CITY OF COFFEYVILLE
BOARD OF COMMISSIONERS AGENDA ITEM

MEETING DATE	April 23, 2013	
RESOLUTION OR ORDINANCE NUMBER	S-13-04	
AGENDA TITLE	An Ordinance of the governing body of the City of Coffeyville, Kansas, authorizing the levy of a one-half percent (1/2%) city-wide retailers' sales tax and related matters.	
REQUESTING DEPARTMENT	Finance Department	
PRESENTER	Stephanie A. Richardson	
FISCAL INFORMATION	Cost as recommended:	n/a
	Budget Line Item:	
	Balance Available	
	New Appropriation Required:	[ ] Yes [ ] No
PURPOSE	To authorize the levy of a one-half percent sales tax.	
BACKGROUND	The 2014 Transportation Sales Tax was approved by a majority of the qualified electors of the City at a special question election on April 2. The tax is an extension of an existing tax with collections to begin January 1, 2014. This ordinance authorizes the City to levy the tax. Upon approval, a certified copy of the ordinance is submitted to the State Director of Taxation to request the implementation of the tax.	
SPECIAL NOTES	n/a	
ANALYSIS	n/a	
PUBLIC INFORMATION PROCESS	n/a	

BOARD OR COMMISSION RECOMMENDATION	n/a
STAFF RECOMMENDATION	Approve Ordinance No. S-13-04 for First Reading.
REFERENCE DOCUMENTS ATTACHED	S-13-04

(Published in the ***Coffeyville Journal*** on May __, 2013)

ORDINANCE NO. S-13-04

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF COFFEYVILLE, KANSAS, AUTHORIZING THE LEVY OF A ONE-HALF PERCENT (1/2%) CITY-WIDE RETAILERS' SALES TAX AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of K.S.A. 12-187 *et seq.* (the "Act"), the City of Coffeyville, Kansas (the "City") is authorized to impose a local retailers' sales tax upon all retail sales within the boundaries of the City, except as specifically exempted by the Act; and

WHEREAS, the Governing Body adopted Resolution No. R-13-07 on January 22, 2013, which resolution requested authorization to impose a one-half percent (1/2%) City-wide retailers' sales tax (the "2014 Transportation Sales Tax"), to finance the costs of general transportation improvements throughout the City including, but not limited to streets, curbing, and sidewalks; the collection of such 2014 Transportation Sales Tax shall commence upon the expiration of the existing one-half percent (1/2%) City-wide retailers' sales tax imposed for wastewater utility and transportation improvement purposes (the "2004 Sales Tax"), on January 1, 2014, or as soon thereafter as permitted by law, and shall terminate ten (10) years after its commencement, ***provided*** that the imposition of such 2014 Transportation Sales Tax shall be subject to the approval by the electors of the City of this proposition; and

WHEREAS, the question of the imposition of the 2014 Transportation Sales Tax was submitted to the electors of the City at a special question election on April 2, 2013, and at the election a majority of the qualified electors of the City voting on that proposition voted in favor thereof; and

WHEREAS, pursuant to the provisions of K.S.A. 12-187 *et seq*. and the special question election, the Governing Body deems it necessary and advisable to authorize the imposition of the 2014 Transportation Sales Tax for the purposes described above, which constitutes a sales tax imposed for general purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COFFEYVILLE, KANSAS:

SECTION 1. Implementation of 2014 Transportation Sales Tax. The levy of the one-half percent (1/2%) 2014 Transportation Sales Tax and the application of the revenue received therefrom to finance the costs of general transportation improvements throughout the City including, but not limited to streets, curbing, and sidewalks, is hereby authorized. In accordance with K.S.A. 12-191, collection of the 2014 Transportation Sales Tax shall commence upon the expiration of the existing 2004 Sales Tax on January 1, 2014, or as soon thereafter as permitted by law, and shall terminate ten (10) years after its commencement.

SECTION 2. Department of Revenue Submittal. The City Clerk, upon passage of this Ordinance, shall provide a certified copy of the same to the State Director of Taxation pursuant to K.S.A. 12-189 and request the implementation of the 2014 Transportation Sales Tax in accordance with the provisions hereof.

SECTION 3. Effective Date. This Ordinance shall be effective upon passage by the governing body, execution by the Mayor and publication once in the official City newspaper.

PASSED by the governing body of the City of Coffeyville, Kansas on May 14, 2013, and **SIGNED** by the Mayor.

_____
David George, Mayor

ATTEST:

_____
Cindy Price, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Paul Kritz, City Attorney

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on May 14, 2013; that the record of the final vote on its passage is found on page and that it was published in the ***Coffeyville Journal*** on May __, 2013.

DATED: May 14, 2013.

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Cindy Price, City Clerk