

RESOLUTION NO. 1162

A RESOLUTION OF THE CITY OF COLBY, KANSAS, MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY AND DESCRIBING A PROPOSED RURAL HOUSING INCENTIVE DISTRICT.

WHEREAS, K.S.A. 12-5241 *et seq.*, as amended by Senate Bill 90 of the 2021 Kansas Legislature (collectively the “Act”) authorizes any city incorporated in accordance with the laws of the State of Kansas (the “State”) with a population of less than 60,000 to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation, the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community, and thereafter the governing body may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of the property to be contained therein; and

WHEREAS, after adoption of the resolution, it shall be published at least once in the official newspaper of the city, and upon publication the city shall send a certified copy of the resolution to the Secretary of Commerce of the State (the “Secretary”), requesting that the Secretary agree with the findings contained therein, and if the Secretary agrees with such findings in writing, the city may proceed to establish the rural housing incentive district as set forth in the Act; and

WHEREAS, the City of Colby, Kansas (the “City”) has an estimated population of 5,370, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the governing body of the City (the “Governing Body”) has performed a Housing Needs Analysis in 2020, through the Housing Assessment Tool (the “Analysis”), a copy of which is on file in the office of the City Clerk, in order to determine what housing needs exist within the community; and

WHEREAS, based on the Analysis, the Governing Body proposes to commence proceedings necessary to create a rural housing incentive district in accordance with the Act.

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

Section 1. Findings. The Governing Body hereby makes the following findings and determinations:

- (1) There is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers;
- (2) The shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City;
- (3) The shortage of quality housing is a substantial deterrent to the future economic growth and development of the City; and

(4) The future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 2. Rural Housing Incentive District; Map; Boundaries. Based on the findings and determinations made in *Section 1* hereof, the Governing Body proposes to establish a rural housing incentive district pursuant to the Act. The legal description of the proposed district is included on *Exhibit A* hereto, and a map depicting the existing parcels of real estate in the proposed district is included on *Exhibit B* hereto.

Section 3. Further Action. The Mayor, City Manager, City Clerk, other city officials and employees, and Gilmore & Bell, P.C., are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution. Further, the City Clerk is hereby directed to publish this Resolution and all exhibits thereto one time in the official newspaper of the City, and to send a certified copy of this Resolution to the Secretary for the Secretary's review and approval.

Section 4. Effective Date. This Resolution shall take effect after its adoption by the Governing Body and publication one time in the official newspaper of the City.

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ADOPTED by the governing body of the City of Colby, Kansas, on May 18, 2021.

(SEAL)

Mayor

ATTEST:

City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 1162 adopted by the Governing Body of the City on May 18, 2021, as the same appear of record in my office.

DATED: May 18, 2021.

City Clerk