

RESOLUTION NO. 63-2018

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION IN THE CITY OF WESTWOOD, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF IMPOSING A SPECIAL PURPOSE ONE-HALF PERCENT (0.5%) CITYWIDE RETAILERS' SALES TAX AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.

WHEREAS, K.S.A. 12-187 *et seq.*, as amended, (the "Sales Tax Act") authorizes the Governing Body of the City to submit to the electors of the City the question of imposing Citywide retailers' sales taxes, which may be in an amount not to exceed two percent (2%) for general purposes or in an additional amount not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire ten (10) years from the initial date of collection thereof; and

WHEREAS, the electors of the City previously approved propositions to authorize the levy of Citywide retailers' sales taxes in the amount of one percent (1%) for general purposes; and

WHEREAS, the Governing Body deems it advisable that additional funds be derived to finance construction of certain street and storm water capital improvements; and

WHEREAS, to finance the costs of the certain street and storm water capital improvements and related financing costs, the Governing Body deems it advisable to provide for the calling of a special question election in the City for the purpose of submitting to the electors of the City the question of imposing a special one-half percent (0.5%) Citywide retailers' sales tax (the "Sales Tax"); and

WHEREAS, to authorize such Sales Tax and the issuance of the Bonds, it is deemed advisable to call a special question election in the City to be held on May 1, 2018, in accordance with the mail ballot election law (K.S.A. 25-431 *et seq.*); and

WHEREAS, if approved, the Sales Tax will constitute a sales tax imposed for special purposes, as said term is described in K.S.A. 12-189, as amended

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

SECTION 1. Election Call. An election is hereby called to be held in the manner prescribed by law on the 1st day of May, 2018 for the purpose of submitting to the qualified electors of the City of Westwood, Kansas, a special question regarding a Special Purpose Retailers' Sales Taxes as set out in Paragraph Two hereof, in accordance with K.S.A. 12-187, *et seq.*, regarding Retailers' Sales Taxes, and all other provisions of law. Such Special Purpose Retailers' Sales Tax shall be in addition to the ongoing one percent (1%) General Purpose City Retailers' Sales Tax, and the Sales Tax shall terminate ten years after its commencement.

SECTION 2. Special Question Election Ballot Language. It is hereby authorized, ordered, and directed that there shall be submitted to the qualified electors of the City the following proposition at the May 1, 2018 special election:

Shall the following be adopted?

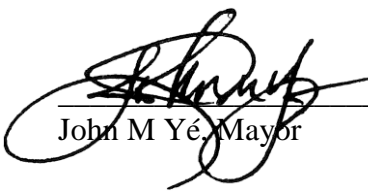
Shall the City of Westwood Kansas be authorized to levy a one-half of one percent (0.5%) special purpose citywide retailers' sales tax within the City of Westwood, Kansas; such additional tax, if approved by a majority of the electors voting thereon, to take effect on October 1, 2018, or as soon thereafter as permitted by law, and terminate ten (10) years after commencement; the proceeds of which shall be used to pay for, in whole or in part with any other funds, the cost of repairing, rebuilding, rehabilitating, upgrading and improving streets and storm drainage infrastructure in the City of Westwood; such program shall include grading, repair, reconstruction and rehabilitation of curbs, gutters, pavement and other surfacing, driveway entrances and structures, drainage work incidental thereto, service connections from utility mains, conduits or pipes, streetlights, street lighting systems, storm water drains, retaining walls and area walls on public ways or land abutting thereon, sidewalks, street trees and landscaping, storm water drainage projects, and all related improvements, and any financing therefor; and be in addition to the one percent (1%) citywide retailers' sales tax currently levied within the City?

SECTION 3. Special Question Election Procedures. The vote at said special question election shall be by mail ballot, and the proposition stated above shall be printed on the ballot, together with voting instructions as provided by law. The City Clerk shall transmit a copy of this Resolution to the Election Commissioner of Johnson County, Kansas, to give notice of the special question election as provided by law by publishing a Notice of Special Question Election in substantially the form attached hereto as Exhibit A, once each week for two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication to be not less than twenty-one (21) days prior to the date of the special question election, and the last publication shall be not more than forty-five (45) days prior to the date of the special question election.

SECTION 4. Effective Date. This Resolution shall be effective from and after adoption by the Governing Body.

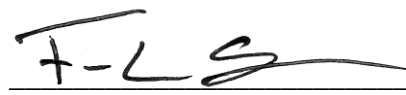
ADOPTED this 8th day of February, 2018 by the City of Westwood, Governing Body, Johnson County, Kansas





John M Yé, Mayor

ATTEST:



Frederick L. Sherman, City Clerk