

RESOLUTION NO. 2139

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF CERTAIN SEWERAGE SYSTEM IMPROVEMENTS AND AUTHORIZING GENERAL OBLIGATION BONDS TO BE ISSUED IN AN AMOUNT NOT TO EXCEED \$37,555,000 TO PAY THE COST OF SUCH IMPROVEMENTS, ALL PURSUANT TO K.S.A. 12-617 AND 12-618.

WHEREAS, pursuant to K.S.A. 12-617 and 12-618 (the “Act”), any city having a population of less than 80,000 which has not divided the city into more than one district for sewer purposes is authorized to provide for a system of sewerage, to build and construct sewers and to issue general obligation bonds to pay the cost thereof;

WHEREAS, the City of Gardner, Kansas (the “City”), is a city with a population of less than 80,000 which has not divided the City into more than one district for sewer purposes;

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and desirable to provide funds to make sewer system improvements at the City’s Kill Creek Water Resource Recovery Facility, including an additional 2.5 million gallons per day capacity, another train of two treatment basins, two sedimentation basins, a sludge thickener, two digester basins, sludge pumping and centrifuge, UV system, resolution of operation, code compliance, and safety issues, site planning, design, and construction of all necessary site infrastructure, together with all related appurtenances (collectively, the “Project”), at an estimated total cost of \$37,555,000, including costs of issuance for general obligation bonds;

WHEREAS, the Governing Body of the City hereby finds and determines that it is necessary and desirable to pay all or a portion of the cost of the Project with the proceeds of general obligation bonds of the City; and

WHEREAS, the Governing Body of the City hereby finds and determines that the Project is necessary to provide one or more systems of sewerage for the City and, therefore, is authorized to be constructed under the Act;

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

Section 1. The Governing Body of the City hereby authorizes design and construction of the Project at a total estimated cost of \$37,555,000 and authorizes the issuance of general obligation bonds in an amount not to exceed \$37,555,000 to pay all or a portion of the cost of the Project.

Section 2. In accordance with United States Treasury Regulation 1.150-2, the Governing Body of the City hereby indicates its intent to reimburse the City with the proceeds of bonds, notes or other obligations of the City, the interest on which is expected to be exempt from federal income taxation, for costs of the Project in an amount not to exceed \$37,555,000.

Section 3. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Governing Body of the City of Gardner, Kansas, on May 6, 2024.

CITY OF GARDNER, KANSAS

(Seal)

/s/

Mayor

ATTEST:

/s/

City Clerk