

CHAPTER 92

JACKSON COUNTY CONVENTION AND
SPORTS COMPLEX FUND

9201. Definitions.

As used in this Chapter the following words and phrases shall mean:

(1) Concessions.

All goods and services incidental to the operation of a qualifying project including, but not limited to, parking, food, beverage, liquor, souvenirs, ticket sales, sales of programs, advertising, printing of promotions, and security, provided to the operator or lessee of the qualifying project pursuant to any contract or subcontract;

(2) County.

Jackson County, Missouri;

(3) Economically Disadvantaged Individuals.

Socially disadvantaged residents of the State of Missouri whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged. In determining the degree of diminished credit and capital opportunities, consideration shall include, but not be limited to, the assets and net worth of such economically disadvantaged individuals;

(4) Fund.

The Jackson County Convention and Sports Complex Fund;

(5) Qualifying Project.

Qualifying project shall include convention centers, sports stadiums, exhibition and trade facilities, transportation facilities, cultural facilities, field houses, indoor and outdoor convention and recreational facilities and centers, playing fields, parking facilities and other suitable concessions, and all things incidental to or necessary to a complex suitable for all types of convention, recreational, transportation, cultural, and meeting activities and for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground for which construction, including expansion, is commenced after January 1, 1989, or in the case of sports stadiums, for which renovation or improvements are commenced after January 1, 1989, except that no such stadium, complex, or facility shall be used, in any fashion, for the purpose of horse racing, dog racing, or any other parimutuel wagering. A qualifying project shall be designed to attract out-of-state attendees and users;

(6) Socially and Economically Disadvantaged Small Business Concern.

Any small business concern:

(a) Which is at least fifty-one percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any corporation, at least fifty-one percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

(b) Whose management and daily business operations are predominantly controlled by one or more of such individuals;

(7) Socially Disadvantaged Individuals.

Residents of the state of Missouri who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities. (Ord. 1881s, Eff. 10/17/90)

9202. Convention and Sports Complex Fund.

There is hereby established the Jackson County Convention and Sports Complex Fund ("the Fund"), which shall be maintained separately from the general funds of the County and which shall be subject to the provisions of the Charter of Jackson County. (Ord. 1881s, Eff. 10/17/90)

9202.1 Use of Monies.

Monies in the fund shall be used solely for the purpose of developing, maintaining, or operating qualifying projects at the Harry S. Truman Sports Complex (the "sports complex"). Monies in the Fund that have been determined to be not legally required to meet the County's statutory or contractual obligations regarding the Sports Complex may be deposited into the separate County fund into which the proceeds of the Fund's source tax levy would otherwise be required to be deposited. (Ord. 1881s, Eff. 10/17/90, Ord. 5472, Eff. 12/21/20)

9202.2 Annual Appropriation.

The source of the fund shall be monies appropriated in the County's annual budget for the fund's purposes, and intergovernmental revenues from the State of Missouri and political subdivisions thereof. (Ord. 1881s, Eff. 10/17/90)

9202.3 Not Subject to Reappropriation.

Any amounts accumulated in the fund shall carry over from year to year and not be subject to annual reappropriation. (Ord. 1881s, Eff. 10/17/90)

9203. Rules Governing Expenditures.

Expenditures from the fund and qualifying projects financed thereby shall be subject to the following rules in accordance with 70.859, RSMo, as amended:

(1) At least ten percent of the total dollar value of the contract or contracts for construction at the sports complex, and structures and improvements associated with operation of the sports complex, or rehabilitation or remodeling of any structure for use as or associated with the use of the sports complex, shall be set aside, awarded to, and procured from socially and economically disadvantaged small

business concerns; and

(2) At least ten percent of the total dollar value of all contract or contracts for concessions, shall be set aside, awarded to, and procured from socially and economically disadvantaged small business concerns. (Ord. 1881s, Eff. 10/17/90)

9204. Missouri Firms Preferred.

In letting contracts for the development, maintenance, or operation of the sports complex, on which monies from the fund are to be spent, the county or its duly authorized agent shall give preference to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when the quality of performance promised is equal or better and the price quoted is the same or less. (Ord. 1881s, Eff. 10/17/90)

9205. Rules Governing Non-Missouri Contractors.

1. To the extent permitted by federal laws and regulations, whenever the county or its duly authorized agent shall let for bid any contract to a contractor for the development, maintenance, or operation of the sports complex, on which monies from the fund are to be spent, the contractor or bidder domiciled outside the boundaries of the State of Missouri shall be required, in order to be successful, to submit a bid the same percent less than the lowest bid submitted by a responsible contractor or bidder domiciled in Missouri as would be required for such a Missouri domiciled contractor or bidder to succeed over the bidding contractor or bidder domiciled outside Missouri on a like contract or bid being let in his domiciliary state and, further, the contractor or bidder domiciled outside the boundaries of Missouri shall be required to submit an audited financial statement as would be required of a Missouri domiciled contractor or bidder on a like contract or bid being let in the domiciliary state of that contractor or bidder.

2. Subsection 1 of this section shall not apply to any contract where the bid is less than five hundred dollars. (Ord. 1881s, Eff. 10/17/90)