# REQUEST FOR COMMISSION ACTION
# CITY OF INDEPENDENCE
# July 23, 2020

**Department** Administration **Director Approval** *Kelly Passauer*

**AGENDA ITEM** Consider finalizing ballot language for renewing the special use sales tax.

**SUMMARY RECOMMENDATION** Finalize ballot language.

**BACKGROUND** On July 15, 2020 the City Commission reviewed the draft ballot language, and also requested that City staff contact bond counsel and ask the following questions:

- If the Commission determined they wished to fund a Street Condition Study to prioritize street projects, could that be funded from "improvements to streets and sidewalks," or would that need to be specifically stated?
- If the Commission determined they wished to fund a Comprehensive Plan, could that be funded from "economic development initiatives," or would it need to be specifically stated?

City staff also asked the following question:

- Would the construction of new streets and/or new sidewalks that do not currently exist also be considered as part of "improvements to streets and sidewalks"?

The bond attorney responded that the answers to the above questions was yes, if the following edits were made:

> **DRAFT November 3, 2020 Language:**
> Shall the City of Independence, Kansas, be authorized, pursuant to the authority of K.S.A. 12-187 et seq., to impose a special purpose one percent (1%) Citywide retailers' sales tax, the revenues to be derived therefrom to be used for the purpose of financing the costs of the following and related expenditures:
>
> a) 0.__% *for mill levy support and debt repayment*, including repayment of general obligation bonds of the City issued or to be issued to pay the costs of previous or future improvements;
>
> b) 0.__% *for equipment, building and facility improvements*, including but not limited to Riverside Park and Ralph Mitchell Zoo; Riverside Beach Family Aquatic Center; neighborhood parks; ballfields, and other recreational facilities; Public Safety including Police and Fire/EMS; City Hall; Library; Public Works; and City government technology and communications infrastructure;

c) 0.__% *for street and sidewalk improvements* ~~*to streets and sidewalks,*~~ including but not limited to multimodal routes to schools, healthcare, recreation, and business; drainage and stormwater management; alley improvements; required ADA improvements; public parking; traffic control; and

d) 0.__% *for economic development initiatives,* including but not limited to incentives for business retention and recruitment; Memorial Hall improvements; initiatives for new recreational facilities; Senior Citizens Center; wayfinding signage; housing initiatives; airport improvements; healthcare facility expansions; industrial park improvements; beautification initiatives, and expanded community broadband access;

the collection of the special sales tax to commence on the expiration date of an existing 1% special Citywide retailers' sales tax approved at an election held on April 3, 2012, in the City for the purpose of financing all or a portion of the costs associated with debt repayment and mill levy support; building and facility improvements, including Riverside Park and Ralph Mitchell Zoo; improvements to streets and sidewalks; and improvements required for compliance with the requirements of the Americans with Disabilities Act of 1990 (which is expected to be October 1, 2022); with the special sales tax to expire ten (10) years after its commencement?

In order for the bond attorney to have the resolution finalized one week prior to the August 13, 2020 meeting, the Commission will need to determine the percentages and any additional language modifications at this meeting.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** I move to modify the draft ballot language as follows: _____.

**SUPPORTING DOCUMENTS**

1. July 15, 2020 RCA
2. July 9, 2020 RCA
3. Previously presented background and process for renewing the special use sales tax.
4. Revised matrix and quadrants of potential projects.

# REQUEST FOR COMMISSION ACTION
# CITY OF INDEPENDENCE
# July 15, 2020

**Department** Administration **Director Approval** *Kelly Passauer*

**AGENDA ITEM** Consider ballot language for renewing special use sales tax.

**SUMMARY RECOMMENDATION** Provide direction for ballot language.

**BACKGROUND** On June 3, 2020 and June 23, 2020 the City Commission, along with the City Leadership Team, participated in special meetings to discuss the Special Use Sales Tax ballot question. The meetings were facilitated by Chuck Goad. During those meetings, several potential projects were discussed and ultimately refined.

Briefly discussed was the percentage for each bucket of projects: such as Mill Levy/Debt Repayment; Economic Development; Streets, Sidewalks and ADA; and Buildings and Facilities. Options discussed included:

1. Assign a specific percentage for Mill Levy/Debt Repayment (35-40%) and combine the remaining three categories into a second larger percentage (60-65%) to provide flexibility.
2. Assign a specific percentage to each specific bucket, such as 35% to Mill Levy/Debt Reduction; 25% to Economic Development; 25% Buildings and Facilities; and 15% to Streets, Sidewalks and ADA.

At the July 9, 2020 meeting the Commission tabled action on this item and requested that staff draft proposed ballot language that included blanks for the percentage of each area, and listed specific projects discussed at the worksessions regarding this topic. Staff sent the Commission the following by email on July 10, 2020:

> **April 3, 2012 Ballot Language:**
> Shall the City of Independence, Kansas, be authorized, pursuant to the authority of K.S.A. 12-187 et seq., to impose a special purpose one percent (1%) Citywide retailers' sales tax, the revenues to be derived therefrom to be used for the purpose of financing the costs of the following: (a) 0.25% for debt repayment and mill levy support; (b) 0.25% for building and facility improvements, including Riverside Park and Ralph Mitchell Zoo; (c) 0.25% for improvements to streets and sidewalks; and (d) 0.25% for improvements required for compliance with the requirements of the Americans with Disabilities Act of 1990 (including repayment of general obligation bonds of the City issued to pay the costs of such improvements); the collection of the special sales tax to commence on the expiration date of an existing 0.75% special Citywide retailers' sales tax approved at an election held on November 7, 2000, in the City for the purpose of financing all or a portion of the costs of certain quality of life improvements in the City (which is expected to be October 1, 2012); with the special sales tax to expire ten (10) years after its commencement?

**DRAFT Proposed November 3, 2020 Language:**
Shall the City of Independence, Kansas, be authorized, pursuant to the authority of K.S.A. 12-187 et seq., to impose a special purpose one percent (1%) Citywide retailers' sales tax, the revenues to be derived therefrom to be used for the purpose of financing the costs of the following:

a) *0.__% for mill levy support and debt repayment*, including repayment of general obligation bonds of the City issued or to be issued to pay the costs of previous or future improvements;
b) *0.__% for equipment, building and facility improvements*, including but not limited to Riverside Park and Ralph Mitchell Zoo; Riverside Beach Family Aquatic Center; neighborhood parks; ballfields, and other recreational facilities; Mt. Hope Cemetery wall; Public Safety including Police and Fire/EMS; City Hall; Library; Public Works; and City technology and communications infrastructure;
c) *0.__% for improvements to streets and sidewalks*, including but not limited to drainage and stormwater management; alley improvements; required ADA improvements; public parking; traffic control; safe and accessible multimodal routes to schools, industry, healthcare, retail and recreation; and
d) *0.__% for economic development initiatives*, including but not limited to Memorial Hall improvements; incentives for business retention and recruitment; initiatives for new recreational facilities such as a bowling alley, skating rink and Senior Citizens Center; wayfinding signage; downtown streetscape and aesthetics; housing initiatives; airport improvements; healthcare facility expansions; industrial park improvements; construction of new streets to schools, industries and healthcare; tourism initiatives; beautification initiatives, and expanded community broadband access;

the collection of the special sales tax to commence on the expiration date of an existing 1% special Citywide retailers' sales tax approved at an election held on April 3, 2012, in the City for the purpose of financing all or a portion of the costs associated with debt repayment and mill levy support; building and facility improvements, including Riverside Park and Ralph Mitchell Zoo; improvements to streets and sidewalks; and improvements required for compliance with the requirements of the Americans with Disabilities Act of 1990 (which is expected to be October 1, 2022); with the special sales tax to expire ten (10) years after its commencement?

Staff is needing a final direction regarding the ballot language to provide to the bond attorneys so a resolution may to drafted for Commission consideration before the August deadline.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** I move to direct City staff to work with the bond attorneys to prepare ballot language to include the following: _____.

**SUPPORTING DOCUMENTS**

1. July 9, 2020 RCA
2. Previously presented background and process for renewing the special use sales tax.
3. Revised matrix and quadrants of potential projects.

# REQUEST FOR COMMISSION ACTION
# CITY OF INDEPENDENCE
# July 9, 2020

**Department** Administration **Director Approval** *Kelly Passauer*

**AGENDA ITEM** Consider ballot language for renewing special use sales tax.

**SUMMARY RECOMMENDATION** Provide direction for ballot language.

**BACKGROUND** On June 3, 2020 and June 23, 2020 the City Commission, along with the City Leadership Team, participated in special meetings to discuss the Special Use Sales Tax ballot question. The meetings were facilitated by Chuck Goad. During those meetings, several potential projects were discussed and ultimately refined.

Briefly discussed was the percentage for each bucket of projects: such as Mill Levy/Debt Repayment; Economic Development; Streets, Sidewalks and ADA; and Buildings and Facilities. Options discussed included:

1. Assign a specific percentage for Mill Levy/Debt Repayment (35-40%) and combine the remaining three categories into a second larger percentage (60-65%) to provide flexibility.
2. Assign a specific percentage to each specific bucket, such as 35% to Mill Levy/Debt Reduction; 25% to Economic Development; 25% Buildings and Facilities; and 15% to Streets, Sidewalks and ADA.

Staff is needing a final direction regarding the percentages to provide to the bond attorneys so a resolution may to drafted for Commission consideration before the August deadline.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** I move to direct City staff to work with the bond attorneys to prepare ballot language to include the following: _____.

**SUPPORTING DOCUMENTS**

1. Previously presented background and process for renewing the special use sales tax.
2. Revised matrix and quadrants of potential projects.

# Previously Presented:

# Discuss the process for renewing the special use sales tax.

- Background
  - On April 3, 2012 a 1% sales tax was approved 891 (79%) to 231 (21%) with the following ballot language:
    - Shall the City of Independence, Kansas, be authorized, pursuant to the authority of K.S.A. 12-187 et seq., to impose a special purpose one percent (1%) Citywide retailers' sales tax, the revenues to be derived therefrom to be used for the purpose of financing the costs of the following: (a) 0.25% for debt repayment and mill levy support; (b) 0.25% for building and facility improvements, including Riverside Park and Ralph Mitchell Zoo; (c) 0.25% for improvements to streets and sidewalks; and (d) 0.25% for improvements required for compliance with the requirements of the Americans with Disabilities Act of 1990 (including repayment of general obligation bonds of the City issued to pay the costs of such improvements); the collection of the special sales tax to commence on the expiration date of an existing 0.75% special Citywide retailers' sales tax approved at an election held on November 7, 2000, in the City for the purpose of financing all or a portion of the costs of certain quality of life improvements in the City (which is expected to be October 1, 2012); with the special sales tax to expire ten (10) years after its commencement?
  - The special purpose sales tax will expire on October 1, 2022.

# Discuss the process for renewing the special use sales tax.

- Process for renewing the special use sales tax
  - The Commission determines the language that will be included on the ballot.
  - Bond council will prepare a resolution setting the election date and specific question, a notice of election, and ballot.
  - The resolution will need to be adopted by the City Commission within 90 days of the election date.
    - 90 days prior to November 3, 2020 is August 5, 2020.
    - Bond counsel suggests adopting the resolution at either the August 13, 2020 or August 27, 2020 City Commission meeting.
  - Bond council will coordinate publication of the notice of election with the County Clerk.
  - The special use sales tax ballot question will appear on the November 3, 2020 election.

# PUBLIC SUPPORT

## Low - Moderate Need

### Strong Public Support

| | | |
|---|---|---|
| 6 | Recreation | 15 |
| 7 | AWOL | 0 |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |

### Low - Moderate Public Support

| | | |
|---|---|---|
| 8 | City Hall/Building D | 1 |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |

## NEED

## High Need

### Strong Public Support

| | | |
|---|---|---|
| 1 | Economic Development | 61 |
| 2 | Transportation | 37 |
| 3 | Parks and Zoo | 23 |
| 4 | Public Safety | 20 |
| 5 | Drainage and Stormwater Management | 5 |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |

### Low - Moderate Public Support

| | | |
|---|---|---|
| 9 | City Technology Infrastructure/Community Broadband | 16 |
| 10 | Sanitation/Public Works Building | 9 |
| 11 | Water/Sewer Line Maintenance | 2 |
| 12 | Levy at Wastewater Plant | 2 |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |
| . | | |

## Quadrant 1

| Old ID | New ID | | |
|---|---|---|---|
| 10 | | Memorial Hall (Auditorium/Ballroom) | 11 |
| 19 | | Incentives/Grants for Business Retention & Recruitment | 10 |
| 29 | | Signage Wayfinding | 10 |
| 21 | | Downtown Streetscape and Aesthetics | 8 |
| 32 | | Housing Iniatitive (moderate income, property database, infrastructure, annexation) | 7 |
| 24 | | Airport Improvements | 6 |
| 25 | | Healthcare Facility Expansion | 5 |
| 3 | | Promote Tourism (Marketing, Website, Wayfinding Signs) | 3 |
| 6 | | Beautification | 1 |
| 15 | | Land Acquisition and Land Improvement for Industry (Site | 0 |
| | **1** | **Economic Development** | **61** |

| | | | |
|---|---|---|---|
| 18 | | Sidewalks and Bike Paths to industry and healthcare (W. Main/Peter | 11 |
| 23 | | Street and Highway Improvements | 7 |
| 22 | | Safe Sidewalks | 7 |
| 11 | | Bike Path Lanes | 5 |
| 26 | | Additional streets to schools, industries and healthcare facilities | 4 |
| 27 | | Public Parking and Control | 2 |
| 12 | | Alley Replacement | 1 |
| 39 | | Traffic Control | 0 |
| 7 | | Public Transportation | 0 |
| | **2** | **Transportation** | **37** |

| | | | |
|---|---|---|---|
| 2 | | Park and Zoo Improvements | 11 |
| 31 | | Park Building and Facilities, Equipment and Outer Parks | 9 |
| 36 | | Cemetery Wall | 3 |
| | **3** | **Parks and Zoo** | **23** |

| | | | |
|---|---|---|---|
| 17 | | Public Safety Equipment, Communications & Facilities | 11 |
| 20 | | Fire and EMS Building | 9 |
| | **4** | **Public Safety** | **20** |

| | | | |
|---|---|---|---|
| 33 | **5** | Drainage and Stormwater Management | 5 |

## Quadrant 2

| Old ID | New ID | | |
|---|---|---|---|
| 34 | | Recreation Facilities (Pool, Ballfields, Ash Youth Center,,Bowling Alley | 10 |
| 4 | | Senior Citizen Center | 3 |
| 5 | | Library | 2 |
| 13 | | Golf Cart Paths | 0 |
| 16 | | Stadium | 0 |
| 8 | | Recreational Development (Skating Rink, Bowling Alley, Bike Paths) | 0 |
| | **6** | **Recreation** | **15** |

| | | | |
|---|---|---|---|
| 9 | **7** | AWOL | 0 |

## Quadrant 3

| Old ID | New ID | | |
|---|---|---|---|
| 28 | 12 | City Hall | 1 |
| 14 | 13 | Building D | 0 |
| | **8** | **City Hall/Building D** | **1** |

## Quadrant 4

| Old ID | New ID | | |
|---|---|---|---|
| 1 | | City Technology Infrastructure | 12 |
| 35 | | Broadband | 4 |
| | **9** | **City Technology Infrastructure/Community Boradband** | **16** |

| | | | |
|---|---|---|---|
| 30 | **10** | Sanitation/Public Works Building | 9 |

| | | | |
|---|---|---|---|
| 37 | **11** | Water/Sewer Line Maintenance | 2 |

| | | | |
|---|---|---|---|
| 38 | **12** | Levy at Wastewater Plant | 2 |