

(Published in the *Lawrence Journal World* on March 18 and 25, 2014)

**RESOLUTION NO. 7061**

**A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A TRANSPORTATION DEVELOPMENT DISTRICT IN THE CITY OF LAWRENCE, KANSAS TO BE KNOWN AS THE NINTH AND NEW HAMPSHIRE TRANSPORTATION DEVELOPMENT DISTRICT AND REGARDING THE CITY'S INTENT TO LEVY A TRANSPORTATION DEVELOPMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.**

**WHEREAS**, K.S.A. 12-17,140 *et. seq.* (the "Act") authorizes the governing body of any city or county to create Transportation Development Districts to finance Project within such defined area of the city or county and to levy a Transportation Development District sales tax and/or levy special assessments upon property within the district to finance Project; and

**WHEREAS**, a petition (the "Petition") was filed with the City Clerk on October 11, 2013, proposing the creation of the New Hampshire Transportation Development District ("TDD") under the Act, the imposition of a Transportation Development District sales tax in order to pay the costs of Project as described in the Petition (the "Project"); and

**WHEREAS**, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

**WHEREAS**, the City Commission of the City of Lawrence, Kansas (the "City") intends to create the TDD and to levy a Transportation Development District sales tax in an amount equal to one percent (1.0%) as requested in the Petition (the "TDD Sales Tax"); and

**WHEREAS**, the Governing Body hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the TDD, approving the Project set forth in the Petition and levying the TDD Sales Tax, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY COMMISSION OF THE CITY OF LAWRENCE, KANSAS, AS FOLLOWS:**

**SECTION 1. Petition.** The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

**SECTION 2. Public Hearing.** It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance the provisions of the Act, on the advisability of creating the TDD, approving the Project set forth in Petition, and whether to impose a the TDD Sales Tax in the amount of one percent (1.0%), such public hearing to be held on **April 8 2014 at 6:35 p.m.**, or as soon thereafter as the matter can be heard, at City Hall, City Commission Chambers, 6 East 6<sup>th</sup> Street, Lawrence, Kansas, under the authority of the Act.

**SECTION 3. Boundaries of Proposed TDD.** The legal description of the property to be contained in the proposed TDD is set forth on **Exhibit A** attached hereto and incorporated by reference

herein. A map generally outlining the boundaries of the proposed TDD is attached as **Exhibit B** hereto, and incorporated by reference herein.

**SECTION 4. Proposed TDD Project.** The general nature of the proposed Project (the “Project”) to be funded within the proposed TDD is set forth on **Exhibit C** attached hereto and incorporated by reference herein.

**SECTION 5. Estimated Cost.** The estimated cost of the proposed Project is \$3,000,000 plus interest.

**SECTION 6. Method of Financing.** The estimated cost of the proposed Project will be financed as pay-as-you-go-financing as defined in the Act.

**SECTION 7. Notice of Public Hearing.** The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution the official newspaper at least once each week for two consecutive weeks. The second notice shall be published at least 7 days prior to the date of the hearing. The City Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed District at least 10 days prior to the date of the hearing.

**SECTION 8. Reimbursement.** The City expects to make capital expenditures after the date of this Resolution in connection with the Project, and the City intends to reimburse developer for such expenditures with the proceeds of obligations in the maximum principal amount of \$3,000,000.

**SECTION 9. Effective Date.** This Resolution shall be effective upon adoption by the Governing Body of the City.

**ADOPTED** this 4th day of March, 2014.

**CITY OF LAWRENCE, KANSAS**

By: \_\_\_\_\_  
Michael Dever, Mayor

[SEAL]

ATTEST:

\_\_\_\_\_  
Diane Trybom, Interim City Clerk

**CERTIFICATE**

I, hereby certify that the above and foregoing is a true and correct copy of Resolution No. \_\_\_\_\_ of the City Commission of the City of Lawrence, Kansas adopted by the Governing Body on March 4, 2014 as the same appears of record in my office.

DATED: March \_\_\_\_\_, 2014.

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City Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPOSED NEW HAMPSHIRE TRANSPORATION  
DEVELOPMENT DISTRICT**

The following property located in Douglas County, Lawrence, Kansas:

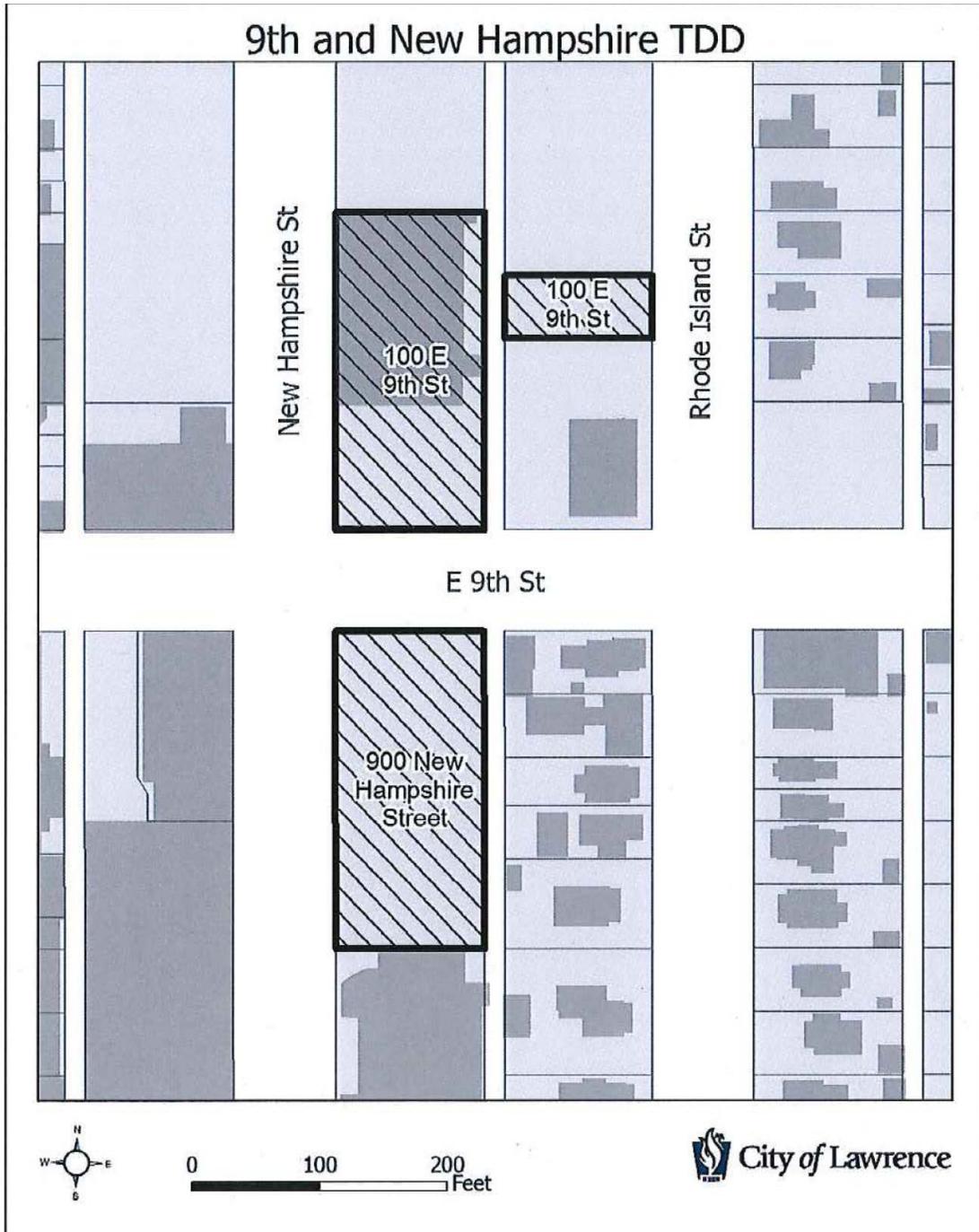
**North Project:**

Lots 60, 62, 64, 66, and 68 New Hampshire Street, and Lot 61 Rhode Island Street, City of Lawrence, Douglas County, Kansas

**South Project:**

Lots 70, 72, 74, 76, and 78 New Hampshire Street, City of Lawrence, Douglas County, Kansas

**EXHIBIT B**  
**MAP OF PROPOSED**  
**NEW HAMPSHIRE TRANSPORTATION DEVELOPMENT DISTRICT**



## **EXHIBIT C**

### **PROPOSED NEW HAMPSHIRE TRANSPORTATION DEVELOPMENT DISTRICT PROJECT**

The general nature of the Project is to improve, construct, maintain, install, equip or extend any street, road, highway access road, intersection, signing, signalization, parking lots, parking garages, street light fixture, sidewalk, landscaping, or any other transportation related project or infrastructure authorized by the Act, whether located within or without the TDD District, including specifically the City parking garage located at the SE corner of 9<sup>th</sup> and New Hampshire. The Project is further broken down into two projects, the South Project area, which consists of a hotel and retail uses, and a North Project area. At this time, there are no anticipated retail uses for the North Project, but the North Project area has been included in the TDD District in case some retail uses do arise at a later time.

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
CITY OF LAWRENCE, KANSAS  
HELD ON AUGUST 28, 2012**

The governing body met in regular session at the usual meeting place in the City, at 6:35p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

The matter of calling a public hearing to establish the date and time of a public hearing regarding the adoption of a redevelopment project plan within the City came on for consideration and was discussed.

Commissioner \_\_\_\_\_ presented and moved the adoption of a Resolution entitled:

**A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF  
NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF  
CREATING A TRANSPORATION DEVELOPMENT DISTRICT IN THE  
CITY OF LAWRENCE, KANSAS TO BE KNOWN AS THE NEW  
HAMPSHIRE TRANSPORATION DEVELOPMENT DISTRICT AND  
REGARDING THE CITY'S INTENT TO LEVY A TRANSPORATION  
DEVELOPMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.**

Commissioner \_\_\_\_\_ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye:

\_\_\_\_\_.

Nay:

\_\_\_\_\_.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 6990.

\* \* \* \* \*

(Other Proceedings)

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**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Lawrence, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Clerk