

RESOLUTION NO. 23-16

A RESOLUTION OF THE CITY OF ANDOVER, KANSAS AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2023, IN A TOTAL PRINCIPAL AMOUNT OF APPROXIMATELY \$3,370,000; SETTING FORTH THE DETAILS OF SAID PUBLIC SALE; AND PROVIDING FOR THE GIVING OF NOTICE THEREOF.

WHEREAS, the governing body of the City of Andover, Kansas (the "City") has heretofore by various proceedings lawfully held and taken, authorized the making of certain capital improvements in the City under the authority of K.S.A. 12-6a01 *et seq.*, as amended and supplemented, and provided for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City; and

WHEREAS, the City is authorized by the provisions of K.S.A. 10-101 *et seq.*, as amended and supplemented, to issue and deliver its general obligation bonds as aforesaid, and is required to sell such general obligation bonds at public sale when the principal amount thereof exceeds \$2,000,000; and

WHEREAS, the governing body hereby finds and determines it to be necessary at this time to authorize and provide for the public sale of general obligation bonds of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

SECTION 1. Authorization of the Bonds and Public Sale. It is hereby found and determined to be necessary, and it is hereby authorized, ordered and directed, that in order to provide the necessary funds to permanently finance all or a portion of the costs of the certain capital improvements in the City, General Obligation Bonds, in the approximate aggregate principal amount of \$3,370,000 (the "Bonds"), shall be issued and delivered.

It is hereby further found and determined to be necessary, and it is hereby authorized, ordered and directed that the Bonds shall be sold at public sale in the manner provided by law. Bids shall be due at the City Hall, 1609 E. Central, Andover, Kansas 67002, by 11:00 A.M., Central Time, on Tuesday, July 11, 2023. The public sale will be held at 7:00 P.M., Central Time, on that same day at City Hall, 1609 E. Central, Andover, Kansas 67002 at which time and place the bids will be publicly disclosed, compared and tabulated, and the governing body will determine the best bid and award the Bonds. The Bonds will be authorized by and issued under an Ordinance to be adopted by the governing body immediately after the awarding of the Bonds.

SECTION 2. Authorization of Summary Notice of Bond Sale and Publication. It is hereby further found and determined to be necessary and it is hereby further authorized ordered and directed, that a Summary Notice of Bond Sale shall be prepared for the City by Triplett Woolf Garretson, LLC, Wichita, Kansas, the City's Bond Counsel ("Bond Counsel"); and that such Summary Notice of Bond Sale shall be published one time as required by law on a date which

shall be at least six (6) days prior to the date of the public sale, in a newspaper of general circulation in the county in which the City is located and in *The Kansas Register*, the official newspaper of the State of Kansas.

SECTION 3. Authorization of Official Notice of Bond Sale and Official Bid Form. It is hereby further found and determined to be necessary, and it is hereby further authorized, ordered and directed, that an Official Notice of Bond Sale and Official Bid Form for the bonds shall also be prepared for the City by Bond Counsel; and that an Official Statement or other informational material shall be prepared by or at the direction of Piper Sandler & Co., Leawood, Kansas, the City's Financial Advisor ("Financial Advisor").

SECTION 4. Authorization for Distribution of Official Notice of Bond Sale and Official Bid Form. It is hereby further found and determined to be necessary, and it is hereby further authorized, ordered and directed, that copies of the aforesaid Official Notice of Bond Sale and Official Bid Form and the City's Official Statement shall be distributed by the Financial Advisor to prospective bidders for the Bonds on or about the date of publication of the Summary Notice of Bond Sale.

SECTION 5. Authorization of Additional Actions as Required. The Mayor and City Clerk are hereby authorized and directed to take all such other actions not inconsistent herewith as may be appropriate or desirable to accomplish the purposes contemplated by this Resolution.

SECTION 6. Effective Date. This Resolution shall be in force and take effect from and after its adoption and approval.

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PASSED, ADOPTED AND APPROVED by the governing body of the City of Andover, Kansas, this 9th day of May, 2023.

CITY OF ANDOVER, KANSAS

[seal]

Mike Warrington, President of the Council

ATTEST:

Susan C. Renner, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met in regular session, at the usual meeting place in the City on May 9, 2023, at 7:00 p.m., with Council President Mike Warrington presiding, and the following members of the governing body present:

and the following members absent:

Mayor Ronnie Price

Thereupon, there was presented to the governing body a Resolution entitled:

A RESOLUTION OF THE CITY OF ANDOVER, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2023, IN A TOTAL PRINCIPAL AMOUNT OF APPROXIMATELY \$3,370,000; SETTING FORTH THE DETAILS OF SAID PUBLIC SALE; AND PROVIDING FOR THE GIVING OF NOTICE THEREOF.

Thereupon, the Resolution was considered and discussed; and on motion of _____, seconded by _____, the Resolution was adopted by a majority vote of the members present, it was given No. 23-__, and directed to be signed by the Mayor and attested by the City Clerk.

CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I hereby certify that the foregoing is a true and correct Excerpt of Minutes of the May 9, 2023 meeting of the governing body of the City of Andover, Kansas.

[seal]

Susan C. Renner, City Clerk