

(PUBLISHED IN THE *BUTLER COUNTY TIMES-GAZETTE* ON SEPTEMBER 22, 2018)

ORDINANCE NO. 2139

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS, AMENDING AND SUPPLEMENTING RESOLUTION NO. 2016-28 RELATING TO CERTAIN PUBLIC BUILDING IMPROVEMENTS AND AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 2101 AND BOND RESOLUTION NO. 2016-30 OF THE CITY.

WHEREAS, K.S.A. 12-1736 provides, in part, that any city in the State of Kansas may erect or construct, acquire a public building or buildings and procure any necessary site therefor and may alter, repair, reconstruct, remodel, replace or make additions to, furnish and equip a public building or buildings; and

WHEREAS, K.S.A. 12-1737 provides, in part, that the governing body of any city may, for the purposes of financing the costs associated with the foregoing, issue general obligation bonds of the city; and

WHEREAS, the City of Augusta, Kansas (the "City" and the "Issuer") has by Resolution No. 2016-28 previously authorized a new public works public building (the "Original Project") in the City and the issuance of general obligation bonds of the City to finance the costs of such building, all pursuant to the Act; and

WHEREAS, the governing body of the City hereby finds and determines that instead of the single public works building that constituted the Original Project, it is now necessary and advisable to construct a new building at the electric plant, remodel an existing building at the electric plant, remodel areas of the water plant building and construct a small garage/barn on the same site, remodel the old water distribution shop and construct a small garage/barn on the same site, and make all related equipment, furnishing, security and infrastructure improvements (collectively, the "Updated Project"), and to provide for the payment of the costs thereof by the issuance of general obligation bonds; and

WHEREAS, the governing body of the City hereby finds and determines that it is necessary and advisable to amend Ordinance No. 2101 and Resolution No. 2016-30 of the City, to include the Updated Project, rather than the Original Project, in the Improvements described therein, and thereby allow Updated Project costs to be financed by the General Obligation Bonds, Series 2016-A (the "Bonds"), issued under such Ordinance and Resolution (jointly, the "Series 2016-A Ordinance").

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

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Updated Project be undertaken and constructed, in place of the Original Project.

Section 2. Project Financing. The estimated costs of the Updated Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses, are unchanged from the Original Project. The costs of the Updated Project,

interest on interim financing and associated financing costs, shall be payable from the proceeds of general obligation bonds of the Issuer issued under authority of the Act.

Section 3. Amendment of Series 2016-A Ordinance. The definition of “Improvements,” as set forth in the Series 2016-A Ordinance is hereby amended to include the Updated Project, which will constitute “Substitute Improvements” under such Series 2016-A Ordinance. Proceeds of the Bonds are hereby authorized to be expended to pay costs of the Updated Project.

Section 4. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City, approval by the Mayor and publication of this Ordinance or a summary hereof in the official City newspaper. City staff and the City’s Bond Counsel are hereby authorized and directed to take necessary actions to supplement the Transcript of Proceedings for the Bonds.

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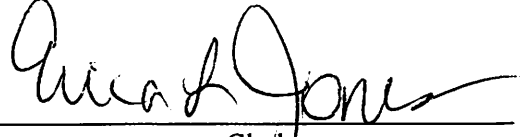
PASSED by the governing body of the City on September 17, 2018 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)



Mayor

ATTEST:



Clerk

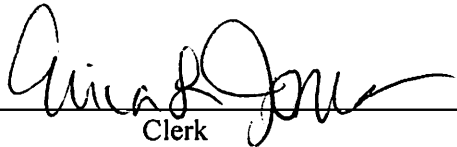
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CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on September 17, 2018; that the record of the final vote on its passage is found on page ____ of journal ____; and that it was published in the *Butler County Times-Gazette* on September __, 2018.

DATED: September __, 2018.



Clerk

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