RESOLUTION NO. 9124

A RESOLUTION introduced by City Manager Brent Trout determining the advisability of a sales tax exemption in connection with the issuance by the City of Topeka, Kansas of its Industrial Revenue Bond (Sunflower Foundation Project), Series 2019, for the purpose of financing the acquisition, construction, renovation, furnishing and equipping of certain nonprofit health care educational and resource facilities in the city.

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 et seq. (the "Act"), and Ordinance No. 20169 passed by the Governing Body of the City of Topeka, Kansas (the “Issuer”) has previously authorized and issued its Revenue Bond (Sunflower Foundation Project), Series 2019 (the “Bond”), in the principal amount of $10,000,000, for the benefit of Sunflower Foundation: Health Care for Kansans, a Kansas nonprofit corporation (the “Foundation”), for the purpose of providing funds to finance costs of acquisition, construction, renovation, furnishing and equipping of a nonprofit health care educational and resource facility (the “Project”); and

WHEREAS, Sunflower Foundation: Health Care for Kansans, a Kansas nonprofit corporation (the “Foundation”) has now requested that, pursuant to the provisions of K.S.A. 79-3601 et seq. (the “Sales Tax Act”), sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bond be exempt from the tax imposed by the Sales Tax Act (the “Sales Tax Exemption”); and

WHEREAS, the Governing Body finds in necessary and desirable to authorize the Sales Tax Exemption and the related application to the State Department of Revenue.

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

Section 1. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of the Sales Tax Act, particularly K.S.A. 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bond are entitled to the Sales Tax Exemption referenced above. The City Manager and Director of Administrative and Financial Services are each authorized to cooperate with the Foundation in filing an application for a Sales Tax Exemption certificate with the Kansas Department of Revenue, and to execute the necessary documents for such application.

Section 2. Effective Date. This resolution shall become effective upon adoption by the Governing Body.
ADOPTED by the governing body of the City of Topeka, Kansas on June 18, 2019.

[SEAL]

___________________________________
Michelle De La Isla, Mayor

Attest:

____________________________________
Brenda Younger, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on June 18, 2019, as the same appears of record in my office.


____________________________________
City Clerk