

RESOLUTION NO. 7558

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY THE PROPOSITION OF REPEALING THE EXISTING SPECIAL PURPOSE RETAILERS' SALES TAX FOR AFFORDABLE HOUSING PROJECTS AND PROGRAMS CURRENTLY LEVIED IN THE AMOUNT OF FIVE ONE-HUNDREDTHS OF ONE PERCENT (0.05%) AND REPLACING IT WITH A SPECIAL PURPOSE RETAILERS' SALES TAX IN THE AMOUNT OF ONE TENTH OF ONE PERCENT (0.10%) FOR AFFORDABLE HOUSING PROJECTS AND PROGRAMS AND TEMPORARY EMERGENCY SHELTER FACILITIES AND RELATED SERVICES FOR PERSONS EXPERIENCING HOMELESSNESS AND EXTENDING SAID SALES TAX THROUGH MARCH 31, 2035, IN THE CITY OF LAWRENCE, KANSAS,

WHEREAS, K.S.A. 12-187 *et seq.*, and amendments thereto (the "Act"), authorizes the Governing Body of the City of Lawrence, Kansas, to submit to the qualified electors of the City the question of levying a special purpose retailers' sales tax to be collected by the State Department of Revenue with revenue therefrom being returned to the City;

WHEREAS, on July 11, 2017, the Governing Body of the City adopted City of Lawrence, Kan., Res. No. 7216 (Jul. 11, 2017), which Resolution authorized the City to submit to the qualified electors of the City the question of imposing a Citywide special purpose retailers' sales tax of five one-hundredths of one percent (0.05%) (the "2019 Sales Tax") for the purposes of providing and improving quality, availability, and affordability of housing in the City, acquiring land for future affordable housing units, investing in private/public partnerships for the provision of affordable housing, and such other related affordable housing purposes as may be in the best interest of the City (the "2019 Affordable Housing Sales Tax Projects");

WHEREAS, on November 7, 2017, a majority of the qualified electors voting thereon approved the levying of the 2019 Sales Tax in the City in the amount and for the purposes set forth in Resolution No. 7216;

WHEREAS, on August 14, 2018, the Governing Body of the City passed City of Lawrence, Kan., Ord. No. 9551 (Aug. 17, 2018), levying the 2019 Sales Tax, the collection of which commenced, in accordance with K.S.A. 12-191, on April 1, 2019, and is set to expire on March 31, 2029, that date being ten (10) years from the date upon with that special purpose retailers' sales tax was first collected;

WHEREAS, the Governing Body, has determined that additional revenue is needed for (1) affordable housing initiatives in the City; and (2) temporary emergency shelter services and prevention services for persons experiencing homelessness in the City, and such other related affordable housing and temporary emergency shelter services and prevention services for persons experiencing homelessness purposes as may be in the best interest of the City, beyond that which will be generated by the 2019 Sales Tax; and,

WHEREAS, the Act also authorizes the City to pledge revenues received from a City-wide

special purpose retailers' sales tax, imposed pursuant to the Act, for the payment of general obligation bonds authorized by the Governing Body by appropriate ordinance for the payment of all or any portion of the costs of any public facilities, equipment, or improvements for which the City is otherwise authorized, pursuant to the Constitution or laws of the State of Kansas, to issue general obligation bonds, subject to the requirements of the Act.

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

SECTION 1: A special question election shall be held in the manner prescribed by law on the 5th day of November, 2024, for the purpose of submitting to the qualified electors of the City of Lawrence, Kansas, the question of repealing the 2019 Sales Tax in the amount of five one-hundredths of one percent (0.05%) in the City of Lawrence, Kansas, and replacing it with the levying of a new special purpose retailers' sales tax in the amount of one tenth of one percent (0.1%) for the purposes of (1) providing and improving the quality, availability, and affordability of housing in Lawrence, acquiring land for future affordable housing units, investing in private/public partnerships for the provision of affordable housing, and such other related affordable housing purposes as may be in the best interest of the City, and (2) providing temporary emergency shelter for persons experiencing homelessness and related services including but not limited to providing food, laundry, transportation, storage, non-prescription medical supplies, case management, and outreach services as well as homeless prevention services including but not limited to rent stabilization funding, utility assistance, assistance obtaining government identification cards, government benefits, and such other related programs and services for persons experiencing homelessness as may be in the best interest of the City with such special purpose retailers' sale tax to take effect on the 1st day of April, 2025, if approved by a majority of the qualified electors voting thereon. The new special purpose retailers' sales tax referenced herein, if approved by a majority of the qualified electors voting thereon, shall expire after ten (10) years from the date upon which such tax is first collected. In the event that the new special purpose retailers' sales tax referenced herein is not approved by a majority of the qualified electors voting thereon at the November 5, 2024, general election, then the 2019 Sales Tax shall not be repealed and shall remain in full force and effect until it expires in accordance with the terms of Ordinance No. 9551.

SECTION 2: If approved by a majority of the qualified electors voting thereon, such special purpose retailers' sales tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Kansas Department of Revenue shall be used to administer, enforce and collect said tax.

SECTION 3: If the City desires to issue sales tax revenue and/or general obligation sales tax bonds to finance public facilities, equipment, or improvements described in Section 1, *supra*, then the City shall comply with all applicable notice and protest requirements established at K.S.A. 12-195b and K.S.A. 12-197, as applicable.

SECTION 4: The City Clerk and the County Clerk of the County of Douglas, Kansas, shall cause notices to be published of this special question election, as provided by law.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 20th day of August, 2024.

APPROVED:

Nathan Littlejohn III

Nathan Littlejohn III
Mayor

ATTEST:

Sherri Riedemann

Sherri Riedemann
City Clerk



APPROVED AS TO FORM:

Toni R. Wheeler

Toni R. Wheeler
City Attorney

I, Sherri Riedemann, City Clerk for the
City of Lawrence, Kansas, do hereby certify
this to be a true and exact copy of
Resolution No 7558 on file in my office.

Sherri Riedemann

Sherri Riedemann, City Clerk