

ORDINANCE NO. 8242

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$4,885,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2024-A, OF THE CITY OF LEAVENWORTH, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, AND K.S.A. 12-1736, ET SEQ., ALL AS AMENDED.

WHEREAS, the **City of Leavenworth, Kansas**, (the “City”) has the authority to erect or construct, acquire by gift, purchase, condemnation or lease a public building or buildings and procure any necessary site therefor by gift, purchase or condemnation and may alter, repair, reconstruct, remodel, replace or make additions to, furnish and equip a public building or buildings for public purposes pursuant to K.S.A. 12-1736 et seq., as amended (the “Act”); and

WHEREAS, the City pursuant to Resolution No. B-2335 of the City adopted May 9, 2023, authorized the demolition of its existing Fire Station No. 3 located at the intersection of 2nd and Limit Streets in the City, clearing the site thereof, and the construction, furnishing, and equipping of a new Fire Station No. 3 on such site in the total estimated amount of \$5,000,000 (the “Project”), to be financed in whole or in part from proceeds of the City’s general obligation bonds issued in accordance with the requirements of the Act; and

WHEREAS, all legal requirements pertaining to the Project have been complied with and the total cost thereof, including bond issuance costs, is \$5,093,275.08 (the “Project Cost”) to be financed in whole or in part with the proceeds of general obligation bonds of the City in the principal amount of \$4,885,000 with the balance of such Project Cost payable from bond premium, if any; and

WHEREAS, in accordance with all of the foregoing, the City deems it necessary and advisable to issue and sell its General Obligation Bonds, Series 2024-A, in the aggregate principal amount of Four Million Eight Hundred Eighty-five Thousand Dollars (\$4,885,000) for the purpose of providing funds to permanently finance the costs of the Project, and paying the costs of issuing the Bonds; and

WHEREAS, the City has, in accordance with K.S.A. 10-106, published notice (the “Sale Notice”) of the City’s intent to sell the Bonds; and

WHEREAS, the City does hereby authorize the issuance and sale of the bonds to the best bidder.

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

Section 1. That for the purpose of providing funds to permanently finance all or a portion of costs of the Project, and paying the costs of issuing the Bonds, there is hereby authorized and directed to be issued General Obligation Bonds, Series 2024-A, of the City in the aggregate principal amount of Four Million Eight Hundred Eighty-five Thousand Dollars (\$4,885,000) (the “Bonds”) as provided by K.S.A. 12-1736 et seq. of the City and Article 1 of Chapter 10, Kansas

Statutes Annotated, all as amended. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

Section 2. That the Mayor and City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 6. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this 23rd day of April, 2024.

CITY OF LEAVENWORTH, KANSAS

/s/ Holly Pittman _____
Holly Pittman, Mayor Pro-Tem

ATTEST:

/s/ Sarah Bodensteiner _____
Sarah Bodensteiner, City Clerk

(SEAL)