

RESOLUTION NO. 10-153

A RESOLUTION DESIGNATING A RECOVERY ZONE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS AND RECOVERY ZONE FACILITY BONDS.

WHEREAS, the City of Wichita, Kansas (the “City”) may receive certain allocations of the national recovery zone economic development bond limitation (“Economic Development Bond Allocation”) and/or the national recovery zone facility bond limitation (“Facility Bond Allocation”) from the State of Kansas pursuant to the American Recovery and Reinvestment Tax Act of 2009 (the “ARRA”); and

WHEREAS, the Economic Development Bond Allocation is available for the City’s issuance of Recovery Zone Economic Development Bonds, which are governmental bonds to be issued, pursuant to Section 1400U-2 of the Internal Revenue Code of 1986, as amended (the “Code”), for expenditures for purposes of promoting development or other economic activity in a recovery zone; and

WHEREAS, the Facility Bond Allocation is available for the City’s issuance of Recovery Zone Facility Bonds, which are qualified private activity bonds to be issued, pursuant to Section 1400U-3 of the Code, for expenditures to be used for property located in a recovery zone; and

WHEREAS, the City desires, in order to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds (collectively, “Recovery Zone Bonds”), to designate a “recovery zone” within the jurisdiction of the City, that the City determines has significant poverty, unemployment, rate of home foreclosures, or general distress, pursuant to Section 1400U-1 of the Code; and

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

Section 1. Conditions of the Recovery Zone. The governing body hereby finds and determines that the Recovery Zone (as defined in Section 2 hereof) has suffered from the following during the calendar years 2008, 2009 and 2010:

1. Significant increases in unemployment;
2. A significant increase in the rate of home foreclosures;
3. General distress caused by economic conditions;

Section 2. Designation of the Recovery Zone. Based upon the findings and determinations above and pursuant to the Section 1400U-1(b) of the Code, the governing body hereby designates the entire area within the corporate limits of the City as the City’s “Recovery Zone”.

Section 3. Further Action. The appropriate staff and officers of the City are authorized and directed (i) to work with the State of Kansas and Sedgwick County to obtain any necessary or desirable Economic Development Bond Allocation and Facility Bond Allocation, (ii) to take all necessary steps to identify appropriate projects for which the issuance of Recovery Zone Bonds will alleviate or cure the poverty, unemployment, rate of home foreclosures and general distress present in the Recovery Zone; (iii) to identify other economic development incentives and programs which may be available under Federal or State law to alleviate or cure the poverty, unemployment, rate of home foreclosures and general distress present in the Recovery Zone; and (iv) to work with the Kansas Department of Commerce to plan for issuance Recovery Zone Bonds for identified projects.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

*[Remainder of Page Intentionally Left Blank]*

ADOPTED by the Governing Body of the City of Wichita, Kansas this 8<sup>th</sup> day of June, 2010.

CITY OF WICHITA, KANSAS

[seal]

By \_\_\_\_\_  
Carl Brewer, Mayor

ATTEST:

By \_\_\_\_\_  
Karen Sublett, City Clerk

Approved as to form:

By \_\_\_\_\_  
Gary Rebenstorf, City Attorney