

CITY COMMISSION AGENDA

City Hall Commission Chambers

Thursday, September 27, 2012

6:00 p.m.

MEETING #4901

CALL TO ORDER

ROLL CALL

ORDINANCES & RESOLUTIONS

Resolution No. 2012-32 - A Resolution Delaying the Commencement of the Collection of a Community Improvement District Sales Tax from January 1, 2013 to January 1, 2014.

NEW BUSINESS

Approval of Industrial Revenue Bond Deed for Transfer of Trinity Manor Property

RESOLUTION NO. 2012-32

A RESOLUTION DELAYING THE COMMENCEMENT OF THE
COLLECTION OF A COMMUNITY IMPROVEMENT DISTRICT SALES
TAX FROM JANUARY 1, 2013 TO JANUARY 1, 2014.

WHEREAS, on June 7, 2010, the Governing Body of the City of Dodge City, Kansas (the "City") passed Ordinance No. 3429 making findings as to the advisability of and creating a community improvement district more particularly described therein (the "Santa Fe Plaza CID"), authorizing certain projects relating thereto, approving the estimated cost of such projects, authorizing the imposition of a community improvement district sales tax within the community improvement district, and providing the proposed method and amount of financing; and

WHEREAS, Section 6 of Ordinance No. 3429 provided that the community improvement district sales tax would commence on January 1, 2011 or any other effective date the City may approve by resolution if a change in the effective date was requested by the party that petitioned to create such community improvement district (the "Petitioner"); and

WHEREAS, on December 17, 2010, the City received a Request for Delay of Community Improvement District Sales Tax Effective Date from January 1, 2011 to July 1, 2011 executed by the Petitioner, which Request was granted by Resolution No. 2010-32; and

WHEREAS, on April 8, 2011, the City received a Request for Delay of Community Improvement District Sales Tax Effective Date from July 1, 2011 to January 1, 2012 executed by the Petitioner, which Request was granted by Resolution No. 2011-14; and

WHEREAS, on September 30, 2011, the City received a Request for Delay of Community Improvement District Sales Tax Effective Date from January 1, 2012 to January 1, 2013 executed by the Petitioner, which Request was granted by Resolution No. 2011-26; and

WHEREAS, on September 24, 2012, the City received a Request for Delay of Community Improvement District Sales Tax Effective Date from January 1, 2013 to January 1, 2014 executed by the Petitioner; and

WHEREAS, such Request for Delay was signed by the owners of all the real property within the community improvement district; and

WHEREAS, the City hereby finds that it is appropriate to temporarily delay the effective date of the collection of community improvement district sales tax within the Santa Fe Plaza CID based

on the receipt of such Request for Delay.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

SECTION 1. The collection of the community improvement district sales tax within the Santa Fe Plaza CID shall be delayed from January 1, 2013 with the collection of such community improvement district sales tax to commence on January 1, 2014, or any other effective date the City may approve by resolution if a further extension of such collection date is duly requested.

SECTION 2. Upon approval, a certified copy of this resolution shall be delivered to the state director of taxation in accordance with the Kansas Community Improvement District Act, K.S.A. § 12-6a26, *et seq.*

PASSED by the Governing Body on this 27th day of September, 2012.

APPROVED by the Mayor on this 27th day of September, 2012.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

APPROVED AS TO FORM:

Brad Ralph, City Attorney