

BILL No. 5243

ORDINANCE No. 23-103

REQUESTED BY: Steve Ehlmann

SPONSORED BY: Terry Hollander

AN ORDINANCE PROVIDING FOR THE  
REAUTHORIZATION OF THE CAPITAL  
IMPROVEMENT SALES TAX TO BE PLACED ON  
THE APRIL 2, 2024 BALLOT FOR A VOTE OF THE  
PEOPLE

WHEREAS, the Capital Improvement Sales Tax, authorized by Section 67.700 RSMo., authorizes a sales tax for any capital improvement purpose designated by the county in its ballot submission to the voters, and such tax as authorized by the voters is exclusively for the purpose of designing, constructing, furnishing, equipping, and maintaining the operation of, county capital improvements; and

WHEREAS, past projects funded by the capital improvements sales tax have been the First Responder Communication System for all Police, Fire and Ambulance Services throughout the County, the Pet Adoption Center which serves the unincorporated area and all municipalities desiring to have the county serve as its kennel, the County Administration and Courts Buildings, the Emergency Operations Center, Juvenile Detention Center, the Police Department, the Law Enforcement Training Center and the renovation of the Adult Corrections Center to add additional space for jail cells; and

WHEREAS, the Capital Improvement Sales Tax was first approved by voters on the August 6, 1991 ballot for a period of fifteen (15) years at a rate of one-quarter cent (1/4 ¢); and

WHEREAS, the Capital Improvement Sales Tax was renewed by the voters in 2005 for a period of fifteen (15) years at one-fifth cent (1/5 ¢), which fifteen (15) year period would run from January 1, 2007 through December 31, 2021; and

WHEREAS, in 2009 the County became aware that it needed to replace the law enforcement, fire and emergency medical communication system for police, fire and ambulance communication throughout the county and it requested the voters to return the tax to its original rate of one-quarter cent (1/4 ¢) at the August, 2009 election for the fifteen (15) year period of January 1, 2011 through December 31, 2026, with a return to one-fifth cent (1/5 ¢) from January 1, 2027 through December 31, 2031; and

WHEREAS, upkeep of the law enforcement, fire and emergency medical system radio system serving not only the county but also all municipalities, fire districts and the ambulance district, as well as the annual costs of operating the 911 system throughout the county, the costs of building maintenance, bonds payments of the Emergency Operations Center, expansion of the countywide jail, future expansion needs of the County Police laboratory (which serves all county municipalities as well as County police) and the need to add space to the County's Pet Adoption Center which

serves, countywide, any municipality within the county choosing to house dogs and other animals there, necessitates keeping the Capital Improvement Sales Tax as the current rate of one-quarter cent (1/4 ¢); and

WHEREAS, the Capital Improvement Sales Tax has been levied since inception at the rate of one-quarter cent (1/4 ¢) except for a four year period from 2007 through 2010 when it was one-fifth cent (1/5 ¢); and

WHEREAS, the St. Charles County Charter, Article II, Section 2.509 (2018) authorizes the County to call elections for any lawful purpose; and

WHEREAS, the County now calls for reinstatement and reauthorization of the Capital Improvement Sales Tax at the rate of one-quarter cent (1/4 ¢) for a total period of fifteen years to commence January 1, 2027 and for a period ending December 31, 2041; and

WHEREAS, the County seeks to renew the Capital Improvement Sales Tax, effective January 1, 2027, at this one quarter cent rate (1/4¢) of taxation to allow for future improvements that would not be possible without the tax, and to further ensure that the County will have the funds to maintain the law enforcement, fire and ambulance emergency communications system and radios, to maintain police, sheriff, corrections, juvenile and prosecution equipment, buildings and vehicles, as well as to furnish, equip and maintain the county's continuing capital improvements needs, including land acquisition, development, construction and maintenance of other county capital improvement projects.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. It is hereby directed that this ordinance be forwarded to the St. Charles County Election Authority and that the question of enactment of the reauthorization of the Capital Improvement Sales Tax be placed before the qualified voters of St. Charles County at the April 2, 2024 election.

Section 2. The proposition shall be submitted in substantially the following form:

PROPOSITION

(with sunset provision)

Shall the County of St. Charles reauthorize and re-impose the existing countywide Capital Improvement Sales Tax last authorized August 4, 2009 at the current rate of one-quarter of one percent, the proposed tax to be effective January 1, 2027 and the authorization of the tax shall sunset on December 31, 2041, unless renewed by the voters.

YES

NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

Said sales tax will be the continuation of the existing capital improvement sales tax at the current rate and will continue for fifteen (15) years for the purpose of design, construction, rehabilitation, repair, reconstruction, furnishing, equipping, supporting and maintaining the operation of county capital improvements, including but not limited to the dispatching of fire, ambulance service and county law enforcement as well as the original purpose of general capital improvements.

Section 3. The Executive Assistant to the County Council is hereby instructed to promptly transmit a certified copy of this ordinance to the St. Charles County Election Authority for his information and guidance and to direct him to place the proposition set out in Section 2 on the April 2, 2024 ballot.

Section 4. The Election Authority is authorized and directed to take all necessary steps and execute all necessary documents to implement this ordinance.

Section 5. Should the voters of St. Charles County approve the proposition set forth in Section 2 of this Ordinance, then a sales tax for the purpose of providing capital equipment necessary to the overall design, construction, furnishing, equipping, and maintaining the operation of county capital improvements shall be established at the rate of one of one-quarter ( $1/4 \text{ ¢}$ ) of one percent, which capital improvement sales tax shall be the continuation of the current capital improvement sales tax, the proposed tax to be effective January 1, 2027 and the authorization of the tax shall sunset on December 31, 2041, unless renewed by the voters. as authorized by

Sections 144.010 to 144.527 RSMo.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval.

November 27, 2023

DATE PASSED

November 30, 2023

DATE APPROVED BY COUNTY EXECUTIVE

T. Hollander

CHAIR OF THE COUNCIL

[Signature]

COUNTY EXECUTIVE

ATTEST:

[Signature]

COUNTY REGISTRAR

