

Memorandum

Department of Planning

To: Mike Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: October 3rd, 2023

RE: Wildhorse Village Special Business District – 2023 Budget



Summary

Following approval of the Wildhorse Village Special Business District, the Advisory Board met to discuss a budget for 2023. While uncommon to discuss a budget this late in the year, the Revised Statutes of Missouri require the district to begin operating once approved. Additionally, City Staff has been coordinating with County personnel to determine if taxes could logistically be collected this year. Following these discussions, it was determined that we would not be able to have all County departments setup to collect the tax in 2023.

The Wildhorse Village Special Business District Advisory Board met on September 11, 2023. At that time, Resolution 23-01 was unanimously approved by the Board to recommend that the City Council approve the 2023 budget for the Wildhorse Village Special Business District. As there is not an opportunity for collection of revenue this year, the budget shows revenues of \$0 and expenses of \$0 (as you recall, the City has not accepted these items for maintenance yet).

Recommendation

This item should be forwarded to the Finance and Administration Committee for recommendation. If the Committee concurs with proposed budget, two items will be forwarded to City Council:

1. An ordinance setting the tax rate of 2023 at \$0.00 / \$100 Assessed Valuation. It should be noted that a public hearing will be held on this item at City Council.
2. A resolution adopting the 2023 Wildhorse Village Special Business District budget.

Attachments:

WHV Special Business District Advisory Board Resolution 23-01

Resolution No. 23- 01

A RESOLUTION OF THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT ADVISORY BOARD APPROVING AND ADOPTING THE PROPOSED ANNUAL BUDGET OF THE DISTRICT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.

WHEREAS, on May 23, 2023 the City Council of the City of Chesterfield, Missouri (the "Council") adopted Ordinance No. 3235 (the "Ordinance"), which Ordinance established the Wildhorse Village Special Business District (the "District") as a special business district, all in accordance with the Special Business Districts Act, Sections 71.790 to 71.808 of the Revised Statutes of Missouri, as amended (the "SBD Act"); ; and

WHEREAS, as set forth in the Ordinance, pursuant to Section 71.800.5 of the SBD Act, the Council ordered an election on the approval of a tax on owners of real property in the District in a sum not to exceed \$0.85 per \$100 assessed valuation on real property, tracts, lots, or parcels of real property in the District for the purpose of providing revenue to the District (the "Proposition"); and

WHEREAS, an election on the Proposition was held on August 29, 2023, and the certified election results showing that the Proposition passed were provided to the Wildhorse Village Special Business District Advisory Board (the "Board") on or about August 30, 2023; and

WHEREAS, pursuant to the Ordinance, the Board shall, within thirty days of notice that the Proposition passed at an election held in accordance with the SBD Act, fix a time and place for its annual meeting and adopt and then file with the Council a proposed annual budget for the District, which proposed annual budget shall set forth the projected revenues and expenditures for the ensuing year; provided, however, that such proposed annual budget for the District is only a recommendation to the Council, and is not the final budget of the District unless approved by the Council; and

WHEREAS, the Board desires to adopt a proposed annual budget for the District for filing with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT ADVISORY BOARD, AS FOLLOWS:

SECTION 1. Approval of Proposed Annual Budget for Fiscal Year 2023. The proposed annual budget of the District for the fiscal year ending December 31, 2023 as set forth on **Exhibit A**, attached hereto and incorporated herein by reference (the "Budget"), is hereby approved and adopted by the Board

and recommended for approval and adoption to the Council. The City Clerk of the City of Chesterfield, Missouri is directed to file a copy of this Resolution and the Budget with the Council.

SECTION 2. District Officers to Execute Resolution. The Chair of the Board is hereby authorized and directed to execute this Resolution for and on behalf of and as the act and deed of the District and the Secretary of the District is hereby authorized and directed to attest to this Resolution.

SECTION 3. Further Authority. All actions heretofore taken by the authorized officials, officers, representatives, agents, and employees of the District in connection with the transactions contemplated by this Resolution are hereby confirmed and approved, and the District shall, and the officials, officers, representatives, agents, and employees of the District are hereby authorized and directed to, take such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

SECTION 4. Severability Clause. The sections, paragraphs, sentences, clauses and phrases of this Resolution shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the District has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 6. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

SECTION 7. Effective Date. This Resolution shall take effect and be in full force from and after its final passage and approval.

Passed and approved this 11th day of September, 2023.

ATTEST:


Chair


Secretary

EXHIBIT A

FY 2023 Budget

Wildhorse Village Special Business District
FY 2023 Budget

Projected Revenues:	\$0
Projected Expenditures:	\$0
Proposed Millage Rate	\$0.00/\$100

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2023 AND LEVYING A TAX ON ALL REAL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT IN THE CITY OF CHESTERFIELD, MISSOURI

WHEREAS, the City Council of the City of Chesterfield, Missouri (the “City”) passed and approved Ordinance 3235 establishing the Wildhorse Village Special Business District (“District”) to include all real property legally described on Exhibit 1, and attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to section 71.800.5 of the Revised Statutes of Missouri (“RSMo”), an election was held on August 29, 2023 on the approval of a tax on owners of real property in the District in a sum not to exceed \$0.850 per \$100 assessed valuation on real property, tracts, lots, or parcels of real property in the District for the purpose of providing revenue to the District; and

WHEREAS, the qualified voters in the District unanimously approved the measure on August 29, 2023 and the results were subsequently certified by the Saint Louis County Board of Elections; and

WHEREAS, on November 6, 2023, in accordance with the provisions of Section 67.110 RSMo., after due notice as required by law and prior to adoption of any tax rate, the City Council conducted a public hearing regarding the rates hereinafter adopted at which all citizens were afforded an opportunity to be heard;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:

Section 1. There is hereby levied for the year 2023 upon all real property made taxable by the law within the Wildhorse Village Special Business District in the City of Chesterfield, Missouri, the following ad valorem taxes for the following purposes:

- a) For general revenue purposes a tax levy of **\$0.000** on residential property and a tax levy of **\$0.000** on commercial property on each one hundred dollars (\$100.00) of assessed valuation

Section 2. The City Clerk is directed to send a certified copy of this Ordinance to the St. Louis County Department of Revenue.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved on this _____ day of _____, 2023

PRESIDING OFFICER

Bob Nation, Mayor

ATTEST:

Vickie McGownd, CITY CLERK

Resolution # _____

A RESOLUTION ADOPTING THE BUDGET FOR THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT FOR THE YEAR ENDING ON DECEMBER 31, 2023.

WHEREAS, on May 23, 2023 the City Council of the City of Chesterfield, Missouri (the “Council”) adopted Ordinance No. 3235 (the “Ordinance”), which Ordinance established the Wildhorse Village Special Business District (the “District”) as a special business district, all in accordance with the Special Business Districts Act, Sections 71.790 to 71.808 of the Revised Statutes of Missouri, as amended (the “SBD Act”); ; and

WHEREAS, as set forth in the Ordinance, pursuant to Section 71.800.5 of the SBD Act, the Council ordered an election on the approval of a tax on owners of real property in the District in a sum not to exceed \$0.85 per \$100 assessed valuation on real property, tracts, lots, or parcels of real property in the District for the purpose of providing revenue to the District (the “Proposition”); and

WHEREAS, an election on the Proposition was held on August 29, 2023, and the certified election results showing that the Proposition passed were provided to the Wildhorse Village Special Business District Advisory Board (the “Board”) on or about August 30, 2023; and

WHEREAS, pursuant to the Ordinance, the Board shall, within thirty days of notice that the Proposition passed at an election held in accordance with the SBD Act, fix a time and place for its annual meeting and adopt and then file with the Council a proposed annual budget for the District, which proposed annual budget shall set forth the projected revenues and expenditures for the ensuing year; provided, however, that such proposed annual budget for the District is only a recommendation to the Council, and is not the final budget of the District unless approved by the Council; and

WHEREAS, the Board approved Resolution 23-01 proposing an annual budget for 2023 for the District for filing with the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT ADVISORY BOARD, AS FOLLOWS:

SECTION 1. Approval of Proposed Annual Budget for Fiscal Year 2023. The proposed annual budget of the District for the fiscal year ending December 31, 2023 as set forth on **Exhibit A**, attached hereto and incorporated herein by reference (the “Budget”), is hereby approved and adopted by the City Council.

Passed and approved this _____ day of _____, 2023.

Presiding Officer

Mayor

City Clerk

EXHIBIT A

FY 2023 Budget

Wildhorse Village Special Business District
FY 2023 Budget

Projected Revenues:	\$0
Projected Expenditures:	\$0
Proposed Millage Rate	\$0.00/\$100