

RESOLUTION NO. 037, SERIES 2017

**A RESOLUTION AMENDING RESOLUTION NO. 53, SERIES 2012, REGARDING THE GRANTING OF LOCAL INCENTIVES TO KINDRED HEALTHCARE, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32, TO CHANGE THE APPROVED COMPANY NAME TO KINDRED HEALTHCARE OPERATING, INC., TO MODIFY THE PROJECT, AND TO ADD APPROVED AFFILIATES AND ASSIGNEES.**

**SPONSORED BY: COUNCILWOMAN BRYANT HAMILTON**

**WHEREAS**, the Kentucky General Assembly in 2009 enacted KRS 154.32-010 to 154.32-100 (the "Act") establishing the Kentucky Business Investment Program (the "KBI Program") for the purpose of encouraging the development and expansion of the service and technology industry in Kentucky;

**WHEREAS**, the KBI Program provides state incentives to businesses which locate or expand in the Commonwealth, including regional or national headquarters, thus creating and preserving jobs for Kentuckians;

**WHEREAS**, the KBI Program encourages local governments to participate in these incentives for businesses within their jurisdictions;

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") passed Resolution No. 53, Series 2012 granting local incentives to Kindred Healthcare, LLC pursuant to the Act;

**WHEREAS**, following the passage of Resolution No. 53, Series 2012, Kindred Healthcare, Inc. requested to change the name of the approved company to Kindred Healthcare Operating, Inc.;

**WHEREAS**, in addition to changing the approved company name, Kindred Healthcare, Inc. would like to modify the project and include approved affiliates and assignees; and

**WHEREAS**, Kindred Healthcare, Inc. has applied for the benefits authorized under the KBI Program.

**NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**


**SECTION 1:** That the Council does hereby approve amending the incentive grant to Kindred Healthcare, Inc., (the "Company"), to allow for the change in the approved company name to Kindred Healthcare Operating, Inc., to modify the project, and to allow approved affiliates and assignees to participate in the incentives.

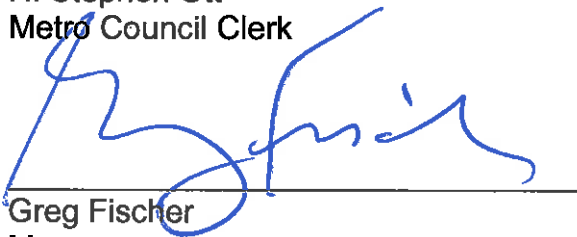
**SECTION 2:** That the Council does hereby agree to participate in the grant of incentives under the KBI Program by contributing one percent (1%) of the local occupational tax pursuant to the provisions of KRS 154-32.090. The State to Local participation ratio in this grant of incentives shall be 75% to 25%.

**SECTION 3:** That the Mayor and other appropriate officers and employees of Louisville/Jefferson County Metro Government are authorized and directed to execute, acknowledge and deliver on behalf of Louisville/Jefferson County Metro any and all papers, instruments, certificates, affidavits and other documents, and to do and cause to be done any and all acts and things necessary or proper for the grant of incentives as authorized by the Act and this Resolution.

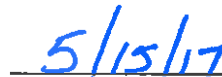
**SECTION 4:** No portion of the funds derived by the Company from the grant of incentives herein shall be used by the Company for any purposes designed to prevent, limit, discourage or restrict union activities within the Company.

**SECTION 5:** This Resolution shall be effective upon its passage and approval.

  
H. Stephen Ott  
Metro Council Clerk

  
Greg Fischer  
Mayor


  
David Yates  
President of the Council PRO-TEM

  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney



By: 

KBI Incentives to Kindred Healthcare nl R-046-17 041817.docx