

RESOLUTION NO. 7265

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE THE WATER AND SEWAGE SYSTEM OF THE CITY OF LAWRENCE, KANSAS; TO AUTHORIZE THE ISSUANCE OF WATER AND SEWAGE SYSTEM REVENUE BONDS FOR THE PURPOSE OF PAYING THE COSTS THEREOF AND RELATED BOND RESERVES AND FINANCING COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION.

WHEREAS, the City of Lawrence, Kansas (the “Issuer”) is authorized under the laws of the State of Kansas to issue general obligation bonds to repair, alter, extend, reconstruct, enlarge or improve the Water and Sewage System (the “System”) owned and operated by the Issuer; and

WHEREAS, K.S.A. 10-1201 *et seq.*, as amended and supplemented (the “Act”), authorizes the governing body of the Issuer to repair, alter, extend, reconstruct, enlarge or improve the System, and to issue utility revenue bonds to pay the costs thereof.

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

Section 1. It is hereby deemed and declared to be necessary to repair, alter, extend, reconstruct, enlarge or improve the System as follows:

1. General improvements to Clinton and Kaw water treatment facilities and to raw water systems
2. General improvements to water storage, pumping stations and automated metering infrastructure
3. Watermain assessment, relocation, rehabilitation, replacement and extension
4. Construct and/or improve field operations facilities (water)
5. General improvements to Kansas River and Wakarusa River wastewater treatment facilities
6. General improvements to wastewater containment and pumping stations
7. Rapid inflow/infiltration reduction program
8. Sanitary sewer/ manhole assessment, cured in place pipe (CIPP), relocation, rehabilitation, replacement and extension
9. Construct and/or improve field operations facilities (wastewater)

(the “Project”) at an estimated acquisition and construction cost of \$21,200,000.

Section 2. The Project will not cause duplication of any existing water and sewage system utility service furnished by a private utility in the boundaries of the Issuer.

Section 3. It is necessary to issue water and sewage system revenue bonds of the Issuer, in an amount not to exceed \$23,000,000 (the “Bonds”), under authority of the Act, to pay the costs of the Project and related bond reserves and financing costs. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. The City Clerk is hereby authorized and directed to publish one (1) time in the official newspaper of the Issuer the notice of the intention of the governing body of the Issuer to undertake the Project and to issue Bonds. If, within fifteen (15) days after the publication of such notice, there shall be filed with the City Clerk, a written protest against the Project or the issuance of the Bonds, signed by not less

than twenty percent (20%) of the qualified electors of the Issuer, the governing body of the Issuer shall thereupon submit such proposed Project and the proposed Bonds to the electors of the Issuer at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the City Clerk within fifteen (15) days following publication of such notice, then the governing body of the Issuer shall proceed to authorize the Project and to issue the Bonds.

Section 5. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the governing body of the City of Lawrence, Kansas, on September 18, 2018.

(SEAL)

ATTEST:

Mayor

City Clerk

(PUBLISHED IN THE *LAWRENCE JOURNAL-WORLD* ON SEPTEMBER ____, 2018)

NOTICE

TO: THE RESIDENTS OF THE CITY OF LAWRENCE, KANSAS

You are hereby notified that the governing body of the City of Lawrence, Kansas (the “Issuer”) intends to repair, alter, extend, reconstruct, enlarge or improve the Water and Sewage System (the “System”) owned and operated by the Issuer, as follows:

1. General improvements to Clinton and Kaw water treatment facilities and to raw water systems
2. General improvements to water storage, pumping stations and automated metering infrastructure
3. Watermain assessment, relocation, rehabilitation, replacement and extension
4. Construct and/or improve field operations facilities (water)
5. General improvements to Kansas River and Wakarusa River wastewater treatment facilities
6. General improvements to wastewater containment and pumping stations
7. Rapid inflow/infiltration reduction program
8. Sanitary sewer/ manhole assessment, cured in place pipe (CIPP), relocation, rehabilitation, replacement and extension
9. Construct and/or improve field operations facilities (wastewater)

(the “Project”) at an estimated acquisition and construction cost of \$21,200,000.

In order to finance costs of the Project and related bond reserves and financing costs, the governing body of the Issuer further intends to issue water and sewage system revenue bonds, in an amount not to exceed \$23,000,000 (the “Bonds”) in one or more series, under the authority of K.S.A. 10-1201 *et seq.* (the “Act”). The Bonds will **not** be general obligations of the Issuer payable from taxation, but shall be payable only from net revenues of the System. The proceeds of the Bonds will be used to pay the costs of the Project and related bond reserves and financing costs.

This Notice shall be published one time in the official newspaper of the Issuer, and if within fifteen (15) days after the date of said publication, there shall be filed with the City Clerk, a written protest against the Project or the issuance of the Bonds, signed by not less than twenty percent (20%) of the qualified electors of the Issuer, then the governing body of the Issuer shall submit such proposed Project and the Bonds to the electors of the Issuer at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed within said period of time, the governing body of the Issuer shall proceed with the Project and the issuance of the Bonds.

DATED: September 18, 2018.

ATTEST:

/s/ Stuart Boley, Mayor

/s/ Sherri Riedmann, City Clerk

CERTIFICATE OF NO PROTEST

STATE OF KANSAS)
) ss:
COUNTY OF DOUGLAS)

The undersigned, City Clerk of the City of Lawrence, Kansas (the "Issuer"), does hereby certify that the governing body of the Issuer duly adopted Resolution No. 7265, on September 18, 2018, declaring it necessary to repair, alter, extend, reconstruct, enlarge or improve the Water and Sewage System (the "System") owned and operated by the Issuer (the "Project") at an estimated cost of \$21,200,000, and to issue water and sewage system revenue bonds, in an amount not to exceed \$23,000,000 (the "Bonds"), under the authority of K.S.A. 10-1201 *et seq.* (the "Act") in order to pay the costs thereof and related bond reserves and financing costs; that a Notice of said intention was duly published one time in the *Lawrence Journal-World*, the official newspaper of the Issuer on September _____, 2018, as required by the Act; that more than fifteen (15) days has elapsed from the date of said publication; and that there has been no sufficient written protest filed in my office against the Project and the issuance of the Bonds, as provided by the Act.

WITNESS my hand and official seal on _____, 2018.

(Seal)

City Clerk