

**RESOLUTION NO. 2020-02**

**A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY RENEWAL AND IMPROVEMENT NOTES, SERIES 2020-A, OF THE CITY OF BALDWIN CITY, KANSAS.**

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**WHEREAS**, the City of Baldwin City, Kansas (the “Issuer”), has previously authorized certain internal improvements described as follows (collectively, the “Improvements”):

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority</u>	<u>Original Estimated Amount</u>
Sewage disposal system improvements, park improvements, and police department building improvements	2019-20	Charter Ordinance No. 19 and K.S.A. 12-101 <i>et seq.</i>	\$1,250,000
Police Department building	2018-06	Charter Ordinance No. 19 and K.S.A. 12-101 <i>et seq.</i>	1,000,000
Park improvements	2018-19	Charter Ordinance No. 19 and K.S.A. 12-101 <i>et seq.</i>	450,000
Street improvements ; and	2017-12	K.S.A. 12-6a01 <i>et seq.</i>	430,000

**WHEREAS**, the Issuer is authorized by law to issue general obligation bonds to pay costs of the Improvements; and

**WHEREAS**, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issuer; and

**WHEREAS**, the Issuer has previously issued the following temporary notes to temporarily finance a portion of the costs of the Improvements (the “Refunded Notes”):

<u>Series</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>Outstanding Amount</u>	<u>Redemption Amount</u>
2018-B	12/04/2018	03/01/2020	\$1,450,000	\$1,450,000	\$1,450,000

; and

**WHEREAS**, permanent financing for the Improvements and all aspects of the Improvements will not be completed prior to the maturity date of the Refunded Notes and it is necessary for the Issuer to provide cash funds to meet its obligations on the Refunded Notes by the issuance of additional temporary notes of the Issuer; and

**WHEREAS**, the Issuer proposes to issue its temporary notes to pay costs of the Improvements and to retire the Refunded Notes; and

**WHEREAS**, the Issuer has selected the firm of Baker Tilly Municipal Advisors, LLC, Kansas City, Missouri (the “Municipal Advisor”), as municipal advisor for one or more series of general obligation temporary notes to provide funds to temporarily finance the Improvements and retire the Refunded Notes; and

**WHEREAS**, the Issuer desires to authorize the Municipal Advisor to proceed with the offering for sale of said temporary notes and related activities; and

**WHEREAS**, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said temporary notes; and

**WHEREAS**, the Issuer desires to authorize the Municipal Advisor and Gilmore & Bell, P.C., Wichita, Kansas, the Issuer's bond counsel ("Bond Counsel"), in conjunction with the Clerk to proceed with the preparation and distribution of a preliminary official statement and notice of sale and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation temporary notes.

**BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS, AS FOLLOWS:**

**Section 1.** The Issuer is hereby authorized to offer for sale the Issuer's General Obligation Temporary Renewal and Improvement Notes, Series 2020-A (the "Notes") described in the Notice of Sale, which is hereby approved in substantially the form presented to the Governing Body this date (the "Notice of Sale"). All proposals for the purchase of the Notes shall be delivered to the Governing Body at its meeting to be held on the sale date referenced in the Notice of Sale, at which meeting the governing body shall review such bids and award of the sale of the Notes or reject all proposals.

**Section 2.** The Mayor and City Administrator in conjunction with the Municipal Advisor and Bond Counsel are hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Notes (the "Preliminary Official Statement"), and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Notes.

**Section 3.** The City Administrator, in conjunction with the Municipal Advisor and Bond Counsel, is hereby authorized and directed to give notice of said sale by distributing copies of the Notice of Sale and Preliminary Official Statement to prospective purchasers of the Notes. Proposals for the purchase of the Notes shall be submitted upon the terms and conditions set forth in said Notice of Sale, and shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Sale, at which meeting the governing body shall review such bids and shall award the sale of the Notes or reject all proposals in the manner set forth in the Notice of Sale.

**Section 4.** For the purpose of enabling the purchaser of the Notes (the "Purchasers") to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the Mayor and City Administrator or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of the Preliminary Official Statement and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

**Section 5.** The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 6.** The Mayor, City Administrator and the other officers and representatives of the Issuer, the Municipal Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to: (a) carry out the sale of the Notes; and (b) make provision for payment of the Refunded Notes from proceeds of the Notes.

**Section 7.** This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

**ADOPTED** by the Governing Body on January 7, 2019.



Casey Simoneau, Mayor

Laura E. Hartman, CMC  
City Clerk