



Board of Aldermen Request for Action

MEETING DATE: 3/7/2023

DEPARTMENT: Administration

AGENDA ITEM: Bill No. 2979-23 – TIF Commission Composition – 1st and 2nd Reading

REQUESTED BOARD ACTION:

A motion to approve Bill No. 2979-23, amending the City Code regarding composition of the TIF Commission. Emergency Ordinance Sponsored by Mayor Boley. 1st and 2nd reading by title only.

SUMMARY:

Changes to the population and form of government in Clay County changed the composition of the TIF Commission per state statute. The total number of members is increased by one while the total number of appointees from the City of Smithville is reduced from six to three.

As staff has been working with Economic Development Counsel in preparation for the 110 Smithville TIF, staff realized the adopted City Code references prior composition. The attached ordinance revises the Code to reflect these changes. Because this is the only meeting prior to the TIF Commission meeting discussing the 110 Smithville TIF and staff and legal counsel believe the City Code should accurately reflect the TIF statute's requirements, the Ordinance will need to be approved as an Emergency on first reading.

PREVIOUS ACTION:

The creating of the TIF Commission was by Ordinance 2304-04, August 17, 2004.

POLICY OBJECTIVE:

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FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- | | |
|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

AN ORDINANCE OF THE CITY OF SMITHVILLE, MISSOURI AMENDING CERTAIN PROVISIONS OF CHAPTER 155, ARTICLE I, SECTION 155.010(D) OF THE MUNICIPAL CODE OF THE CITY OF SMITHVILLE, MISSOURI.

WHEREAS, the City of Smithville, Missouri (the "City") previously created a Tax Increment Financing Commission (the "TIF Commission") pursuant to Section 99.800 *et seq.* of the Revised Statutes of the State of Missouri (the "TIF Act") consisting of eleven persons; and

WHEREAS, since August 28, 2008, cities within a county with a charter form of government and with more than two hundred fifty thousand inhabitants have been subject to a special process for selecting a TIF Commission under Section 99.820.3 of the TIF Act; and

WHEREAS, pursuant to the Clay County Constitution becoming effective on January 1, 2021, and the most recent 2020 Census data putting the population of Clay County, Missouri at 253,335 inhabitants, the City is subject to Section 99.820.3 of the TIF Act as of July 1, 2021, which requires a TIF Commission consisting of twelve persons; and

WHEREAS, the Municipal Code of the City of Smithville, Missouri (the "Code") provides that the TIF Commission shall consist of eleven members; and

WHEREAS, the Board of Aldermen of the City finds and declares that it is necessary, desirable and in the best interest of the community to amend Chapter 155, Article I, Section 155.010(D) of the Code to make it consist with the requirements of the TIF Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF SMITHVILLE, MISSOURI, AS FOLLOWS:

Section 1. Chapter 155, Article I, Section 155.010(D) of the Municipal Code of Smithville, Missouri, is hereby deleted and replaced in its entirety with the following:

Section 155.010 Tax Increment Financing Commission.

D. Membership. The Commission shall consist of the number of members required in Section 99.820 of the Act, and said members shall be appointed in the manner described in Section 99.820 of the Act.

Section 2. This Ordinance shall be codified in the Municipal Code of Smithville, Missouri.

Section 3. This Ordinance shall take effect and be in full force immediately after its passage by the Board of Aldermen and approval by the Mayor.

PASSED by the Board of Aldermen, and **APPROVED** by the Mayor, of the City of Smithville, Missouri, this 7th day of March, 2023.

(SEAL)

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 03/07/2023

Second Reading: 03/07/2023