

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240695

Calling an election on ~~November 5, 2024~~ April 8, 2025, for the purpose of renewing a one-quarter cent capital improvement – public safety sales tax for ~~32~~15 years; setting forth the ballot language to be used; directing the City Clerk to provide notice of election; amending Chapter 68, Article VII, Code of Ordinances by repealing existing Section 68-447 and enacting in lieu thereof a section of like number and subject matter contingent upon voter approval; directing the City Clerk to provide notice to the Director of Revenue if the sales tax question is passed by the voters; declaring the intent of the City Council to maintain the currently imposed capital improvement – public safety sales tax should the sales tax question not be approved by the voters; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, in an election held on November 2, 2010, the qualified voters of the City previously approved the extension of a sales tax authorized by Section 94.577, RSMo., to expire on June 30, 2026; and

WHEREAS, the City finds it necessary to construct and maintain a municipal detention ~~center, privately operated substance abuse treatment and acute~~ mental health services facility, ~~low barrier shelter, and transitional housing for those individuals experiencing homelessness~~ (the “Project”); and

WHEREAS, the City anticipates that the cost of the Project will be funded with the issuance of special obligation bonds (“Bonds”) in Spring 2026, with the payment of scheduled debt service on the Bonds to be made by annual appropriation of monies from the renewed sales tax; and

WHEREAS, the City desires to submit to the voters the question of whether to renew the capital improvements – public safety sales tax prior to its expiration in order to establish a dedicated source of funding for the Project; and

WHEREAS, should the qualified voters of the City elect not to renew the capital improvements – public safety sales tax, the City intends to maintain the currently imposed tax, which shall expire on June 30, 2026; NOW THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That an election is called on ~~November 5, 2024~~ April 8, 2025 for the purpose of submitting to the qualified voters of Kansas City, Missouri the question of renewing a capital improvement sales tax authorized by Section 94.577, Revised Statutes of Missouri.

Section 2. The ballot title for the sales tax proposition shall be:

QUESTION ____

SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City, Missouri continue to impose a sales tax authorized by Section 94.577 of the Revised Statutes of Missouri for a period of ~~32~~15 years at a rate of 1/4% to be used for the construction, operation, and maintenance of capital improvements, including ~~but not limited to~~ capital improvements related to public safety purposes, ~~a municipal detention center and substance abuse treatment clinic, low barrier shelter, and transitional housing, and~~ which may include the retirement of debt under previously authorized indebtedness or to repay bonds not yet issued?

Section 3. The Notice of Election shall read as follows:

NOTICE OF ELECTION

CITY OF KANSAS CITY, MISSOURI

Notice is given to the qualified voters of the City of Kansas City, Missouri, that the City Council has called a special election to be held in the City on ~~November 5, 2024~~April 8, 2025, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

OFFICIAL BALLOT
CITY OF KANSAS CITY, MISSOURI

GENERAL ELECTION ~~NOVEMBER 5, 2024~~APRIL 8, 2025

QUESTION NO. _____
Capital Improvements Sales Tax – Public Safety

Shall the City of Kansas City, Missouri continue to impose a sales tax authorized by Section 94.577 of the Revised Statutes of Missouri for a period of ~~32~~15 years at a rate of 1/4% to be used for the construction, operation, and maintenance of capital improvements, including ~~but not limited to~~ capital improvements related to public safety purposes, ~~a municipal detention center and substance abuse treatment clinic, low barrier shelter, and transitional housing, and~~ which may include the retirement of debt under previously authorized indebtedness or to repay bonds not yet issued?

YES _____
NO _____

Instructions to voters will be supplied by the election authorities.

A complete copy of Ordinance No. _____, (as it may be amended) submitting these questions to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only]

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri, as amended.

Given under my hand and the official seal of the City of Kansas City, Missouri, this ____ day of _____, 2024.

(SEAL)

Marilyn Sanders
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires: _____

Section 4. That following the passage of this ordinance, the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, not later than ~~August 27, 2024~~January 28, 2025, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 5. That upon voter approval of the ballot question described in Sections 2 and 3 of this Ordinance, Code of Ordinances Chapter 68, Article VII, entitled "Sales Taxes," shall be amended by repealing existing Section 68-447 and enacting in lieu thereof a section of like number and subject matter to read as follows:

Sec 68-447. Imposition of tax (Public Safety 2025)

Pursuant to the authority granted by and subject to the provisions of Section 94.577, RSMo., a tax for the benefit of the city is hereby imposed upon all sellers for the privilege of

engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in Sections 144.010–144.525, RSMo., and the rules and regulations of the director of revenue issued pursuant thereto. The rate of tax shall be 1/4 percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the city, if such property and such services are subject to taxation by the state under the provisions of Sections 144.010–144.525, RSMo. The tax shall become effective on ~~April~~July 1, 2025 for a period of ~~thirty-two (32)~~fifteen (15) years, and shall apply to all sales made after ~~March 31~~June 30, 2025, and shall be collected as provided in Section 94.577, RSMo.

Section 6. If approved by the voters, the City Clerk shall, within ~~ten (10)~~ days after the approval, forward to the Missouri Director of Revenue by United States registered or certified mail, a certified copy of this ordinance together with certifications of the election returns accompanied by a map of the City clearly showing its boundaries.

Section 7. The City Council hereby declares its intent to maintain the currently imposed sales tax in Code of Ordinances Section 68-447, to expire on June 30, 2026, should the qualified voters of the City elect not to pass the ballot question described in this Ordinance.

Section 8. That this ordinance, calling for an election and providing for the submission of a proposal to the people of Kansas City, Missouri, is hereby recognized as an ordinance with an accelerated effective date within the meaning of Section 503(a)(3)(A) of the Charter, and as such shall become effective immediately following approval by the Mayor or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

Approved as to form:

Samuel Miller
Assistant City Attorney