

ORDINANCE NO. 2637

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$4,100,000 TO PAY THE COST OF CERTAIN IMPROVEMENTS TO THE CITY'S ELECTRIC SYSTEM AND WATER SYSTEM, ALL PURSUANT TO CHARTER ORDINANCE NO. 12 OF THE CITY OF GARDNER, KANSAS.

WHEREAS, the City of Gardner, Kansas (the "City"), is authorized pursuant to Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. 12 of the City passed on September 8, 1992, to issue general obligation bonds of the City for the purpose of purchasing, extending and improving, or purchasing, constructing or extending works for the purpose of supplying the City and its inhabitants with natural gas, water, electric light, or heating or street-railway or telephone service;

WHEREAS, the Governing Body of the City has determined that it is necessary and desirable to improve the electric and water utility systems owned and operated by the City by implementing a smart meter system, such implementation to include, without limitation, installing smart meters for the electric and water systems, together with all necessary engineering, communication infrastructure, and related appurtenances in connection with such improvements (collectively, the "Improvements"), at a total estimated cost of \$4,100,000; and

WHEREAS, the Governing Body of the City finds it desirable and in the best interests of the City to finance the cost of the Improvements with the proceeds of general obligation bonds issued pursuant to Charter Ordinance No. 12 of the City;

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

Section 1. In accordance with Charter Ordinance No. 12 of the City, the Governing Body of the City hereby authorizes the implementation of the Improvements and the issuance of its general obligation bonds in an amount not to exceed \$4,100,000 to pay the cost thereof.

Section 2. In order to comply with the requirements of Section 1.150-2 of the Regulations of the Internal Revenue Service concerning declarations of official intent to reimburse the City for previously paid expenditures from the proceeds of subsequently issued debt, 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 Improvements, together with costs of financing, in an amount not to exceed the cost reflected in Section 1 above.

Section 3. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body of the City and publication in the official City newspaper.

PASSED by the City Council of the City of Gardner, Kansas, on December 3, 2019.

SIGNED by the Mayor of the City of Gardner on December 3, 2019.

CITY OF GARDNER, KANSAS

Mayor

(Seal)

ATTEST:

City Clerk