – Create an architectural review board to replace /enhance the existing Infill Review board	Community Development	FY 19
Evaluation of Boards and Commissions – Determine their effectiveness, efficiency and need	City Clerk / City Manager	FY 19 - 20
Evaluate Zoning Code – Determine their effectiveness of current codes	Community Development	FY 20
Code Enforcement Analysis – Evaluate housing inspection effectiveness, priorities and processes	Community Development	FY 19
Parkview Gardens Plan Implementation – Evaluate the zoning and other implementation actions	Community Development	FY 19

Prudent Fiscal Management

Strategic Project	Responsible Department	FY Implementation
5-year Financial Forecasting – Annually develop a 5 year revenue and expenditure estimate forecast	Finance	FY 19 - 20
Annual Financial Report – Provide a summary of key financial indicators for city employees and residents	Finance	FY 19
Pension Plan Analysis – Review funding levels to determine long term sustainability	Finance	FY 19
Internal Service Fund Review – Review costs and revenue to ensure funds are balanced	Finance / Public Works	FY 19
Solid Waste Rate Analysis – Create a solid waste advisory committee to evaluate the rate analysis report	City Manager / Public Works / Finance	FY 19
Evaluate Purchasing Cards – Determine the feasibility of using purchasing cards	Finance	FY 19
Review Liquor License Ordinances	Finance / City Attorney	FY 19
Evaluate C-Store Sale of Liquor	Planning / City Attorney	FY 19

Infrastructure

Strategic Project	Responsible Department	FY Implementation
Ten-year CIP – Identify the capital needs of the city for 10 years	Economic Development / Finance / Public Works	FY 19
ADA Transition Plan – Ensure compliance with ADA requirements over a 10-year period	Public Works	FY 19
Space Needs Study – Identify the city's available workspace and forecast current and future needs	Public Works	FY 19
Storm Water Master Plan – Identify and prioritize the needs for storm water management, flood mitigation, and long-term prevention	Public Works / Community Development	FY 19 - 20
Sanitary Sewer Lateral Program – Analyze current program administration for improvements	Public Works	FY 19
Waste Water Storage Tank Project by MSD – Evaluate community impact	City Manager / Public Works	FY 19 - 20
Sustainability Master Plan – Identify the needs, opportunities and priorities	Public Works	FY 20

Community Quality of Life Amenities

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> • Technical Training for Public – Library based training for video editing, robotics, coding, etc. 	Library	FY 19
<ul style="list-style-type: none"> • Community Event Planning – Planning events that build and support a sense of community 	Parks and Recreation	FY 19 - 20
<ul style="list-style-type: none"> • Resident Satisfaction Survey – Determine the resident's satisfaction with services provided 	Communications / City Manager	FY 19
<ul style="list-style-type: none"> • Streaming of City Council Meetings – Provide residents with the opportunity to view the City Council meetings 	Communications / City Manager	FY 19

City Organization

Strategic Project	Responsible Department	FY Implementation	Sense Rating
Compensation and Classification Study – Evaluate employee salaries and benefits to ensure city remains competitive in market	Human Resources / City Manager	FY 18 - 19	2
Employee Survey – Evaluate the working culture of the organization	Communications / City Manager	FY 20	1
Organizational Values – Create shared values for the entire city organization	Communications / City Manager	FY 19	1
“Gainsharing” Program – Evaluate a program to incentivize employees to develop cost saving ideas to improve the organization	Human Resources	FY 19	1
Staffing Needs Assessment – Identify the human resources needed to deliver high quality services	Human Resources	FY 20	1
Safety Program – Develop a program to ensure employees work and operate in a safe environment	Human Resources	FY 19	1
Employee Onboarding Program – Develop a program to orient new employees into the organization	Human Resources	FY 19	1

City of University City
Economic Development Retail Sales Tax Program
September 10, 2018

Presentation By: Gregory E. Rose
City Manager

Members

- 5 Members Appointed by Mayor
- 2 Members Appointed by School Districts
- 2 Members Appointed by St. Louis County Council

Duties of the Board

- The Board, subject to approval of the City Council, shall consider economic development plans, economic development projects, or designations of an economic area, and shall hold public hearings and provide notice of any hearing.
- May consider using funds outside City boundary
 - City receives significant Economic Benefit
 - Board establishes agreement with all parties establishing responsibilities

Use of Revenue

- Must be used in Downtown Area and Historic Districts
- Maximum of 25 percent available for administrative purposes; including staffing and facility cost
- 20 Percent shall go to projects related to long term economic development preparation

Use of Revenue cont.

- Uses for Remaining Revenue
 - Marketing
 - Grants and Loans to companies for job training, equipment acquisition, site development, and infrastructure
 - Training programs to prepare workers for High Skilled jobs and Advanced Technology
 - Legal & Accounting Expenses directly associated with Economic Development Planning and Preparation
 - Developing value-added and export opportunities for Missouri Agricultural project

Annual Reports

- Report to Council
- Report to State of Missouri by March 1st

FY 19 EDRST Budget

Revenues = 703, 400

Expenses = \$133, 000

Unallocated = \$570, 400

Ordinance Approval

Revenues = \$703, 400

Expenses=\$175, 850 Administrative

\$140, 860 Long Term E.D. Preparation

\$386, 870 E.D. Related Expenditures

Recommendations

- Direct the City Manager through his staff to work with the EDRST Board on the following recommendations:
 - Define an economic development project
 - Establish a criteria for evaluating economic development projects that is more reflective of high wage job creation, advanced technology job training, and significant economic impact
- Define the downtown area boundaries

Recommendations cont.

- **Placement of the current EDRST Board and Staff recommendation on September 24th agenda**
- **Create contractual agreements with outside agencies for use of loan/grant funds**
- **Confirm Board Membership**

Questions???

INTRODUCED BY: Councilmember Glickert

DATE: December 14, 2015

BILL NO. 9279

ORDINANCE NO. 7005

AN ORDINANCE OF THE CITY OF UNIVERSITY CITY, MISSOURI; REPEALING SECTION 120.480 OF CHAPTER 120 OF THE CITY OF UNIVERSITY CITY MUNICIPAL CODE; AND ENACTING IN LIEU THEREOF A NEW SECTION 120.480.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. The Missouri Revised Statutes expressly permit a city to increase the number of members of the Economic Development Retail Sales Tax Board ("EDRSTB") that is already in existence to nine (9) members.

Section 2. Section 120.480 of Chapter 120 of Article X of the City of University City, Missouri Municipal Code is hereby repealed and a new Section 120.480 is hereby in acted in lieu thereof to read as follows:

Section 120.480 -- Established -- Number of Members

An Economic Development Retail Sales Tax Board ("Board") is established by the City and shall consist of nine (9) members. The volunteer Board shall receive no compensation or operating budget.

Section 3. This ordinance shall be and become in full force and affect from and after its date of passage by the City Council and the approval of the Mayor.

PASSED THIS 11th day of January 2016.


MAYOR

ATTEST:


CITY CLERK



CERTIFIED TO BE CORRECT AS TO FORM:


CITY ATTORNEY

Attachment #4

*University City, MO
Thursday, September 6, 2018*

Chapter 120. Commissions, Authorities, Boards and Committees

Article X. Economic Development Retail Sales Tax Board

Section 120.480. Established – Number of Members.

[R.O. 2011 §2.41.010; Ord. No. 6678 §1 (part), 2007; Ord. No. 7005 §1, 1-11-2016]

An Economic Development Retail Sales Tax Board (Board) is established by the City and shall consist of nine (9) members. The volunteer board shall receive no compensation or operating budget.

Section 120.490. Appointment and Terms of Members – Filling Vacancies.

[R.O. 2011 §2.41.020; Ord. No. 6678 §1 (part), 2007; Ord. No. 7006 §1, 1-11-2016]

A. Board members shall be appointed as follows:

1. Two (2) members shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized under Section 67.1305 RSMo., (the “tax”). Such member shall be appointed in any manner agreed upon by the affected districts;
2. Five (5) members shall be appointed by the Mayor with the consent of the majority of the City Council; and
3. Two (2) members shall be appointed by the St. Louis County Council.

- B. Of the membership initially appointed, three (3) shall be designated to serve for terms of two (2) years and the remaining members shall be designated to serve for a term of four (4) years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four (4) years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments pursuant to Section 67.1305.12(4), RSMo.**

Section 120.500. Officers and Rules of Procedure.

[R.O. 2011 §2.41.030; Ord. No. 6678 §1 (part), 2007]

The Board may elect from its members a Chairperson, a Vice Chairperson, and a Secretary. It may adopt such rules of procedures as it deems necessary to effectuate the provisions of this Chapter.

Section 120.510. Revenue Generated By The Tax – Special Trust Fund.

[R.O. 2011 §2.41.040; Ord. No. 6678 §1 (part), 2007]

All revenue generated by the tax shall be deposited by the Finance Director in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the City Council in accordance with applicable laws relating to the investment of City funds.

Section 120.520. Use of Revenue Generated By The Tax.

[R.O. 2011 §2.41.050; Ord. No. 6678 §1 (part), 2007]

- A. No revenue generated by the tax shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent (25%) of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.
- B. At least twenty percent (20%) of the revenue generated by the tax shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:
1. Acquisition of land;
 2. Installation of infrastructure for industrial or business parks;
 3. Improvement of water and wastewater treatment capacity;
 4. Extension of streets;
 5. Public facilities directly related to economic development and job creation; and
 6. Providing matching dollars for State and Federal grants relating to such long-term projects.
- C. The remaining revenue generated by the tax may be used for, but shall not be limited to, the following:
1. Marketing;
 2. Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
 3. Training programs to prepare workers for advanced technologies and high skill jobs;
 4. Legal and accounting expenses directly associated with the economic development planning and preparation process; and
 5. Developing value-added and export opportunities for Missouri agricultural products.

Section 120.530. Special Taxing Districts.

[R.O. 2011 §2.41.060; Ord. No. 6678 §1 (part), 2007]

Notwithstanding any other provision of the law to the contrary, the tax, when imposed within a special taxing district, including, but not limited to, a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any tax shall be used for the purposes of any such district unless recommended by the Board and approved by the City Council.

Section 120.540. Duties of The Board.

[R.O. 2011 §2.41.070; Ord. No. 6678 §1 (part), 2007]

- A. The Board, subject to approval of the City Council, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The Board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty (30) days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the City Council within ninety (90) days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The City Council shall have the final determination on use and expenditure of funds received from the tax.
- B. The Board may consider and recommend using funds received from the tax for plans, projects, or area designations outside the boundaries of the City if, and only if:
 1. The City receives significant economic benefit from the plan, project, or area designation; and
 2. The Board establishes an agreement with the governing bodies of all Cities and Counties in which the plan, project or area designation is located detailing the authority and responsibilities of each Governing Body with regard to the plan, project, or area designation.

Section 120.550. Annual Reports.

[R.O. 2011 §2.41.080; Ord. No. 6678 §1 (part), 2007]

- A. The Board and the City Council shall report at least annually to the City Council and any other Governing Body of the City or County, respectively, on the use of the funds provided under this Chapter and on the progress of any plan, project, or designation adopted under this Chapter and shall make such report available to the public.
- B. Not later than the first (1st) day of March each year the Board shall submit to the Missouri Joint Committee on Economic Development a report, which must include the following information for each project using the tax:
 1. A statement of its primary economic development goals;
 2. A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
 3. A statement of total expenditures during the preceding calendar year in each of the following categories:
 - a. Infrastructure improvements,
 - b. Land and/or buildings,
 - c. Machinery and equipment,
 - d. Job training investments,
 - e. Direct business incentives,
 - f. Marketing.

- g. Administration and legal expenses, and**
- h. Other expenditures.**



State of Missouri

[Publications](#) [Constitution](#)

Attachment #5

[About](#) [Help / FAQ](#)

Words 1st search term And 2nd search term

Effective 28 Aug 2012

Title VI COUNTY, TOWNSHIP AND POLITICAL SUBDIVISION GOVERNMENT

Chapter 67

67.1305. Retail sales tax may be imposed in lieu of certain local economic development sales tax — ballot language — collection and distribution of moneys — trust fund and board to be established — repeal of tax, procedure.
— 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall _____ (insert the name of the city or county) impose a sales tax at a rate of _____ (insert rate of percent) percent for economic development purposes?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the

submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the

designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and/or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall _____ (insert the name of the city or county) repeal the sales tax imposed at a rate of _____ (insert rate of percent) percent for economic development purposes?

YES

NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not

affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

(L. 2005 H.B. 58 merged with S.B. 210 merged with S.B. 343 and L. 2005 H.B. 186, A.L. 2011 H.B. 315, A.L. 2012 S.B. 628)

< end of effective 28 Aug 2012 > 

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In accordance with Section 3.090, the language of statutory sections enacted during a legislative session are updated and available on this website **on the effective date** of such enacted statutory section.

Contact

► **Other Information**



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