

**AGENDA-REGULAR MEETING
GODDARD CITY COUNCIL
118 NORTH MAIN
GODDARD, KANSAS
JANUARY 6, 2020, 7:00 P.M.**

- A) CALL TO ORDER**
- B) PLEDGE OF ALLEGIANCE AND INVOCATION**
- C) APPROVAL OF THE AGENDA**
- D) CITIZEN COMMENTS**
- E) APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS, & NOMINATIONS**

F) CONSENT AGENDA:

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, the item will be removed from the Consent Agenda and considered separately.

- 1. Approval of Minutes
 - a. Regular Meeting – December 16, 2019
 - b. Amendments to May 6, 2019 Regular Meeting
 - c. Amendment to June 17, 2019 Regular Meeting
- 2. Accounts Payable
 - a. December 18, 2019 for \$990,529.75
 - b. December 19, 2019 for \$23,502.45
 - c. December 27, 2019 for \$73,923.09
 - d. December 31, 2019 for \$35,854.25

G) OLD BUSINESS

- 1. Series 2020-01 Bond Ordinance for the Issuance of General Obligation Bonds
- 2. Series 2020-02 Bond Resolution for Issuance Authorization & Bond Covenants
- 3. Viewpoint Cloud Purchase Software

H) NEW BUSINESS

- 1. Resolution Conforming to Cash Basis & Waiving GAAP Accounting Practices
- 2. Resolution for 2020 Appropriations

I) CITY ADMINISTRATOR'S REPORT

J) GOVERNING BODY COMMENTS

K) EXECUTIVE SESSION

L) ADJOURNMENT

Next Assigned Numbers for:
Charter Ordinance No 14
Ordinance No. 846
Resolution 20-01

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.



CONSENT AGENDA HIGHLIGHTS

F.1 Approval of December 16, 2019 Regular City Council Minutes, Approval of Amendments to May 6, 2019 Minutes: Clover Leaf Phase 1 Petitions and Resolutions. Amended: Arbor Creek Phase 1 Petitions and Resolutions. Resolutions 19-21 and 19-22 Amended from Elk Ridge to Clover Leaf. Approval of Amendment to June 17, 2019 Minutes: Approve Engineering Service Agreement for Arbor Creek Improvements and Sewer Lift Station. Amended to: Approve Engineering Service Agreement to S.E. Growth Corridor Improvements and Sewer Lift Station.

F.2 Review of Accounts Payable

December 18, 2019 for \$990,529.75

December 19, 2019 for \$23,502.45

December 27, 2019 for \$73,923.09

December 31, 2019 for \$35,854.25

- \$281,796.13 Mies Construction, Inc: Pay Request #2 - Arbor Creek Sanitary Sewer Collector, Sanitary Sewer Phase 1, Waterline Distribution System Main, Water Distribution System Phase 1
- \$203,996.80 MKEC Engineering: Services Rendered Through 11.30.19 - Arbor Creek Phase 1, Arbor Creek Lift Station
- \$202,869.77 Nowak Construction Co, Inc: Pay Request #2 - Elk Ridge Phase 3 Sanitary Sewer Improvements, Waterline Improvements, Water Main Improvement
- \$180,700.00 Baughman Company, Pa: Engineering Design Services Thru 10.11.19- Elk Ridge Addition Phase Iii Sanitary Sewer, Water Line, Water Main Improvements; Elk Ridge Addition Phase Iv Street Improvements; Clover Leaf Farms Phase 1 Water Line, Stormwater Drain, Sanitary Sewer Improvements
- \$24,125.00 Sims Electric Service, Inc: Replacement of Damaged Signal Light (Expenditure approved 06.17.19)

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, DECEMBER 16, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday December 16, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were Sarah Leland, Brent Traylor and Hunter Larkin. Councilmembers Torske and Zimmerman were absent

Also present were: Brian Silcott, City Administrator, Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

APPROVAL OF THE AGENDA

MOTION: Councilmember *Traylor* moved to approve the agenda as amended. Councilmember *Leland* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

Mr. Dan Carlyle, 121 Swanee Drive, expressed his concern regarding the proposed luxury rental property in the City.

APPROVAL OF THE CONSENT AGENDA

The following was submitted to the City Council for approval:

- Approval of Minutes
 - Regular Meeting – December 2, 2019
 - Workshop – December 2, 2019
 - Special Meeting – November 26, 2019
- Accounts Payable
 - December 3, 2019 for \$175,151.29
 - December 10, 2019 for \$97,844.27
- Boards & Commissions Receive & File
 - Library Board Meeting Minutes for November 11, 2019
 - Planning Commission Minutes for November 13, 2019
- Cereal Malt Beverage Applications;
 - Goddard Sports LLC
 - Kwik Shop
 - Murphy Oil
 - Pizza Hut
 - Walmart

MOTION: Councilmember *Leland* moved to approve the consent agenda as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

BID AWARD FOR ARBOR CREEK ADDITION PHASE 1 & COLLECTOR PAVING

Brian Silcott, City Administrator presented bids from four contractors with Kansas Paving being the lowest bid. Kansas Paving bid totaled \$304,103.40 for the Paving Collector, \$318,522.40 for Phase 1 Paving and an aggregate low bid of \$622,655.80. The next lowest bid totaled \$674,445.90. The Engineer's Estimate for these improvements totaled \$867,820.80. Staff recommended awarding the bid to Kansas Paving in the amount of \$622,655.80 with \$304,103.40 for the paving collector and \$318,552.40 for Phase 1 paving and to authorize the Mayor & City Staff to Execute the contract.

In accordance with the approved petition, the improvements will be financed through the issuance of temporary notes, which upon reaching the maturity date will be converted into special assessments that will be paid by the property owner.

MOTION: Councilmember *Larkin* moved to award the bid to construct the Paving Collector and Paving Phase 1 Improvements to Kansas Paving in the amount of \$622,655.80 with \$304,103.40 for Paving Collector and \$318,552.40 for Phase 1 Paving Improvements. Councilmember *Leland* seconded the motion. The motion carried unanimously.

CONSIDER AN ORDINANCE AUTHORIZING STAFF DISCRETION FOR ALCOHOL CONSUMPTION IN PARKS

Brian Silcott presented an ordinance that would allow the City Administrator or City Clerk to approve alcohol at any event beginning in 2020. This would allow for beer or wine consumption during events or gatherings at public facilities, including parks, the community center and the Goddard Public Library. In order to have liquor at a public event, an ordinance waiver would still need to be passed by the governing body.

MOTION: Councilmember *Traylor* moved to waive the reading of the Ordinance. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Traylor* moved to adopt said Ordinance. Councilmember *Larkin* seconded the motion.

Roll Call Vote:

Yea: Traylor, Leland and Larkin

Nay:

Ordinance # 843

CONSIDER AN ORDINANCE REPEALING ORDINANCE 653 RELATED TO ACTIVITIES COMMITTEE

Brian Silcott presented a proposed ordinance that would dissolve the Activities Committee and repeal Ordinance 653 and 650, which created the Activities Committee.

MOTION: Councilmember *Leland* moved to waive the reading of the Ordinance. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Leland* moved to adopt said Ordinance. Councilmember *Larkin* seconded the motion.

Roll Call Vote:

Yea: Traylor, Leland and Larkin

Nay:

Ordinance # 844

CONSIDER AN ORDINANCE REVISING PLANNED UNIT DEVELOPMENT ORDINANCE

Micah Scoggan, City Planner presented a proposed ordinance amending the City of Goddard Zoning Regulations by amending the requirements for rezoning a property to a planned unit development.

MOTION: Councilmember *Traylor* moved to waive the reading of the Ordinance. Councilmember *Leland* seconded the motion. The motion carried unanimously.

MOTION: Councilmember *Traylor* moved to adopt said Ordinance. Councilmember *Leland* seconded the motion.

Roll Call Vote:

Yea: Traylor, Leland and Larkin

Nay:

Ordinance # 845

AUTHORIZE PURCHASE AND LICENSING OF VIEW-POINT CLOUD CODE SOFTWARE

Micah Scoggan presented a purchase request for software that will be a foundational move that will allow the City to streamline its permitting process increasing efficacy and allow the City to fully manage the permitting process from beginning to end. Viewpoint Cloud is offering its service at \$11,140 for the introductory rate. It will then drop to \$7,447 for the following year and increase by 7% annually year over year.

Staff recommended allocating the proposed software purchase line item 10-580-6349 General Fund - Code Enforcement – Software & Licenses Cost will be accounted for in the 2020 revised and 2021 proposed budget

MOTION: Councilmember *Traylor* moved to adopt said Ordinance. Councilmember *Leland* seconded the motion. The motion carried unanimously.

ADOPT A RESOLUTION DEFINING 2019 MUNICIPAL BOUNDARY

Brian Silcott presented a resolution reestablishing the boundary of the Goddard city limits. Silcott stated that pursuant to K.S.A 12-517 which states "... in any year in which any territory has been added to or excluded from any city, the governing body of such city shall declare by resolution the entire boundary of the city." The City Engineer has provided this resolution which includes all property added to the Goddard City Limits within the last year.

MOTION: Councilmember *Larkin* moved to adopt said Resolution. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

Resolution #19-34

CITY ADMINISTRATOR'S REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the week of December 16th
Date: December 16, 2019

Below is a brief update on City operations, projects, and future agenda items for the City.

Arbor Creek: The first phase of Arbor Creek Addition is progressing nicely. Phase 1 consists of 55 homes and includes sanitary sewer mains and laterals as well as the paving that will reach into the middle of the new subdivision's club house. The current total for special assessments is \$2,891,000 in phase 1 and collector improvements. An additional petition for pressurized sewer into the SE Growth Corridor Sewer Lift Station may be necessary and paving will be presented at the December 16th regular city council meeting. Special assessment costs are paid entirely by the developer and the home buyers. Arbor Creek will have a total of 245 homes with an average value of approximately \$300,000 at build out.

Revenue/Tax Burden estimates follow: The assessed valuation of a \$300,000 home is an assessed property value (11.5%) is \$34,500/home and \$1,150 average municipal tax bill at the current and historical mill levy of 33.323 mills. Phase 1 will generate \$63,250 in property tax collections and full build out is an estimated valuation of \$8,452,500, generating \$281,750 in City of Goddard (municipal) property tax collections.

Clover Leaf: Work on Clover Leaf Addition is picking up momentum. The image below shows work on the storm water system for Phase I. Clover Leaf contains 133 total lots. Phase 1 consists of 50 total homes with 22 lots sited along Martens Ct. for duplex units which will increase water and sewer customer count by 44 users. Phase 1 also includes 28 lots for single family residential homes. Clover Leaf Phase 1 has \$2,211,000 in special assessments, although this amount may be somewhat less as stormwater and paving work concludes. The exact value of an average home is currently unknown. More information will be provided to the Governing Body as it is known.

Elk Ridge: This final phase of Elk Ridge includes 24 lots bringing the total lots in Elk Ridge to 77 total homes. There are currently 53 homes in Elk Ridge with 31% of the lots available for purchase. This phase includes \$830,800 in special assessments. The average home value is \$300,000, an assessed valuation of \$34,500, and generates \$1,150 in municipal property taxes. At full build out Phase 3 will generate \$27,600 in City taxes and a total subdivision generation of more than \$88,500.

City Council Minutes
December 16, 2019

Rustic Creek Addition: City Planner Micah Scoggan will present a plat approval for Rustic Creek Addition at the December 16th regular City Council meeting. This addition contains 106 single family lots for construction. The anticipated average home value is not yet known but it is anticipated to be in line with St. Andrews Addition average values totaling \$200,000, which is an assessed valuation of \$23,000 and generating roughly \$770 in municipal property taxes at the current mill levy of 33.323. This addition is located immediately to the east of Autumn Blaze Addition and the homes along 199th Street West behind the Orscheln's. Access is planned to the south from Main Street between Orscheln's and Kwik Shop, from the west through Autumn Blaze Addition, and to the east off of 199th Street West.

Medical Lodge Sr. Housing: Work is progressing on this senior housing project that was approved in 2017. The development adds 12 parcels and 24 utility customers plus the club house to Goddard's housing inventory. The average value is approximately \$160,000/\$80,000 per unit/duplex. Each unit valued at approximately \$80,000 will generate an assessed valuation of \$9,200 and a total assessment of \$220,800 (excluding the clubhouse). Each unit generates a municipal property tax of \$307 or an estimated total municipal property tax generation of \$7,360 plus the clubhouse valuation.

SE Growth Corridor Lift Station: Staff will present bids in January for construction of the sanitary sewer lift station that will serve a minimum of 3 ¼ sections or an estimated 800 homes. Arbor Creek Addition will be one of those additions served by this project. The project is estimated to total \$780,000 and will be financed through the issuance of 4 year temporary notes with a portion of the notes planned to be retired in 2024 with the remainder being financed through a long-term debt issuance

Water Rights Extension: The City Administrator and Public Works Director Brooke Brandenburg are working to extend the City's current water rights for an additional five years. Additional information will be reported on our water rights at a January meeting.

S&P Bond Rating: The City recently received a municipal bond rating from Standard & Poor's (S&P). I am pleased to report that given current and known to be anticipated debt issuances the City has received a long-term debt rating of AA- that is anticipated to be increased to AA or AA+ with an increase in budgeted fund balances. ***According to S&P*** the rating of AA- means "An obligation rated AA differs from the highest-rated [AAA] obligations only to a small degree. The obligator's capacity to meet its financial commitments on the obligation is very strong."

The City received a short-term credit rating for the latest issuance of \$6,200,000 for the Series 2019-1 dated December 18, 2019 that is a General Obligation (G.O.) temporary note issuance that will be financed in the long-term through special assessment bonds for the Arbor Creek, Clover Leaf, and Elk Ridge Additions.

The City received S&P's highest short-term credit rating of SP1+. The SP1+ rating is the AAA equivalent, as it is the "highest category by S&P for a short-term issuance. S&P found the City's economy and management practices to be "stable" and views the City's management practices as "strong, with good financial policies and practices." We have been viewed as having "very strong budgetary flexibility," "very strong liquidity," and a strong institutional framework. There is a minor concern about recent fund balance drawdown, but S&P finds Goddard's management and fiscal position to be stable and "it will likely not change the rating during the next two-year outlook. The outlook further reflects our expectation management will likely follow through on its intention to increase available cash-based reserves gradually. In addition, we expect the local economy (4-mile radius around Goddard) will likely continue to grow at a stable rate." A copy of the rating summary has been included with this report.

A special thanks to our Finance Director Matt Lawn, CPFO who partnered with me to compile much of the material included after our many preparatory calls with S&P. I would also like to thank Teri Laymon, City Clerk for her assistance in this endeavor as well.

North Park: Staff hope to have the closing scheduled before January 1, 2020. Additional information will be presented at the December 18th regular city council meeting.

Citizen Boards & Commissions Update: Beginning at the December 16, 2019 regular City Council meeting, the minutes for the Park Board, Library Board, and Planning Commission will be presented as a receive and file consent agenda item.

Mayor's Holiday Tree Lighting: Please see the attached flyer for the Mayor's Holiday Tree lighting ceremony that will occur on December 7th from 5:00 pm to 8:00 pm. Please join us at the Library for an open house that will move to the Linear Park Pavilion for the tree lighting at 6:00 pm. Pictures with Santa will begin at 6:30 pm, in the Library. Thank you to the Goddard Public Library, The Goddard Women's Club, and 1st National Bank of Hutchinson, and local author Bob Sandifer for their work in helping to host this event. Also note, coffee and cocoa will be provided for free by Sunflower Espresso.

2019 Christmas Tree Disposal Site: Goddard Public Works is partnering with Sedgwick County Environmental Resources to provide a Christmas/Holiday Tree disposal location in the parking area at the northwest corner of the swimming pool parking lot in Mean Park (Cedar & South Streets). It is the same location as previous years.

Respectfully Submitted,
Brian W. Silcott,
City Administrator

GOVERNING BODY COMMENTS

Mayor Blubaugh wished everyone a Merry Christmas and a Happy New Year.

EXECUTIVE SESSION

MOTION: Councilmember *Leland* moved to recess into executive session for 20 minutes after a 5 minutes break to discuss a matter of employer-employee relations pursuant to the non-elected personnel matters exception, K.S.A. 75-4319(b)(1); and to discuss the acquisition of real property exception K.S.A. 75-4319(b) (6). The City Council will reconvene the open meeting in the City Council Chambers at 8:23 p.m. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

The City Council recessed into executive session at 7:58 p.m. and reconvened at 8:25 p.m.

MOTION: Councilmember *Leland* moved to approve up to 4% merit increase for all employees. Councilmember *Larkin* seconded the motion. The motion carried unanimously.

ADJOURNMENT

MOTION: Councilmember *Traylor* moved to adjourn the regular meeting. Councilmember *Leland* seconded the motion. The motion carried unanimously.

*Meeting adjourned at 8:26 pm.
Teri Laymon, City Clerk*

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MAY 6, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, May 6, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. Councilmember Leland led in the Pledge of Allegiance and the Invocation. Council members present were, Joe Torske, Larry Zimmerman, Sarah Leland, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Craig Crossette, Assistant to City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Matt Lawn, City Treasurer; Harlan Foraker, City Engineer; and Ryan Peck, City Attorney.

APPROVAL OF THE AGENDA

MOTION: Councilmember *Traylor* moved to approve the agenda as presented. Councilmember *Torske* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

None

APPOINTMENTS, PROCLAMATIONS, RECOGNITIONS, AND NOMINATIONS

Mayor Blubaugh presented the Goddard Gratitude Award to the Goddard Women's club. Blubaugh stated the Goddard Women's Club has served our community since 1933 and are the longest running service organization in the Goddard Community. In 2018 they celebrated their 85th Anniversary! Over the many years, Goddard Women's Club have shown their dedication to our community's improvement by enhancing the lives of our neighbors through their volunteer service. The Goddard Women's Club tackles difficult issues such as Human Trafficking through their community education programs. And lastly, perhaps a community favorite, is the Puppet Ladies, where the Goddard Women's Club performs free shows for our neighbors and the surrounding community. Thank you, Goddard Women's Club, for your passion and unwavering commitment to Goddard!

Craig Crossette, Assistant to the City Administrator introduced Goddard's new Library Director, April Hernandez. April was born and raised in Fort Scott, Kansas and spent over 20 years in Chanute, raising her seven children. While in Chanute, she began working at the community college library and in January 2014 decided to go back to school. She earned her Masters in Library Science from Emporia State University in August of 2015. Most of April's adult children live in the Wichita area, along with her grandson. She has two girls at home; both are active in extracurricular activities. Crossette announced that there will be an open house welcoming for April on Sunday May, 19 from 2:00-4:00 p.m. at Goddard Public Library. Neighbors will enjoy activities, books and refreshments. Tanganyika staff will be there with several cute animals!

Chief Farris introduced the new Community Service Officer Aja Fulcher who began her career with the Goddard Police Department on April 29. Aja is a graduate of Libby High School in Libby, Montana and a veteran of the United States Navy, having served from 2010 through 2014. She was an operations specialist on the Navy Destroyer USS Benfold, where she met her husband Thomas, who is a police officer with the Wichita Police Department. Aja and Thomas are the proud parents of 1 ½ year old Laura. Aja is currently working on a degree in Criminal Justice from Wichita State University.

APPROVAL OF THE CONSENT AGENDA

The City Clerk presented the consent agenda consisting of following items:

- Minutes of the regular city council meeting dated April 15, 2019
- Accounts Payable dated April 23, 2019 for \$83,320.72
- Accounts Payable dated April 25, 2019 for \$25,459.44
- Accounts Payable dated May 2, 2019 for \$77,051.64
- Lions Club Fireworks Stand Application

MOTION: Councilmember *Brandenburg* moved to approve the consent agenda as presented. Councilmember *Leland* seconded the motion. The motion passed with Councilmember Torske abstaining.

ARBOR CREEK PHASE 1 PETITIONS AND RESOLUTIONS

Micah Scoggan, City Planner, presented nine petitions which has been filed in the Office of the City Clerk requesting the making of certain internal improvements going into the Arbor Creek subdivision of the City pursuant to the authority of K.S.A. 12-6a01 *et seq.* Scoggan explained that a letter of credit for each improvement will be issued if the improvements are approved at 35% of the total improvement cost. Terms for the release of the letters of credit will follow that at 50% occupancy of the improvement district, 50% of the letter of credit will be released. At 80% occupancy the full letter of credit will be release. The proposed apportionment of cost between the improvement district and the city at large is 100% to be assessed against the improvement district, and 0% to be paid by the city at large.

Special taxes will be assessed over twenty (20) years. The yearly payments will be the same amount each year with the interest and principal portions of the payments fluctuating to make the yearly payments equal.

If the petition is accepted a resolution authorizing the improvement must be adopted by the governing body. The petitioner is the sole property owner within the proposed improvement district. Under K.S.A 12-6a04 the property owner is requesting that no public hearing or notice be given.

Scoggan added that Phase 1 improvements includes a Collector section which runs between Phases, so the letter of credit will be held longer because it will take longer to meet the threshold requirements of occupancy.

The petitions include the following Phase 1 improvements:

- Grading \$172,000
- Sanitary Sewer \$457,000/Collector \$80,000
- Storm Water \$336,000/Collector \$217,000
- Paving \$655,000/ Collector \$517,000
- Water \$157,000/ Collector \$154,000

Thereupon, there was presented nine Resolutions determining the advisability of the making of certain internal improvements in the City of Goddard, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings:

- Grading Improvements Arbor Creek Addition Phase 1
- Sanitary Sewer Improvements Arbor Creek Addition - Collector
- Sanitary Sewer Improvements Arbor Creek Addition Phase 1
- Storm Water Improvements Arbor Creek Addition – Collector
- Storm Water Improvements Arbor Creek Addition Phase 1
- Paving Improvements Arbor Creek – Collector
- Paving Improvements Arbor Creek – Phase 1
- Water Distribution System Improvements Arbor Creed Addition – Collector
- Water Distribution System Improvements Arbor Creed Addition Phase 1

MOTION: Councilmember *Torske* moved to waive the reading of the Resolutions. Councilmember *Zimmerman* seconded the motion. The motion passed unanimously.

MOTION: Councilmember *Torske* moved to accept the Petitions requesting the making of certain internal improvements and adopt the resolutions as presented. Councilmember *Zimmerman* seconded the motion.

Roll Call Vote:

Yea: Torske, Zimmerman, Leland, Traylor, Brandenburg

Nay:

Resolution 19-06 Grading Improvements Arbor Creek Addition Phase 1
Resolution 19-07 Sanitary Sewer Improvements Arbor Creek Addition - Collector
Resolution 19-08 Sanitary Sewer Improvements Arbor Creek Addition Phase 1
Resolution 19-09 Storm Water Improvements Arbor Creek Addition – Collector
Resolution 19-10 Storm Water Improvements Arbor Creek Addition Phase 1
Resolution 19-11 Paving Improvements Arbor Creek – Collector
Resolution 19-12 Paving Improvements Arbor Creek – Phase 1
Resolution 19-13 Water Distribution System Improvements Arbor Creed Addition – Collector
Resolution 19-14 Water Distribution System Improvements Arbor Creed Addition Phase 1

ELK RIDGE PHASE 3 PETITIONS AND RESOLUTIONS

Micah Scoggan, City Planner, presented four petitions which has been filed in the Office of the City Clerk requesting the making of certain internal improvements going into the Elk Ridge subdivision of the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Scoggan explained that a letter of credit for each improvement will be issued if the improvements are approved at 35% of the total improvement cost. Terms for the release of the letters of credit will follow that at 50% occupancy of the improvement district, 50% of the letter of credit will be released. At 80% occupancy the full letter of credit will be release. The proposed apportionment of cost between the improvement district and the city at large is 100% to be assessed against the improvement district, and 0% to be paid by the city at large.

Special taxes will be assessed over twenty (20) years. The yearly payments will be the same amount each year with the interest and principal portions of the payments fluctuating to make the yearly payments equal.

If the petition is accepted a resolution authorizing the improvement must be adopted by the governing body.

The petitions include the following Phase 1 improvements:

- Sanitary Sewer \$153,000
- Water Main \$35,000
- Paving \$420,000
- Water Line \$94,000

Thereupon, there was presented four Resolutions determining the advisability of the making of certain internal improvements in the City of Goddard, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings:

- Sanitary Sewer Improvements Elk Ridge Addition Phase 3
- Water Main Improvements Elk Ridge Addition Phase 3
- Paving Improvements Elk Ridge Addition Phase 3
- Water Line Improvements Elk Ridge Addition Phase 3

MOTION: Councilmember *Brandenburg* moved to waive the reading of the Resolutions. Councilmember *Traylor* seconded the motion. The motion passed unanimously.

MOTION: Councilmember *Brandenburg* moved to accept the Petitions requesting the making of certain internal improvements and adopt the resolutions as presented. Councilmember *Traylor* seconded the motion.

Roll Call Vote:

Yea: Torske, Zimmerman, Leland, Traylor, Brandenburg

Nay:

Resolution 19-15 Sanitary Sewer Improvements Elk Ridge Addition Phase 3

Resolution 19-16 Water Main Improvements Elk Ridge Addition Phase 3

Resolution 19-17 Paving Improvements Elk Ridge Addition Phase 3

Resolution 19-18 Water Line Improvements Elk Ridge Addition Phase 3

CLOVER LEAF PHASE 1 PETITIONS AND RESOLUTIONS

Micah Scoggan, City Planner, presented four petitions which has been filed in the Office of the City Clerk requesting the making of certain internal improvements going into the Clover Leaf Farms Phase 1 subdivision of the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Scoggan explained that a letter of credit for each improvement will be issued if the improvements are approved at 35% of the total improvement cost. Terms for the release of the letters of credit will follow that at 50% occupancy of the improvement district, 50% of the letter of credit will be released. At 80% occupancy the full letter of credit will be release. The proposed apportionment of cost between the improvement district and the city at large is 100% to be assessed against the improvement district, and 0% to be paid by the city at large.

Special taxes will be assessed over twenty (20) years. The yearly payments will be the same amount each year with the interest and principal portions of the payments fluctuating to make the yearly payments equal.

If the petition is accepted a resolution authorizing the improvement must be adopted by the governing body.

The petitions include the following Phase 1 improvements:

- Sanitary Sewer \$586,000
- Storm Water \$924,000
- Paving \$529,000
- Water \$172,000

Thereupon, there was presented four Resolutions determining the advisability of the making of certain internal improvements in the City of Goddard, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings:

- Sanitary Sewer Improvements Clover Leaf Addition Phase 1
- Storm Water Improvements Clover Leaf Addition Phase 1
- Paving Improvements Clover Leaf Addition Phase 1
- Water Line Improvements Clover Leaf Addition Phase 1

MOTION: Councilmember *Torske* moved to waive the reading of the Resolutions. Councilmember *Leland* seconded the motion. The motion passed unanimously.

MOTION: Councilmember *Torske* moved to accept the Petitions requesting the making of certain internal improvements and adopt the resolutions as presented. Councilmember *Leland* seconded the motion.

Roll Call Vote:

Yea: Torske, Zimmerman, Leland, Traylor, Brandenburg

Nay:

- Resolution 19-19 Sanitary Sewer Improvements Clover Leaf Addition Phase 1
- Resolution 19-20 Storm Water Improvements Clover Leaf Addition Phase 1
- Resolution 19-21 Paving Improvements Clover Leaf Addition Phase 1
- Resolution 19-22 Water Line Improvements Clover Leaf Addition Phase 1

183RD STREET PATHWAY BID AWARD

Craig Crossette explained to the Governing Body that on April 11th, 2019 the City of Goddard shared it’s Request for Bids (RFB) for the installation of a walking path located on the west side of 183rd Street. Prior to the RFB posting, the City acquired right-of-way access agreements from the property/business owners who are impacted by the sidewalk. The scope of the project includes the installation of an eight (8) foot wide sidewalk beginning at the Holy Spirit Crosswalk south of U.S. 400 to the Prairie Sunset Trail along the western side of 183rd Street (See Exhibit A). Further, the project includes six (6) benches, sidewalk ramps, and a retaining wall. Site cleaning and restoration were also included in the request.

The project aligns with the City of Goddard’s mission to provide for a family oriented, active lifestyle by increasing our neighbors access to services and amenities, while also promoting active lifestyles with a walking path that connects to the Prairie Sunset Trail. Further, this project aligns with suggestions outlined within the City’s Bicycle and Pedestrian Plan. The City received a total of nine (9) bids from construction firms in the metro-area as follows:

183rd Street Sidewalk Improvements Bid								
Prado	Major	Kansas Paving	PPJ	Multicon	Barkely	Pearson	Cornejo	OPP
\$ 109,961.00	\$ 117,717.00	\$ 122,468.10	\$ 140,741.90	\$ 141,646.00	\$ 144,670.00	\$ 162,853.00	\$ 162,905.75	\$ 174,365.50

Prado Construction submitted the low bid for the 183rd Street Sidewalk Project. Upon receiving their low bid, the City of Goddard Engineer spoke with three professional references whom expressed satisfaction in their experiences working with Prado Construction. Staff believes Prado Construction will provide adequate services for the lowest cost.

If the bid is awarded, Staff recommends allocating the associated \$109,961.00 expenditure to the Capital Improvement Fund, Park/Trail Capital Projects, Contractors/Construction line-item 90-670-6320

Crossette recommended awarding the 183rd Street Sidewalk Improvements Bid to Prado Construction.

MOTION: Councilmember *Traylor* moved award the 183rd Street Sidewalk Improvements to Prado Construction for \$109,961.00. Councilmember *Torske* seconded the motion. The motion passed unanimously.

183RD STREET TURN-LANE & FRONTAGE ROAD RIGHT-OF-WAY AGREEMENT AMENDMENT

Brian Silcott, City Administrator stated that on February 4, 2019, the Governing Body unanimously approved a right-of-way purchase agreement for the for the 2019 Capital Improvement Program (CIP) project to install a turn lane and realign the existing frontage road on the Kellogg north frontage road & 183rd Street. The agreed upon purchase price was \$50,000. Because the project is utilizing Federal Highway Funds two property appraisals are required with the median value of the two appraisals. The median valuation is \$56,335 and is based upon

appraisals performed by Martens Appraisal (\$59,670) and the Roger Turner Group (\$53,000). The total difference is \$6,335. This amount exceeds staff authorization authority and necessitates Governing Body action.

Silcott presented a revised purchase agreement that amends the purchase price to \$56,335.00. Specifically, it amends Paragraph 2 “2. Purchase Price” to \$56,335.00. The amendment also inserts Paragraph 11 “11. Brokers” clarifying that the Seller (Marilyn & John Dugan) are paying a 4% sales commission.

Staff anticipates presenting a KDOT project agreement at the May 20th Regular City Council Meeting

Silcott added that the project is contained in the City’s Capital Improvement Program. This project has \$500,000 in encumbered funds. KDOT has agreed to finance 100% of this project’s construction, up to an amount not to exceed \$656,000. At present, this amount is more than enough to cover the anticipated 2019 construction cost. Construction is planned for late summer/early autumn 2019.

Silcott recommended the City Council: Authorize the Mayor to execute the purchase agreement as presented.

MOTION: Councilmember *Torske* moved to authorize the Mayor to execute revised purchase agreement as presented. Councilmember *Brandenburg* seconded the motion. The motion passed unanimously.

APPROVE WATER WELL METER REPLACEMENT AND TOWER DISTRIBUTION WATER METER INSTALL

Brian Silcott explained to the Governing Body that the City of Goddard tracks public water consumption through meters in its water tower and well system. The City’s existing mechanical meters are worn and comprised of old technology, potentially causing them to be functioning improperly. Over time, when scale builds up on the meters, it causes more water flow to move the metering wheel. As scale builds up it could cause a variable percentage of water loss to occur, resulting in reporting discrepancies.

The City Engineer and Public Works Department have been in discussion with Administration to introduce magnetic meters into the system to replace the outdated mechanical meters. The magnetic meters do not have the moving parts that result in scale build up issues. Magnetic meters utilize magnetic frequency to read the flow, are much more accurate than mechanical meters, and have a longer life-cycle.

Lastly, the meter specifically for the water tower is utilized to meter the flow of water leaving the tower complex as it enters into the distribution system. Magnetic meters will ensure that the measurements of the flow will be accurately tracked daily, assisting with the tracking of possible leaks and other potential discrepancies in the system.

The City received bids from two (2) different firms who provide equipment and installation of magnetic meters.

Axiom: \$60,796.65

Pedrotti: \$118,550.00

Silcott recommended the Governing Body award the project to Axiom for an amount of \$60,796.65. The low-bid was provided by Axiom and the City Engineer has approved the scope of work included in their proposal to ensure that the equipment will interface/configure properly to our existing system. Further, Axiom will be providing Siemens magnetic meters, which is the same brand that can be seen often throughout the rest of the City's system, making parts exchanges easy and harmonious.

Silcott added, if approved, the \$60,796.65 expenditure will be allocated to the Water Reserve Fund, Utility Administration, Capital Projects, line item 82-810-8600

MOTION: Councilmember *Torske* moved award the project to Axiom for an amount of \$60,796.65 and to allocate the expenditure as presented. Councilmember *Leland* seconded the motion. The motion passed unanimously.

SET 2020-2024 CAPITAL BUDGET WORKSHOP

The 2020-2024 Capital Budget Workshop was scheduled for Monday, May 13, 2019 at 4:00 p.m. in the City Council Chambers.

CITY ADMINISTRATOR'S REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the week of May 6th
Date: May 6, 2019

Below is a brief update on City operations, projects, and future agenda items for the City.

183rd & Kellogg: The right-of-way acquisition agreement amendment was presented at this evening's meeting. The next action will be the adoption of the KDOT construction agreement, which we anticipate presenting at the May 20th regular City Council meeting.

Kellogg & Crowne Drive: The traffic impact study, design review, design scope of works with Transystems, KDOT construction agreement, and an updated corridor management agreement with KDOT is planned for the May 20th regular City Council meeting.

183rd Pathway: The construction bids were presented at tonight's City Council meeting and the next course of action will be to mobilize and construct the improvement. As soon as the construction is known, I will regularly report on its progress as well as the budgetary status of the work.

North Park: Staff is meeting tomorrow morning (5/7) with the property owners of the possible north park ground to review the draft purchase agreement. We are hopeful that we will have an agreement to present at the May 20th Regular City Council meeting. Once the purchase agreement is finalized, the next step will be working with the Park Board to develop a park concept that will be the basis of the park's development.

2019 Roadway Maintenance Bid Approval: Staff will present the bid award request at the May 20th meeting. The RFP's were distributed to 15 paving contractors with follow-up calls. The City annually allocates \$200,000 for maintenance activities. These activities include isolated full depth repairs, crack sealing, mill & overlay of new asphalt, and a top coat sealant. In July 2019, another RFP will be distributed for crack sealing on roadways that will be the roadways to receive a sealant application in the spring of 2020. In short, the new process will crack seal in the autumn and the sealant will be applied in the following spring.

Linear Park Playground Improvement: The poured in place playground surface project that was approved at the 4/15 regular City Council meeting has been delayed. During the April 18th Park Board meeting, Mayor Blubaugh received a request from the Park Board to install new free-standing play equipment at Linear Park. The Park Board will meet on May 16th to finalize their recommended equipment purchase to the City Council. This request is planned for the May 20th or June 3rd regular City Council meeting. The estimated total cost of \$70,000, which includes the new playground equipment, as well as, the approved and additional poured in place surfacing. Given the concrete work, the splash pad may need to be taken out of service for a period of 3-6 days while the playground surface cures. **PLEASE NOTE**: The pool and splash pad will be fully operational on May 19th.

Cost of Development Analysis: I hope to have a revised spreadsheet on the cost of development finalized late this week. Once this is complete we will present and brief overview of its content and methodology in a budget workshop. The purpose of the spreadsheet is to provide an educated guess as to the relative value and cost of replacing new and existing infrastructure. The summer intern for planning & zoning will be working on a map visualization of this document to assist in presenting and discuss the "true cost of growth."

Community Center Siding: This item will be discussed during the planned capital budget & CIP workshop planned for Monday, May 13th with a possible presentation on May 20th or June 3rd. Craig Crossette, Assistant to the City Administrator, has been working to gather bids and assess the structural integrity of the flooring. We anticipate the cost to install new siding in the damaged area only to be approximately \$3,000 and the cost to reside the entire building is estimated to be \$25,000.

GFOA Budget Award: I am pleased, and proud to announce that the City of Goddard has once again received the Government Finance Officer's Association (GFOA) award for "Distinguished Budget Presentation". Thank you to our Finance Director Matt Lawn, CPFO for his diligent work.

The Inaugural Farmers Market: The City's first ever Farmers Market is planned for tomorrow, Tuesday, May 7th from 5pm to 8pm. This day & time is subject to weather and will occur regardless of tomorrow's weather, each Tuesday from 5pm to 8pm until October.

Respectfully Submitted,
Brian W. Silcott, City Administrator

GOVERNING BODY COMMENTS

Councilmember Zimmerman thanked staff for all their hard work.

Councilmember Blubaugh said that he appreciates staff for all they do.

EXECUTIVE SESSION

MOTION: Councilmember *Torske* moved to recess into executive session for 10 minutes after a 5 minutes break, for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship K.S.A 75-4319 (b)(1); and, to discuss a matter involving a city employee pursuant to the non-elected personnel matters exception, K.S.A. 75-4319(b)(1). The City Council will reconvene the open meeting in the City Council Chambers at 8:25 p.m. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

The City Council recessed into executive session at 8:10 p.m. and reconvened at 8:25 p.m. Mayor Blubaugh announced there was no binding action taken in executive session.

MOTION: Councilmember *Brandenburg* moved to recess into executive session for an additional 10 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship K.S.A 75-4319 (b)(1). The City Council will reconvene the open meeting in the City Council Chambers at 8:35 p.m. Councilmember *Leland* seconded the motion. The motion carried unanimously.

The City Council recessed into executive session at 8:25 p.m. and reconvened at 8:35 p.m. Mayor Blubaugh announced there was no binding action taken in executive session.

ADJOURNMENT

MOTION: Councilmember *Torske* moved to adjourn the regular meeting. Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

*Meeting adjourned at 8:39 p.m.
Teri Laymon, City Clerk*

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, JUNE 17, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday June 17, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. Councilmember Zimmerman led in the Pledge of Allegiance and the Invocation. Council members present were, Larry Zimmerman, Brent Traylor and Brook Brandenburg. Councilmember Leland arrived at 7:08 p.m. Councilmember Torske was absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Craig Crossette, Assistant City Manager; and Thatcher Moddie, Administrative Intern.

APPROVAL OF THE AGENDA

MOTION: Councilmember *Brandenburg* moved to approve the agenda as presented. Councilmember *Traylor* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

Chari Michael, 401 Burns, Turon, Kansas stated she lost a son to suicide and joined an organization to make people aware suicide prevention. Michael presented prevention pamphlets and announced that there will be a Walk to Fight Suicide in Wichita, Kansas September 21, 2019 at Riverside Park, sponsored by American Foundation for Suicide Prevention and Out of the Darkness Community Walks. Michael stated more information can be found at afsp.org/Wichita.

Lisa Stoller, 10918 West Maxwell Circle, Wichita, Kansas 67215 Goddard Public Library board provided thanked the City Council for partnering with Public Policy and Management Center at Wichita State University who provided expertise and support to develop a strategic plan. Stoller provided an update on the Library Boards' Strategic Plan.

APPROVAL OF THE CONSENT AGENDA

The City Clerk presented the consent agenda consisting of following items:

- Minutes of the regular city council meeting dated June 3, 2019
- Accounts Payable dated June 10, 2019 for \$89,416.55
- Accounts Payable dated June 12, 2019 for \$93,313.58

MOTION: Councilmember *Traylor* moved to approve the consent agenda as presented. Councilmember *Leland* seconded the motion. The motion passed unanimously.

RECEIVE AND FILE THE 2018 AUDIT REPORT

Randy Ford with Busby Ford & Reimer, LLC provided an overview of the 2018 Audit Report. Ford added that the City Staff was very easy to work with.

APPROVE AN ENGINEERING SERVICE AGREEMENT FOR ARBOR CREEK AND S.E. GROWTH CORRIDOR IMPROVEMENTS AND SEWER LIFT STATION

Brian Silcott presented a proposed engineering agreement between the City MKEC. for the design of bond financed improvements consisting of paving, storm sewer, water system, and storm water system improvements. Staff recommends using MKEC as the firm provided the preliminary engineering services for the platting of the Elk Ridge subdivision as well as the design of improvements for the subdivisions 3 other additions and can expedite plan preparation.

MOTION: Councilmember *Zimmerman* moved to approve the proposed engineering service agreement and authorize all necessary signatures. Councilmember *Brandenburg* seconded the motion. The motion passed unanimously.

RECEIVE THE CHAMBER OF COMMERCE 2018-19 ANNUAL REPORT AND 2020 FUNDING REQUEST

Angie Duntz, Executive Director of the Goddard Chamber of Commerce presented the 2018-19 Annual Report including their mission, vision and accomplishments. Maggie Seiler, President of the Goddard Chamber presented an overview on the vision, mission of the Young Professionals of Goddard.

The Chamber requested funding of \$10,000 to help with the Chamber's general operating expenses, \$2,000 for educational purposes such as luncheon speakers and learning opportunities for the executive director and/or board members. Duntz also requested \$3,00 for the Young Professionals community eservice events and \$2,000 for the Young Professionals to facilitate additional young professional social recruitment/retention events and leadership development activities for a total request of \$17,000.

CONSIDER TEMPORARY SUSPENSION OF BEER AND ALCOHOL BANK FOR THE CHAMBER OF COMMERCE AFTER HOURS IN THE PAVILION ON JUNE 20, 2019

Thatcher Moddie, Administrative Fellow presented an Ordinance to temporarily suspend the ban on beer and wine in linear park for the duration of the Chamber of Commerce celebration on Friday, June 21, 2019 from 4:00 p.m. to 9:00 p.m.

MOTION: Councilmember *Zimmerman* moved to waive the reading of the ordinance. Councilmember *Leland* seconded the motion. The motion passed unanimously.

MOTION: Councilmember *Zimmerman* moved to adopt said ordinance. Councilmember *Leland* seconded the motion.

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Brandenburg

Nay:

Ordinance #831

CONSIDER TEMPORARY SUSPENSION OF BEER AND ALCOHOL BAN FOR THE GODDARD GATHERING FOOD TRUCK RALLY ON JUNE 21 2019

Thatcher Moddie 832 presented an Ordinance to temporarily suspend the ban on beer and wine in linear park for the duration of the Food Truck Rally and concert on June 21, 2019 from 4:00 p.m. to 9:00 p.m.

MOTION: Councilmember ***Brandenburg*** moved to waive the reading of the ordinance. Councilmember ***Traylor*** seconded the motion. The motion passed unanimously.

MOTION: Councilmember ***Brandenburg*** moved to adopt said ordinance. Councilmember ***Traylor*** seconded the motion.

Roll Call Vote:

Yea: Zimmerman, Leland, Traylor, Brandenburg

Nay:

Ordinance #832

APPROVE TRAFFIC SIGNAL POLE REPLACEMENT AT THE SW CORNER OF 199TH AND KELLOGG

Craig Crossette, Assistant City Administrator, stated on January 18, 2019 a motorist struck the traffic signal pole at 199th and South Kellogg Drive. The traffic pole received significant damage, however, has remained operable with temporary fixes applied by the Public Works Department. The City is currently working through the insurance claim process and has been advised to move forward with the repairs with the expectation that pole replacement repairs might be covered by the motorists' insurance.

The City solicited quotes for the repairs from three (3) different firms who provide traffic control infrastructure services. Staff received proposals from two (2) firms. See below:

Phillips Southern Electric Co.: \$25,765.00

Sims Electric Service Co.: \$24,125.00

Staff recommends awarding the costs of the project to the low bid submitted by Sims Electric Service Co. for an estimate amount of \$24,125.00

If approved, the \$24,125.00 estimated costs will be allocated to the Capital Improvement fund, Streets, Traffic Signals, line item 90-410-8520.

MOTION: Councilmember ***Brandenburg*** moved to award the costs of the project to Sims Electric Service Company for \$24,125. Councilmember ***Leland***

seconded the motion. The motion passed unanimously.

AUTHORIZE A SEWER MAIN REPAIR ON ARGON STREET

Craig Crossette explained that while completing sewer jetting services, the City of Goddard Public Works department identified an obstruction in the sewer line on a property near Argon Drive. After the obstruction was identified, the City consulted with a firm to camera the line to identify the source of the obstruction. The camera process revealed a protruding cast iron tap in the 8-inch sewer main. The City Engineer informed that the tap needs to be removed to avoid potential sewer problems in the area. Subsequently, the City Engineer constructed and solicited a request for proposals seeking bids from companies that complete required services to have the tap removed. The homeowner has been contacted and is aware of the scope of work. The site will be remediated as soon as the tap has been removed. As soon as the bid has been awarded our resident will be made aware of the timeline for the work.

The City Engineer's estimated costs for the project is \$10,000.00. The request for bids was sent to five (5) companies and two (2) proposals were submitted to Staff. Nowak Construction company submitted the high bid of \$24,569.00, while Wilks Underground Utilities LLC submitted the low bid of \$9,875.00.

Staff believes that Wilks Underground can adequately complete the project and they have submitted the low bid.

If approved, the \$9,875.00 expenditure will be allocated to the Sewer Replacement Reserve fund, Sewer/Stormwater, Repair & Maintenance—Utility Infrastructure line item 83-665-6150.

MOTION: Councilmember *Brandenburg* moved to award the project to Wilks Underground for \$9,875.00 and to allocate the expenditures as presented. Councilmember *Leland* seconded the motion. The motion passed unanimously.

2019 PROPOSED BUDGET FOR NON-MILL LEVY FUNDS

Matt Lawn, City Treasurer, reviewed the 2019 proposed budget for non-mill levy funds, including special Highway/Street, Special Parks and Recreation, Tourism Promotion, Equipment Reserve, Water Reserve, Sewer Replacement Reserve and the STAR Bond Fund.

CITY ADMINISTRATORS REPORT

To: Honorable Mayor and City Council
From: Brian W. Silcott, City Administrator
Cc: Department Directors & Staff
Re: City Administrator Report for the week of June 17th
Date: June 17, 2019

Below is a brief update on City operations, projects, and future agenda items for the City.

Kellogg & Crowne Drive Signalization/RCUT: There is nothing new to report on this project. I hope to have additional information to report to your before the July 1st City Council meeting.

We plan to present the construction agreement and design scope of services at a July City Council meeting. This item will be presented in a single multi-action agenda item. Staff will present the construction & corridor agreement, and the RCUT design scope of services as a single item that can be taken as a single motion by the City Council

183rd Pathway: This project was initially delayed due to intense rains, and is underway, however, there has been additional weather delays, but nothing significant to note. My next report will include photos of the project's progress.

North Park: The property survey for a potential north Park location and sale agreement is scheduled for has been completed and I anticipate presenting a land purchase agreement in July.

Fee Resolution Update: The City periodically updates its fee resolution. Staff will present an update in July 1st regular City Council meeting.

Water Well Meter Installation: The installation of the magnetic meters for the water wells is scheduled to begin late this week and carryover into the following week.

Splash Pad Bucket: The splash bad bucket repair is now scheduled for the week of June 24th through the 28th.

2019 Street Maintenance: The road maintenance is planned for mid-July. I will provide a tentative schedule once it is known. Staff will use the Goddard Pulse to notify citizens impacted by the maintenance. We will also include how to navigate the temporary roadway closures in the July Glance.

GPD Drone Grant: I am pleased to pass along that Chief Farris reports that Officer Lamar has secured a \$2,500 grant from Walmart for the purchase of a police department drone. The drone is to be used for Law Enforcement activities and will include a high definition infrared camera.

Playground Equipment Installation: The playground equipment purchase that was authorized by the Governing Body at the June 1st Council meeting has been scheduled for mid-August. The work requires an overnight temperature of at least 65-degree Fahrenheit. The splash pad and playground equipment will need to be placed out of service while the work is performed. I do not know for how long the attractions will be out of service, but I hope that is it less than 7-10 days.

23rd Street Repair: The segment of roadway between Walnut and Spruce Streets has significant base failure, which necessitates immediate repair. The segment immediately adjacent to Spruce Street will require ditch and culvert work to facilitate stormwater flow. Staff will present bids for the project at the July 1st meeting. We estimate the cost to be between \$50,000 and \$60,000.

GPD Cruiser Replacement: One of our police Tahoe's was involved in a traffic accident, which fortunately did not result in any injuries. However, both vehicle's experienced extensive damage. Staff will present a purchase request to replace the damaged GPD Tahoe, the interior kit from the totaled vehicle can be used in the replacement cruiser. This item will be presented in July.

Ideatek Service Agreement: The City has been approached by a wireless telecom provider to provide service the Goddard area. The company is Ideatek out of Buhler, Kansas. In accordance with state laws, I anticipate presenting a service agreement (formerly known as franchise agreement) in late July or August for your consideration.

Water & Sewer Rate Ordinance: We are planning to present a water and sewer rate ordinance in August or September. The ordinance is intended to have water & sewer rates based on consumption. The lower water usage the lower the utility bill. We hope to show that the vast majority of users will see a rate decrease if their consumption remains unchanged.

Respectfully Submitted,
Brian W. Silcott, City Administrator

Brian Silcott announced the Craig Crossett has taken the position of City Administrator in Sterling Kansas,

Fred Farris, Police Chief announced that there is an ongoing problem with trucks parking on Kellogg. Farris stated that he wanted to let the Council aware that the Police Department is working on the problem.

GOVERNING BODY COMMENTS

Councilmember Zimmerman asked if there was still consideration on the table for sheds around the wells.

Councilmember Leland congratulated Craig Crossette on his new position.

Councilmember Brandenburg stated that he is pleased with the Financials.

Mayor Blubaugh thanked Brian Silcott and Matt Lawn for their work on the Financials.

ADJOURNMENT

MOTION: Councilmember *Leland* moved to adjourn the regular meeting.
Councilmember *Brandenburg* seconded the motion. The motion carried unanimously.

Meeting adjourned at 8:30 p.m.
Teri Laymon, City Clerk

CITY OF GODDARD
 ACCOUNTS PAYABLE LIST: DECEMBER 18, 2019
 COUNCIL REVIEW: JANUARY 06, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
AT&T	MONTHLY INTERNET/PHONE SERVICE - PUBLIC WORKS SCADA SYSTEM	\$ 170.92
ATLAS ELECTRIC	REPLACE GREEN TRAFFIC SIGNAL AT 183RD & KELLOGG	\$ 557.50
B & B KLASSEN ENTERPRISES, INC.	LAGOON SLOP STABILIZATION FINAL INVOICE <i>(Expenditure approved 10.07.19)</i>	\$ 74,912.00
BAUGHMAN COMPANY, PA	ENGINEERING DESIGN SERVICES THRU 10.11.19- ELK RIDGE ADDITION PHASE III SANITARY SEWER, WATER LINE, WATER MAIN IMPROVEMENTS; ELK RIDGE ADDITION PHASE IV STREET IMPROVEMENTS; CLOVER LEAF FARMS PHASE 1 WATER LINE, STORMWATER DRAIN. <u>SANITARY SEWER IMPROVEMENTS.</u>	\$ 180,700.00
CARD SERVICES - UMB PURCHASE CARD	NOVEMBER 2019 PURCHASES - LAYMON, LAMAR, SCOGGAN, BRANDENBURG, MCCANN, FARRIS, PUBLIC WORKS, FULCHER, MODDIE	\$ 9,544.06
CULLIGAN OF WICHITA	BOTTLED WATER - LIBRARY. OVERPAYMENT CREDIT MEMO-LIBRARY	\$ (66.10)
ENGEL, SHAWN	MILEAGE REIMBURSEMENT THRU 12.13.19 - KLETC TRAINING	\$ 39.44
FAHNESTOCK PLUMBING, HVAC & ELECTRIC	REPAIR PUBLIC HEATER - PUBLIC WORKS NORTH SHOP	\$ 617.75
FAMILY HEALTH AMERICA. LC	DECEMBER 2019 ADMINISTRATIVE SERVICES FOR FSA	\$ 100.00
GLOCK, INC	WEAPON PART-POLICE	\$ 5.00
GODDARD USD 265	FLEET FUEL - POLICE, PUBLIC WORKS <i>(June 2019 thru November 2019)</i>	\$ 16,982.02
GREATER WICHITA YMCA	NOVEMBER 2019 HEALTHY LIFESTYLE COACHING FEES	\$ 356.00
INNOVATIVE CREDIT SOLUTIONS	ANNUAL MEMBERSHIP RENEWAL - POLICE	\$ 75.00
LE UPFITTER	UNIFORM ITEMS - POLICE	\$ 30.50
MAYER SPECIALTY SERVICES, LLC	HIGH PRESSURE CLEANING OF (6) SANITARY SEWER LINES	\$ 750.00
MERIDIAN ANALYTICAL LABS, LLC	LAB ANALYSIS - DRINKING WATER, WASTEWATER	\$ 515.00
METROPOLITAN AREA BUILDING & CONSTRUCTION DEPARTMENT - MABCD	NOVEMBER 2019 PERMIT FEES	\$ 4,466.24
MIES CONSTRUCTION, INC.	PAY REQUEST #2 - ARBOR CREEK SANITARY SEWER COLLECTOR, SANITARY SEWER PHASE 1, WATERLINE DISTRIBUTION SYSTEM MAIN, WATER DISTRIBUTION SYSTEM PHASE 1.	\$ 281,796.13
MKEC ENGINEERING	SERVICES RENDERED THROUGH 11.30.19 - ARBOR CREEK PHASE 1, ARBOR CREEK LIFT STATION	\$ 203,996.80
MOTOROLA	PURCHASE (2) NEW PORTABLE RADIOS - POLICE <i>(Expenditure approved 11.18.19)</i>	\$ 6,655.96
NOWAK CONSTRUCTION CO, INC	PAY REQUEST #2 - ELK RIDGE PHASE 3 SANITARY SEWER IMPROVEMENTS, WATERLINE IMPROVEMENTS, WATER MAIN IMPROVEMENT	\$ 202,869.77
OSBORN-LPC, JANELLE - RIVER PARK PSYCHOLOGY CONSULTANTS	(2) ANNUAL MENTAL HEALTH EVALUATIONS - POLICE	\$ 160.00
PARTY EXPRESS BUS	(3) BUS RENTALS FOR COMMUNITY EVENT CHRISTMAS LIGHT TOUR ON 12.19.19	\$ 1,350.00
SEDGWICK COUNTY ASSOCIATION OF CITIES - SCAC	2020 MEMBERSHIP DUES	\$ 150.00

CITY OF GODDARD
 ACCOUNTS PAYABLE LIST: DECEMBER 18, 2019
 COUNCIL REVIEW: JANUARY 06, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
TIMES-SENTINEL NEWSPAPERS, LLC	PUBLICATION OF RESOLUTION 19-33. PUBLICATION OF ORDINANCE 841. GHS/EHS WINTER SPORTS CALENDAR SUPPORT AD.	\$ 748.00
UNITED RENTALS	RENTAL OF TELESCOPIC 4WD BOOM TO HANG CHRISTMAS DECORATION ON MAIN STREET AND LINEAR PARK	\$ 2,192.94
USA BLUE BOOK	LAB SUPPLIES - WWTF	\$ 179.57
WASTE MANAGEMENT	Q-1 2020 TRASH SERVICE - CITY PARK	\$ 132.30
WICHITA-KIDD'S TOWING	TOWING FEES - ACO VEHICLE	\$ 150.00
XEROX FINANCIAL SERVICES	DECEMBER 2019 LEASE FEE - LIBRARY COPIER	\$ 232.95
YOGASHIELD YOGA FOR FIRST RESPONDERS	YOGA INSTRUCTOR FEES - POLICE (10.03.19 Thru 11.07.19)	\$ 160.00
	TOTAL	\$ 990,529.75

CITY OF GODDARD
 ACCOUNTS PAYABLE LIST: DECEMBER 19, 2019
 COUNCIL REVIEW: JANUARY 06, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
BLUBAUGH, JAMEY	MILEAGE/LODGING REIMBURSEMENT (APRIL 2019 MAYORS CONFERENCE, OCTOBER 2019 LEAGUE CONFERENCE E	\$ 1,125.40
COX BUSINESS	MONTHLY INTERNET/PHONE SERVICE - POOL	\$ 121.58
IMAGE QUEST	MONTHLY METERED MAINTENANCE FEE - ADMIN COPIER	\$ 135.69
KANSAS DEPARTMENT OF AGRICULTURE-DIVISION OF WATER	FIVE YEAR EXTENSION REQUEST FEE FOR PERFECTION OF APPROPRIATION OF WATER FILE NO. 40924 & NO. 40926. <i>(Extension request until 12.31.25)</i>	\$ 200.00
OPENGOV	ANNUAL RENEWAL FEE-BUDGET BUILDER, PERFORMANCE MEASURES, REPORTING & ANALYSIS <i>(Renewal Period: 11.16.19 thur 11.15.20)</i>	\$ 14,277.37
QUILL	FACIAL TISSUE, TRASH BAGS, BATHROOM PAPER TOWELS, FILE FOLDERS	\$ 142.41
S & P GLOBAL RATINGS	FEE FOR ANALYTICAL SERVICES RENDERED IN CONNECTION WITH GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2019- 1, DATED 12.18.19.	\$ 7,500.00
	TOTAL	\$ 23,502.45

CITY OF GODDARD
 ACCOUNTS PAYABLE LIST: DECEMBER 27, 2019
 COUNCIL REVIEW: JANUARY 06, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
BLUE CROSS BLUE SHIELD	JANUARY 2019 EMPLOYEE HEALTH / DENTAL INSURANCE PREMIUMS	\$ 27,538.06
CARD SERVICES - UMB PURCHASE CARD	NOVEMBER 2019 PURCHASES - BEAGLEY, POLICE, HERRON	\$ 3,390.13
CCMFOA OF KANSAS	ANNUAL MEMBERSHIP RENEWAL - LAWN, LAYMON, DEVANEY	\$ 225.00
CK CONTRACTING LLC	REFUND OVERPAYMENT ON PERMIT NO. PLMBGO2019-06	\$ 549.00
CORE & MAIN	WATER PARTS	\$ 90.00
CREATIVE PRODUCT SOURCE, INC.	(100) IMAGINE YOUR STORY SHIELD COLORING TOTE - LIBRARY	\$ 160.11
CULLIGAN OF WICHITA	BOTTLED WATER - WWTF, OVERPAYMENT CREDIT, LIBRARY	\$ 24.85
ENGEL, SHAWN	MILEAGE REIMBURSEMENT - KLETC TRAINING (12.15.19 Thru 12.20.19)	\$ 39.44
EVERGY	MONTHLY ELECTRICAL SERVICE - SIGNAL LIGHTS, CITY HALL, COMMUNITY CENTER, MEANS PARK, POOL, WATER TOWER, WATER WELLS, PUBLIC WORKS, SEWER LIFT STATIONS, LINEAR PARK, CHLORINATION BLDG, WWTF, SPLASH PAD <i>(Service Period: 11.13.19 thru 12.16.19)</i>	\$ 15,413.88
GALLS	UNIFORM ITEMS - POLICE	\$ 103.50
GODDARD PUBLIC LIBRARY	6TH INSTALLMENT - 2019 TAX DISTRIBUTION & EXCESS FUND BALANCE	\$ 10,530.23
HUBER & ASSOCIATES	2020 RENEWAL - ENTERPOL LICENSE & OPERATING SYSTEM MAINTENANCE, KLER INTERFACE, DIGITICKET INTERFACE	\$ 7,035.00
KANSAS DEPARTMENT OF REVENUE	2020 CEREAL MALT BEVERAGE STAMP FEES-KWIK SHOP INC, PIZZA HUT OF SE KANSAS, GODDARD SPORTS LLC, MURPHY OIL USA INC	\$ 100.00
KANSAS REGISTER-KANSAS SECRETARY OF STATE	PUBLICATION OF "SUMMARY NOTICE OF BOND SALE \$3,550,000 GENERAL OBLIGATION BONDS SERIES 2020-1" IN THE KANSAS REGISTER VOL 38, NO. 51 ON DECEMBER 19 2019	\$ 119.00
KANSAS STATE TREASURER - COURT	NOVEMBER 2019 COURT FEES	\$ 971.00
KANZA CO-OPERATIVE ASSOCIATION	DIESEL FUEL - PUBLIC WORKS	\$ 976.64
LEAGUE OF KANSAS MUNICIPALITIES - LKM	2020 CITY MEMBER SHIP DUES,(15) 2020 SUBSCRIPTION RENEWALS TO THE KANSAS GOVERNMENT JOURNAL	\$ 3,037.62
MAYER SPECIALTY SERVICES, LLC	HIGH PRESSURE CLEANING OF (6) SANITARY SEWER LINES	\$ 750.00
MERIDIAN ANALYTICAL LABS	LAB ANALYSIS - DRINKING WATER	\$ 60.00
MINCKS, RYAN	MILEAGE REIMBURSEMENT - KLETC TRAINING (12.13.19 Thru 12.20.19)	\$ 55.68
ORKIN	MONTHLY PEST CONTROL TREATMENT - LIBRARY	\$ 80.00
RENN & COMPANY	INCREASE RENTED EQUIPMENT COVERAGE TO \$50K	\$ 215.00
STIFEL, NICOLAUS, & COMPANY, INC.	ISSUANCE FEE ASSOCIATED WITH GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2019-1	\$ 187.00
USA BLUEBOOK	LAB SUPPLIES - WWTF	\$ 266.95
WATER WISE ENTERPRISES	ACH 275 GAL TOTE-WWTF CHEMICALS	\$ 1,800.00
WICHITA STATE UNIVERSITY - THIRD PARTY	2020 KGFOA MEMBERSHIP DUES - LAWN 2020 KACM WINTER CONFERENCE FEES - SILCOTT	\$ 205.00
TOTAL		\$ 73,923.09

CITY OF GODDARD
 ACCOUNTS PAYABLE LIST: DECEMBER 31, 2019
 COUNCIL REVIEW: JANUARY 06, 2020

VENDOR NAME	DESCRIPTION	AMOUNT
AGRI ENVIRONMENTAL SERVICES, LLC	SLUDGE REMOVAL SERVICE-WWTF	\$ 2,000.00
B&B KLASSEN ENTERPRISES, INC.	LAGOON SLOPE STABILIZATION PROJECT OVERAGE FOR UNFORESEEN PLUS 2 LOADS OF 3X6 PROVIDED AS REQUESTED. <i>(Project approved 10.07.19)</i>	\$ 4,555.59
FP MAILING SOLUTIONS	QUARTERLY POSTAGE MACHINE RENTAL <i>(Service Dates: 12.27.19 thru 03.26.20)</i>	\$ 156.00
GWORKS	USER GROUP MEETING FEES - SIMON	\$ 190.00
JCI INDUSTRIES	PUMP HEAD - WATER	\$ 208.00
KANSAS DEPARTMENT OF REVENUE - WATER	Q-4 2019 WATER PROTECTION & CLEAN DRINKING WATER FEES	\$ 2,175.03
KANSAS GAS SERVICE	MONTHLY GAS SERVICE - PUBLIC WORKS, WWTF, WATER TOWER/STORAGE TANK GENERATOR, POOL, COMMUNITY CENTER, CITY HALL	\$ 1,159.35
LAVEIST, ARLENE	(2) COURT ORDERED UA'S	\$ 40.00
SIMS ELECTRIC SERVICE, INC	REPLACEMENT OF DAMAGED SIGNAL LIGHT POLE AND BASE AT 199TH/KELLOGG <i>(Expenditure approved 06.17.19)</i>	\$ 24,125.00
VERIZON WIRELESS	MONTHLY CELL PHONE SERVICE - POLICE, PUBLIC WORKS, WWTF, CITY PLANNER, CHAMBER	\$ 1,245.28
TOTAL		\$ 35,854.25

**City of Goddard
City Council Meeting
January 6, 2020**

TO: Mayor and City Council
SUBJECT: Ordinance Authorizing the Sale & Issuance of GO Bonds for the Conversion of STAR Bond Temp Notes into 20 Year Bonds
INITIATED BY: City Administrator
AGENDA: Old Business

Background: At February 23, 2015, Special Meeting the City Council unanimously committed \$3,000,000 to the STAR Bond project. The improvement is authorized when the City Council unanimously adopted Ordinance 773, on May 18, 2015, authorizing up to \$10,000,000 for improvements within the STAR Bond District. During the November 16, 2015, meeting the City Council approved the issuance of Series 2016-1 with an issuance date of February 1, 2016, and a maturity date of February 1, 2018, with an issuance amount of \$3,160,000. The Governing Body unanimously adopted Resolution 17-10 authorizing the sale of new temporary notes (Series 2018-1) referenced as the sales of GO Renewal temporary notes and the retirement of temporary note issuance Series 2016-1.

The current temp note issuance extended the Series 2016-1 with an expiration of February 1, 2018 to a Series 2018-1. The total amount issued totals \$3,325,000 with payments being made in March and August. The notes are redeemable after August 1, 2019 and will retire on February 1, 2020. Resolution 19-33 adopted at the December 2, 2019 regular City Council meeting authorized the issuance and solicitation of bids for the issuance of the 2020-01 Series General Obligation (GO) bonds.

Analysis: This ordinance is a standard form used in the State of Kansas for the issuance of General Obligation (GO) bonds. GO bonds mean that the City is pledging its “full faith and credit” to levy property taxes for the issuance of the debt. This is a common practice as debt issuances are financed with property taxes for GO Bonds, utility revenues for Revenue Bonds, or sales tax revenues for Special Revenue Bonds respectively.

The subject of this issuance is the City’s cost participation in the STAR Bond project as required by the Kansas Department of Commerce approved project plan. The issuance amount is approximately \$3,550,000 and issues an amount equal to the cost of the Series 2018-01 General Obligation Renewal Temporary Notes (Temp Notes) in the amount of \$3,340,000 and dated January 30, 2018 plus additional issuance costs as prescribed in the Resolutions 2019-33 and 2020-01.

The ordinance also pledges the use of the CID to repay the issuances, which occurs after the STAR Bond issuance is retired (estimated to be around the 2027-28 fiscal year). The ordinance pledges the City’s full faith and credit to make payments and authorizes the Mayor and City staff to execute any and all documents to comply with the adoption of the ordinance.

Financial: Failure to adopt this ordinance will require the City to make a cash payment of \$3,340,000 on February 1, 2020. This issuance does not impact the City's debt capacity. This issuance as received a Standard & Poors (S&P) bond rating of AA- Stable (*See G.1.c*).

Legal Considerations: Approved as to form by City Attorney Ryan Peck. The ordinance takes effect upon adoption by the City Council and publication in the Times-Sentinel News. This document was authored by City Counsel Kevin Cowan of Gilmore & Bell.

Recommendations/Actions: It is recommended the City Council: Adopt the proposed resolution as presented.

1. Present and move for adoption of the ordinance and to waive the reading of the ordinance. **(VOICE VOTE)**
2. Enter the ordinance as read and considered. **(ROLL CALL)**
3. Mayor declares the resolution duly adopted

Attachments: G.1.a Ordinance (4 pages); G.1.b Excerpt of Minutes (9 pages); G.1.c AA-S&P Rating Summary (7 pages)

(PUBLISHED IN THE *TIMES-SENTINEL* ON JANUARY __, 2020)

ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2020-1, OF THE CITY OF GODDARD, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

WHEREAS, the City of Goddard, Kansas (the “City”) is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, pursuant to K.S.A. 12-6a26 *et seq.*, as amended, and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the Governing Body of the City (the “Governing Body”) has authorized the following improvements (the “Improvements”) to be made in the City, to-wit:

<i>Project Description</i>	<i>Ord./Res. No.</i>	<i>Authority (K.S.A.)</i>	<i>Estimated Cost</i>
Olympic Park Community District Improvements	826	K.S.A. 12-6a26 <i>et seq.</i>	\$10,000,000

; and

WHEREAS, all legal requirements pertaining to the Improvements have been complied with, and the Governing Body now finds and determines that the total cost of the Improvements (including interest on temporary notes of the City and issuance costs of the general obligation bonds) and related expenses are at least \$3,550,000*, with all of said cost to be paid by the City at large, to be paid for by the issuance of general obligation bonds; and

WHEREAS, the Governing Body is authorized by law to issue general obligation bonds of the City to pay costs of the Improvements; and

WHEREAS, none of such general obligation bonds heretofore authorized have been issued and the City proposes to issue \$3,550,000* of its general obligation bonds, together with any bid premium thereon, to pay the costs of the Improvements; and

WHEREAS, the Governing Body has advertised the sale of the Bonds in accordance with the law and at a meeting held in the City on this date awarded the sale of such Bonds to the best bidder.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GODDARD OF THE CITY OF GODDARD, KANSAS, AS FOLLOWS:

Section 1. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-620 *et seq.*, and K.S.A. 12-6a26 *et seq.*, all as amended and supplemented from time to time.

“Bond and Interest Fund” means the Bond and Interest Fund of the City for its general obligation bonds.

“Bond Resolution” means the resolution to be adopted by the Governing Body prescribing the terms and details of the Bonds and making covenants with respect thereto.

“Bonds” means the City's General Obligation Bonds, Series 2020-1, dated January 29, 2020, authorized by this Ordinance.

“CID Sales Tax Revenues” means gross receipts of the City under K.S.A. 12-6a26 *et seq.*, as amended, from any community improvement district sales tax imposed within the Olympic Park STAR Bond District.

“City” means the City of Goddard, Kansas.

“Clerk” means the duly appointed and acting Clerk of the City or, in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk.

“Governing Body” means the Governing Body of the City.

“Mayor” means the duly elected and acting Mayor of the City or, in the Mayor's absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the City.

“Olympic Park STAR Bond District” means the STAR bond project district created by the City pursuant to the STAR Bond Act pursuant to Ordinance No. 736 adopted December 17, 2012 by the City Council of the City.

“Ordinance” means this Ordinance authorizing the issuance of the Bonds.

“Refunded Notes” means the Series 2018-1 Notes.

“Series 2018-1 Notes” means the City's \$3,340,000 principal amount of General Obligation Renewal Temporary Notes, Series 2018-1, dated January 30, 2018.

“State” means the State of Kansas.

“Substitute Improvements” means the substitute or additional improvements of the City authorized in the manner set forth in the Bond Resolution.

Section 2. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Bonds, Series 2020-1, of the City in the principal amount of \$3,550,000*, for the purpose of providing funds to: (a) pay the costs of the Improvements; (b) pay costs of issuance of the Bonds; and (c) retire the Refunded Notes.

Section 3. Security for the Bonds. The Bonds shall be general obligations of the City payable as to both principal and interest from CID Sales Tax Revenues, after application thereof to the full and final repayment of the City’s Sales Tax Special Obligation Refunding Revenue Bonds (Olympic Park STAR Bond Project), Series 2019, and any other bonds of the City issued to refund such bonds or issued on a parity with such bonds under K.S.A. 12-17,160 *et seq.* to pay the costs of projects in the City’s Olympic Park STAR Bond District, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 4. Terms, Details and Conditions of the Bonds. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the Governing Body.

Section 5. Levy and Collection of Annual Tax. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the City in the manner provided by law.

The taxes and/or assessments above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the Paying Agent. The proceeds derived from said taxes and/or assessments shall be deposited in the Bond and Interest Fund.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes and/or assessments are collected.

Section 6. Further Authority. The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they

may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 7. Governing Law. This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of the Ordinance or a summary thereof in the official City newspaper.

PASSED by the Governing Body on January 6, 2020 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

Jamey Blubaugh, Mayor

ATTEST:

Teri Laymon, Clerk

EXCERPT OF MINUTES STAR Bond Cost Participation

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KANSAS MONDAY, SEPTEMBER 15, 2014

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, September 15, 2014 at 7:00 p.m. with Mayor Marcey Gregory presiding. Mayor Gregory provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Clayton Applegate, and Jamey Blubaugh. Councilmember Hahn was absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Justin Givens, Community Development Director; Sam Houston, Police Chief; Tylor Struckman, Public Works Operations Manager; Matt Lawn, City Treasurer; Harlan Foraker, City Engineer and Thomas Docking, City Attorney.

COMMUNITY IMPROVEMENT DISTRICT “CID” PUBLIC HEARING

Mayor Gregory opened the public hearing for determining the advisability of creating a community improvement district in the City of Goddard, Kansas to be known as the Goddard Olympic Park Community Improvement District and to approve levying a 1% sales tax for improvements.

Brian Silcott reviewed the background of previous actions related to the STAR Bond & CID as follows:

- November 5, 2012 Council sets a public hearing date to create a STAR Bond District (R-12-14)
- December 17, 2012 City Council conducts public hearing to create the Goddard STAR Bond District
- December 17, 2012 Council creates the Goddard STAR Bond District (Ord. 736)
- January 16, 2013 Secretary of Commerce approves the Goddard STAR Bond District
- October 1, 2013 Planning Commission found the STAR Bond Project Plan to be in conformance with the City’s Comprehensive Plan.
- October 7, 2013 Council sets a public hearing to consider adopting the STAR Bond Project Plan (R-13-08)
- November 18, 2013 Council Conducts a public hearing on the STAR Bond Project
- April 21, 2014 Council approves the STAR Bond Project Plan (Ord. 755)
- April 21, 2014 Council approves the Development Agreement (Ord. 755)
- May 8, 2014 Secretary of Commerce approves the Project Plan

- August 22, 2014 CID petition to levy 1% sales tax filed with City Clerk Laymon by the property owner.
- August 25, 2014 City Council sets a public hearing date to create a CID (R-14-13)
- Times-Sentinel News publishes R-14-13 on August 28th, September 4th & 11th

Mayor Gregory asked if anyone would like to address the Council. There being none, Councilmember Zimmerman asked Brian Silcott to explain the CID to the audience.

Silcott explained that the 1% sales tax is a self-imposed tax by the property owners to finance the acquisition, construction of improvements, costs, and services within the CID. These items may include, but not limited to: land acquisition, infrastructure related items, sidewalks, parking lots, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs, private financing costs, and the petitioners' administrative costs in establishing and maintaining the CID, and any other items permitted to be financed within the CID under the Act.

There were questions and discussions among certain people in the audience regarding drainage from the Pate Addition. Councilmember Blubaugh called the meeting to order.

Mayor Gregory closed the public hearing.

CONSIDER AN ORDINANCE CREATING THE COMMUNITY IMPROVEMENT DISTRICT

Brian Silcott stated the purposed ordinance takes the necessary actions to authorize the levy of a 1% local sales tax within the western most parcel of the STAR Bond District. The project is to promote the development of a mixed-use project including an aquatic center, athletic fields, hotel, and other commercial uses.

The estimated project cost is \$64,042,315 with additional 1% City administrative fee for the monitoring, accounting, and administration of the tax. Upon approval by the City Council, the City will create a special revenue fund to be titled "*Goddard Olympic Park CID Sales Tax Revenue Fund.*"

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE CITY OF GODDARD ESTABLISHING THE GODDARD OLYMPIC PARK COMMUNITY IMPROVEMENT DISTRICT; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; LEVYING A 1.00% CID SALES TAX AND PROVIDING FOR THE METHOD OF FINANCING THE SAME.

MOTION: Councilmember *Blubaugh* moved to waive the reading of the ordinance. Councilmember *Torske* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Blubaugh* moved to adopt said ordinance. Councilmember *Applegate* *seconded the motion*.

- **Roll Call Vote:**

Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 759. The Ordinance was directed to be published one time in the official newspaper of the City.

CONSIDER STAR BOND ISSUANCE ORDINANCE

Brian Silcott stated the proposed ordinance authorizes the sale an amount not to exceed \$31,000,000 in special revenue STAR bonds. Silcott explained that the ordinance states that city legal and administrative staff have reviewed and approve as to form the Bond Trust Indenture, STAR Bond District Tax Distribution Agreement, Bond Purchase Agreement, and Tax Compliance Agreement. It also authorizes the Mayor and city staff to execute and deliver the bonds to the Bond Trustee and to perform all administrative tasks to make the transaction in accordance with the ordinance and documents. The ordinance also authorizes the Mayor, city's financial advisor, bond counsel, and city staff to take appropriate action to comply with the intent of the ordinance.

Silcott added that the STAR Bond revenue component consists of 6.15% State of Kansas sales tax collected in the STAR Bond District, 1% Sedgwick County sales tax collected in the STAR Bond District, 1% Goddard sales tax, 6% Transient Guest Tax collected in the STAR Bond District, and a 1% CID sales tax collected in the western most parcel, which will be later subdivided and the tax applied to those retail locations.

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GODDARD, KANSAS, AUTHORIZING THE ISSUANCE OF ITS SALES TAX SPECIAL OBLIGATION REVENUE BONDS (OLYMPIC PARK STAR BOND PROJECT) IN ONE OR MORE SERIES FOR THE PURPOSE OF FINANCING CERTAIN COSTS RELATING TO A STAR BOND PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

MOTION: Councilmember *Torske* moved to waive the reading of the ordinance. Councilmember *Zimmerman* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Applegate* *seconded the motion*.

Roll Call Vote: Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 760. The Ordinance was directed to be published one time in the official newspaper

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MAY 18, 2015**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, May 18, 2015 at 7:00 p.m. with Mayor Marcey Gregory presiding. Councilmember Zimmerman provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn and Chris Hedrick.

Also present were: Brian Silcott, City Administrator; Kyler Ludwig, Assistant City Administrator; Teri Laymon, City Clerk; Sam Houston, Police Chief; Matt Lawn, City Treasurer; Tylor Struckman, Public Works Operations Manager; and Harlan Foraker, City Engineer.

CONSIDER STAR BOND ISSUANCE ORDINANCE

Brian Silcott stated the purposed ordinance authorizes the sale an amount not to exceed \$31,000,000 in special revenue STAR bonds. Silcott explained that the ordinance states that city legal and administrative staff have reviewed and approve as to form the Bond Trust Indenture, STAR Bond District Tax Distribution Agreement, Bond Purchase Agreement, and Tax Compliance Agreement. It also authorizes the Mayor and city staff to execute and deliver the bonds to the Bond Trustee and to perform all administrative tasks to make the transaction in accordance with the ordinance and documents. The ordinance also authorizes the Mayor, city's financial advisor, bond counsel, and city staff to take appropriate action to comply with the intent of the ordinance.

Silcott added that the STAR Bond revenue component consists of 6.15% State of Kansas sales tax collected in the STAR Bond District, 1% Sedgwick County sales tax collected in the STAR Bond District, 1% Goddard sales tax, 6% Transient Guest Tax collected in the STAR Bond District, and a 1% CID sales tax collected in the western most parcel, which will be later subdivided and the tax applied to those retail locations.

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GODDARD, KANSAS, AUTHORIZING THE ISSUANCE OF ITS SALES TAX SPECIAL OBLIGATION REVENUE BONDS (OLYMPIC PARK STAR BOND PROJECT) IN ONE OR MORE SERIES FOR THE PURPOSE OF FINANCING CERTAIN COSTS RELATING TO A STAR BOND PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

MOTION: Councilmember *Torske* moved to waive the reading of the ordinance. Councilmember *Zimmerman* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Applegate* *seconded the motion*.

Roll Call Vote: Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 760. The Ordinance was directed to be published one time in the official newspaper.

**MINUTES-SPECIAL MEETING
GODDARD CITY COUNCIL
118 NORTH MAIN, GODDARD, KS
TUESDAY, SEPTEMBER 15, 2015
7:00 P.M.**

The Goddard City Council met in a Special Session at Goddard City Hall on Tuesday September 15, 2015 at 7:00 p.m. with Mayor Marcey Gregory presiding. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn and Chris Hedrick.

Also present: Brian Silcott, City Administrator; Kelly Bergeron, Community Development Director; Rick Worner, Managing Director at National Realty Advisors; Ted Worner, Associate at National Realty Advisors; and Bruce Nevaizer, Managing Director at Iconos Partners.

EXECUTIVE SESSION

MOTION: Councilmember *Hedrick* moved to recess into executive session pursuant to the financial affairs or trade secrets of a second party to discuss the Star Bond Project, to include the City Administrator, Community Development Director, Rick Worner, Ted Worner, and Bruce Nevaizer. Councilmember *Hahn* seconded the motion. The Motion carried unanimously.

The City Council recessed into Executive Session at 7:00 p.m. and reconvened at 7:30 p.m. Mayor Gregory announced that no binding action was taken in executive session.

MOTION: Councilmember *Hedrick* moved to adjourn the Special Meeting. Councilmember *Hahn* seconded the motion. The Motion carried unanimously.

*Meeting adjourned at 7:30 p.m.
Teri Laymon, City Clerk*

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, NOVEMBER 16, 2015**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, November 16, 2015 at 7:00 p.m. with Mayor Gregory presiding. Councilmember Zimmerman provided the invocation. Council members present were Larry Zimmerman, Enrique Ramirez, and Chris Hahn. Councilmembers Joe Torske and Chris Hedrick were absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Kelly Bergeron, Community Development Director; Don McElroy, Police Chief; Matt Lawn, City Treasurer, and Harlan Foraker, City Engineer.

ISSUANCE OF \$3,160,000 TEMPORARY NOTE FOR STAR BOND DISTRICT IMPROVEMENTS

Brian Silcott presented a resolution authorizing staff and the City's financial Advisor to solicit bids for the issuance of \$3,160,000 in temporary notes for improvements within the STAR bond district. The additional \$160,000 is the cost of capitalized interest and issuance fees. Bids will be due Monday, December 7, 2015. The temporary notes will mature December 15, 2017, at which time the temporary notes will be converted into General Obligation bonds with payment being from the City's General tax levy within the Bond & Interest Fund. Temporary Note interest payments will be made semiannually on June 15 & December 15 in 2016 and 2017. The temporary notes will be delivered to the best bidder on December 22, 2015.

The timing of this issuance should coincide with the initial construction of the STAR bond improvement. According to the development agreement with Goddard Destination, construction is to begin before December 31, 2015. The hoteliers are working diligently to meet this timeline; however, it may be necessary to amend the development agreement for a period of 60-90 days to accommodate the construction schedule. If this is the case, the issuance of the temporary notes should be deferred until the first quarter of 2016. Because of this, staff recommends approval of the resolution with the additional language that authorizes the City Administrator to defer the solicitation of bids until a firm construction date is known. If the issuance is deferred, Staff will present a resolution at the December 7 meeting rescinding the resolution considered tonight.

MOTION: Councilmember *Hahn* moved to adopt a resolution authorizing the issuance of \$3,160,000 temporary notes. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

Resolution 15-06

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS MONDAY, DECEMBER 18, 2017

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, December 18, 2017. Mayor Marcey Gregory called the meeting to order at 7:00 p.m. Mayor Gregory provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn, and Todd Wentz.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Tim Johnson, Community Development Director, Matt Lawn, City Treasurer; Justin Constantino, Assistant to City Administrator; Fred Farris, Police Chief.

GO BOND REFUNDING AUTHORIZATION RESOLUTION

The matter of providing for the offering for sale of General Obligation Renewal Temporary Notes, Series 2018-1, came on for consideration and was discussed.

MOTION: Councilmember *Torske* presented and moved to adopt the resolution authorizing the offering for sale of General Obligation Renewal Temporary Notes, Series 2018-1 of the City of Goddard, Kansas. Councilmember *Zimmerman* seconded the motion to adopt the Resolution. The Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: Torske, Zimmerman, Ramirez, Hahn, Wentz

Nay:

The Mayor declared the Resolution duly adopted by the Governing Body and the Mayor designated the same Resolution No. 17-10.

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS TUESDAY, JANUARY 16, 2018

The Goddard City Council met in a Regular Session at Goddard City Hall on Tuesday, January 16, 2018. Mayor Jamey Blubaugh called the meeting to order at 7:00 p.m. Father Matt Marney provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Tim Johnson, Community Development Director, Matt Lawn, City Treasurer; Justin Constantino, Assistant to City Administrator; Fred Farris, Police Chief, Harlan Foraker, City Engineer and Ryan Peck, City Attorney.

CONSIDER A RESOLUTION AUTHORIZING GENERAL OBLIGATION RENEWAL NOTES SERIES 2018-01 FOR SERIES 2016-01.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION RENEWAL TEMPORARY NOTES, SERIES 2018-1, OF THE CITY OF GODDARD, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS

CONNECTED THEREWITH.

MOTION: Councilmember *Torske* moved to adopt said Resolution. Councilmember *Ramirez* seconded the motion. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body as follows:

Yea: Torske, Zimmerman, Ramirez, Traylor, Brandenburg

Nay:

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 18-01, and was signed by the Mayor and attested by the Clerk.

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, DECEMBER 2, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday December 2, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Joe Torske, Larry Zimmerman, Sarah Leland, and Hunter Larkin. Councilmember Traylor was absent

Also present were: Brian Silcott, City Administrator, Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

CONSIDER A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIES 2020-01 GO BONDS IN THE AMOUNT OF \$3,445,000 RELATED TO THE STAR BOND TEMPORARY NOTE ISSUANCE

Brian Silcott stated at the February 23, 2015, Special Meeting the City Council unanimously committed \$3,000,000 to the STAR Bond project. The improvement was authorized when the City Council unanimously adopted Ordinance 773, on May 18, 2015, authorizing up to \$10,000,000 for improvements within the STAR Bond District. During the November 16, 2015, meeting the City Council approved the issuance of Series 2016-1 with an issuance date of February 1, 2016, and a maturity date of February 1, 2018, with an issuance amount of \$3,160,000. The Governing Body unanimously adopted Resolution 17-10 authorizing the sale of new temporary notes (Series 2018-1) referenced as the sales of GO Renewal temporary notes and the retirement of temporary note issuance Series 2016-1. The current issuance extended the Series 2016-1 with an expiration of February 1, 2018 to February 1, 2020.

This resolution does not include the Series 2018-2 issuance related to the STAR Bond district's interior infrastructure issuance. This issuance will be addressed separately for compliance with Community Improvement District issuance covenants and tax compliance.

The Series 2018-1 issuance totals \$3,340,000. The City selects Gilmore & Bell as Bond Counsel and Stiefel, Nicolas, and Company as the City's Financial Advisor (FA) and authorizes the FA to

proceed with the offering of General Obligation (GO) bonds. The resolution authorizes the preparation and distribution of a preliminary official statement related to the placement of the bonds. The resolution also directs staff and the Mayor to prepare the necessary documents to proceed with this issuance. The resolution sets the sale of the bonds at the Monday, January 6, 2020 Regular City Council meeting. The term of the notes will be from 2021 to 2040 with payments made on April 1 and October 1 of each calendar year. The bond sale amount totals \$3,445,000. The Series 2018-1 GO renewal temporary note will be retired with this issuance.

Failure to adopt this resolution will result in the City paying \$3,340,000 when the Series 2018-1 note matures. The City is also obligated to contribute another \$3,000,000 to the STAR Bond project. Upon the retirement of the STAR Bond issuance, the City will recover its cost through the STAR Bond district's western parcel 1-cent Community Improvement District levy.

MOTION: Councilmember *Torske* moved adopt said resolution as presented. Councilmember *Zimmerman* seconded the motion. The motion carried unanimously.

Resolution # 19-33

NOTHING FOLLOWS

RatingsDirect®

Summary:

Goddard, Kansas; General Obligation; Note

Primary Credit Analyst:

Jim Tchou, New York (1) 212-438-3821; jim.tchou@spglobal.com

Secondary Contact:

Joyce Jung, New York + 1 (212) 438 0629; joyce.jung@spglobal.com

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Goddard, Kansas; General Obligation; Note

Credit Profile

US\$3.55 mil GO bnds ser 2020-1 dtd 01/29/2020 due 01/01/2042

Long Term Rating AA-/Stable New

Goddard GO temp nts ser 2019-1 dtd 12/18/2019 due 12/01/2022

Short Term Rating SP-1+ Affirmed

Rationale

S&P Global Ratings assigned its 'AA-' long-term rating to Goddard, Kan.'s series 2020-1 general obligation (GO) bonds. We also affirmed our 'SP-1+' short-term rating on the city's series 2019-1 GO temporary notes. The outlook is stable.

Security and the use of proceeds

Ad valorem taxes, which may be levied without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city, secure the GO bonds. The series 2020-1 bonds are also secured from certain community improvement district (CID) sales tax revenues, after application thereof to the full and final repayment of the city's series 2019 sales tax special obligation refunding revenue bonds (the STAR bonds), and any other bonds of the city issued to refund such bonds or issued on a parity with such bonds under to pay the costs of projects in the Olympic Park STAR bond district. We do not expect the CID sales tax revenue to be available for debt service payments for the series 2020-1 bonds until the STAR bonds reach final maturity on June 1, 2034, or unless earlier redeemed. As a result, we are currently rating the series 2020-1 bonds to the city's unlimited ad valorem pledge.

We understand series 2020-1 bond proceeds will be used to provide permanent financing for the city's series 2018-1 GO renewal temporary notes, which were used to temporarily finance certain CID improvements, including: the construction and procurement of certain improvements in the Goddard Olympic Park CID and the construction of a restricted crossing U-turn intersection or signalized intersection on US-54 Highway to service other CID components.

The short-term rating reflects our view of our 'AA-' rating on the city and its low market-risk profile, including the authority to issue take-out debt and availability of pertinent disclosure information. State law requires the authorization of long-term take-out GO debt before the issuance of temporary notes. The temporary notes are a GO of the city, secured by its full faith credit and resources pledge. In addition, the notes are partially payable from special assessment taxes levied on improvements financed with note proceeds or, if not, ad valorem taxes levied without limitation as to rate or amount on all taxable, tangible real and personal property within the city's territorial limits.

Credit overview

The 5.17-square-mile Goddard encompasses residential to light-manufacturing properties and is a first-tier suburb immediately adjacent to Wichita. Assessed valuation (AV) has grown by about 4% annually during the past five fiscal years. We expect similar AV growth during the next few fiscal years. As a growing city, we expect Goddard's debt will likely remain very weak during the next few years; the city's fiscal flexibility, supported by strong management,

somewhat offsets our concerns. We also expect the city's participation in the broad and diverse Wichita metropolitan statistical area (MSA) will likely contribute to overall rating stability.

The 'AA-' rating reflects our opinion of Goddard's:

- Adequate economy, with access to a broad and diverse MSA;
- Strong financial management, with good financial policies and practices under our Financial Management Assessment (FMA) methodology;
- Adequate budgetary performance, with an operating deficit in the general fund but a slight operating surplus at the total governmental fund level in fiscal 2018;
- Very strong budgetary flexibility, with available cash-based reserves in fiscal 2018 at 77% of operating expenditures;
- Very strong liquidity, with total government available cash at 1.9x total governmental fund expenditures and 17.5x governmental debt service, and access to external liquidity we consider strong;
- Very weak debt and contingent liability position, with debt service carrying charges at 10.7% of expenditures and net direct debt that is 432% of total governmental fund revenue, and high overall net debt at greater than 10% of market value; and
- Strong institutional framework score.

Adequate economy

We consider Goddard's economy adequate. The city, with an estimated population of 5,708, is a first-tier suburb, immediately adjacent to Wichita. It is in the Wichita MSA, which we consider broad and diverse. It has a projected per capita effective buying income at 79% of the national level and per capita market value of \$59,414. Overall, market value grew by 4% during the past year to \$339.1 million in fiscal 2019. Sedgwick County unemployment was 3.8% in 2018.

Leading Goddard employers include:

- Sedgwick County Unified School District No. 265 (688 employees),
- Universal Products (189),
- Walmart Inc. (184),
- Dillons Warehouse (175), and
- Nowak Construction (93).

The city's residential and commercial sectors have been the main factors of Goddard's property tax base growth recently, coupled with the city school system's appeal. AV grew by an aggregate 19% since fiscal 2014 to \$49.9 million in fiscal 2019.

Strong management

We view the city's financial management as strong, with good financial policies and practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Highlights include management's:

- Revenue and expenditure assumptions based, in part, on up to five years' historical data, coupled with information from outside sources to assist with forecasting;
- Monthly budget reports to the city council, including budget-to-actual comparisons;
- Rolling five-year capital improvement plan that includes project cost estimates and identifies funding sources;
- Formal investment management policy that adheres to state guidelines with, at least, quarterly holdings and performance reports to the council;
- Formal debt management policy that provides debt guidelines and other qualitative descriptions but lacks material debt ratio parameters; and
- Formal policy of adopting an annual general fund budget that includes a contingency equal to, at least, 7% of total general fund appropriations but no more than 10%.

We understand the city does not currently perform multiyear financial forecasting, except for projecting one year beyond the budget year.

Adequate budgetary performance

Goddard's budgetary performance is adequate, in our opinion. The city had deficit operating results in the general fund at 2.4% of expenditures but slight surplus results across all governmental funds at 1.3% in fiscal 2018.

We adjusted our estimates to account for what we view as recurring transfers from the general fund, coupled with the use of debt proceeds across all governmental funds. Management attributes fiscal 2018 performance mainly to conservative budgeting and a lack of unexpected budgetary challenges.

In fiscal 2019, property taxes generated 88% of general fund revenue. We project the city will end fiscal 2019 with expenditures exceeding revenue by \$500,000, or 13% of expenditures, due to transfers into the street and capital improvement funds. We also posit that the small budget makes performance ratios vulnerable to minor revenue and expenditure swings, which could have an effect on fiscal year-end results.

Officials balanced the fiscal 2020 general fund budget with the use of a \$1 million cash carryover. Kansas municipalities typically balance the budget with cash-based reserves to maintain proper budget authority, considering they cannot amend the budget due to unexpected expenditures without a public hearing and publication. Officials expect available reserves to remain stable, and they do not plan to draw down reserves by fiscal year-end 2020.

Very strong budgetary flexibility

Goddard's budgetary flexibility is very strong, in our view, with available cash-based reserves in fiscal 2018 at 77% of operating expenditures, or \$2.7 million. We expect available cash-based reserves to remain above 30% of expenditures for the current and next fiscal years, which we view as a positive credit factor. Cash-based reserves include \$1.4 million, or 40% of expenditures, in the general fund and \$1.3 million, or 37%, outside the general fund but legally available for operations. Impairing budgetary flexibility, in our view, is Goddard's use of cash accounting, which reduces clarity about the amount of funds that are truly available.

Goddard has historically maintained very strong reserves. In addition to the general fund, our calculations include

unencumbered cash in the equipment reserve and capital improvement funds. We estimate the city will end fiscal 2019 with an available fund balance of about 63% of expenditures. We understand it will gradually build reserves during the next few fiscal years to pay for one-time projects. Therefore, we expect budgetary flexibility will likely remain very strong during the next two fiscal years.

Very strong liquidity

In our opinion, Goddard's liquidity is very strong, with total government available cash at 1.9x total governmental fund expenditures and 17.5x governmental debt service in fiscal 2018. In our view, the city has strong access to external liquidity if necessary.

At Dec. 31, 2018, the city mainly held cash in local banks and certificates of deposit, which we do not consider aggressive. Goddard's issuance of GO bonds and temporary notes during the past 20 years demonstrates its strong access to external liquidity. The city does not have any privately placed or variable-rate debt we consider a contingent liability risk. Therefore, we expect liquidity will likely remain very strong.

Very weak debt and contingent liability profile

In our view, Goddard's debt and contingent liability profile is very weak. Total governmental fund debt service is 10.7% of total governmental fund expenditures, and net direct debt is 432% of total governmental fund revenue. High overall net debt at 11.6% of market value weakens our view of the city's debt profile.

Outside of providing permanent financing for two outstanding GO temporary notes for about \$1.6 million in total, which we have already factored into our debt analysis, we understand management plans to issue roughly \$800,000 to \$850,000 in additional GO temporary notes during the next two years for a lift station.

Goddard's pension contributions totaled 4.2% of total governmental-fund expenditures in fiscal 2018. The city made its full annual required pension contribution in fiscal 2018.

We do not view pension and other postemployment benefit (OPEB) liabilities as an immediate credit pressure because required contributions currently make up a small portion of total governmental expenditures. If required material contributions were to increase unexpectedly during the next few fiscal years, we posit this would not have an effect on fiscal stability due to sizable reserves officials could use for contingencies, if needed.

As of Dec. 31, 2018, the latest measurement date, Goddard participates in Kansas Public Employees' Retirement System (KPERs), which is 68.9% funded, and Kansas Police & Firemen's Retirement System (KP&F) with a net pension liability equal to \$645,701 for KPERs and \$1.1 million for KP&F. The state actuarially determines contributions, and the city has historically funded annual required costs in full.

Actuarial assumptions include a discount rate of 7.75%, which we view as aggressive, representing market risk and resulting in contribution volatility if the plan fails to meet assumed investment targets. In addition, contributions are likely to grow due to level payroll funding rather than level-dollar contributions, which would result in consistent payments.

Goddard does not offer OPEBs, which we view favorably because such liabilities could cause long-term fiscal pressure. The city allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the

applicable premium, conceptually, the city subsidizes retirees because each participant pays the same premium regardless of age. However, Goddard's financial statements do not quantify the cost of this subsidy.

Strong institutional framework

The institutional framework score for Kansas municipalities with more than \$275,000 in annual gross receipts and more than \$275,000 in GO or revenue bonds outstanding is strong.

Outlook

The stable outlook reflects S&P Global Ratings' opinion it will likely not change the rating during the two-year outlook. The outlook further reflects our expectation management will likely follow through on its intention to increase available cash-based reserves gradually. In addition, we expect the local economy will likely continue to grow at a stable rate.

Upside scenario

With all other credit factors remaining equal, we could raise the rating if economic indicators were to improve and debt were to decrease.

Downside scenario

We could lower the rating if, in the unlikely event, the economy were to deteriorate significantly, resulting in prolonged weak budgetary performance and sizable available reserve reductions.

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.standardandpoors.com for further information. Complete ratings information is available to subscribers of RatingsDirect at www.capitaliq.com. All ratings affected by this rating action can be found on S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

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**City of Goddard
City Council Meeting
January 6, 2020**

TO: Mayor and City Council
SUBJECT: Resolution Authorizing, Prescribing the Form & Details of the Series 2020-01 General Obligation (GO) Bond Sale
INITIATED BY: City Administrator
AGENDA: Old Business

Background: At February 23, 2015, Special Meeting the City Council unanimously committed \$3,000,000 to the STAR Bond project. The improvement is authorized when the City Council unanimously adopted Ordinance 773, on May 18, 2015, authorizing up to \$10,000,000 for improvements within the STAR Bond District. During the November 16, 2015, meeting the City Council approved the issuance of Series 2016-1 with an issuance date of February 1, 2016, and a maturity date of February 1, 2018, with an issuance amount of \$3,160,000. The Governing Body unanimously adopted Resolution 17-10 authorizing the sale of new temporary notes (Series 2018-1) referenced as the sales of GO Renewal temporary notes and the retirement of temporary note issuance Series 2016-1.

The current temp note issuance extended the Series 2016-1 with an expiration of February 1, 2018 to a Series 2018-1. The total amount issued totals \$3,325,000 with payments being made in March and August. The notes are redeemable after August 1, 2019 and will retire on February 1, 2020. Resolution 19-33 adopted at the December 2, 2019 regular City Council meeting authorized the issuance and solicitation of bids for the issuance of the 2020-01 Series General Obligation (GO) bonds. A bond ordinance was presented immediately prior to the consideration of this Resolution that authorizes the sale of the bonds and directs the Mayor and staff to complete the necessary paperwork to complete the transaction.

Analysis: This resolution prescribes the form and details of the sale and delivery of the Series 2020-01 General Obligation bond issuance in an amount of \$3,550,000 plus issuance costs. The Resolution also defines the covenants of the issuances to provide for the payment and security of the Series 2020-01 General Obligation bonds for the redemption of the Series 2018-01 temporary notes with the issuance of these bonds.

The resolution also allows for the early redemption of the bonds (Article 3) on or after January 1, 2027. In Section 4, the resolution dictates the City's use of its full faith and credit to levy and collect the necessary revenues as well as the use of Community Improvement District (CID) Sales Tax after the retirement of the Series 2019-01 STAR Bond special revenue debt issuance. Staff does not anticipate a need to do so as the STAR Bond Phase I property taxes and the current STAR Bond district property tax collections will be sufficient to cash flow the payments of this obligation. *Please note, that staff cautions against over leveraging additional improvements within and as well as outside of the STAR bond district as a safeguard against economic downturns.*

Article 5 through Article 9 sets forth the administrative framework for the deposit of funds, disbursement of payments, rights and remedies of the City and bond holders, tax compliance, and other miscellaneous provisions such as audit requirements, etc. Resolution Exhibit A sets forth the form of bonds and Bond Counsel's legal opinion.

Financial: Failure to adopt this ordinance will require the City to make a cash payment of \$3,340,000 on February 1, 2020. This issuance does not impact the City's debt capacity. This issuance as received a Standard & Poors (S&P) bond rating of AA- Stable (*See G.1.c*).

Legal Considerations: Approved as to form by City Attorney Ryan Peck. The ordinance takes effect upon adoption by the City Council and publication in the Times-Sentinel News. This document was authored by City Counsel Kevin Cowan of Gilmore & Bell.

Recommendations/Actions: It is recommended the City Council: Adopt the proposed resolution as presented.

1. Present and move for adoption of the resolution.
2. Enter the resolution as read and considered. (**VOICE VOTE**)
3. Mayor declares the resolution duly adopted

Attachments: G.2.a Resolution (34 pages); G.2.b Excerpt of Minutes (9 pages); G.2.c AA- S&P Rating Summary (7 pages)

RESOLUTION NO. _____

OF

THE CITY OF GODDARD, KANSAS

ADOPTED

JANUARY 6, 2020

**GENERAL OBLIGATION BONDS
SERIES 2020-1**

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RESOLUTION NO. _____

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2020-1, OF THE CITY OF GODDARD, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. ___ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

WHEREAS, the Issuer has heretofore passed the Ordinance authorizing the issuance of the Bonds;
and

WHEREAS, the Ordinance authorized the Governing Body of the Issuer (the “Governing Body”) to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GODDARD OF THE CITY OF GODDARD, KANSAS, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms as used in this Bond Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“**Act**” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-620 *et seq.*, and K.S.A. 12-6a26 *et seq.*, all as amended and supplemented from time to time.

“**Authorized Denomination**” means \$5,000 or any integral multiples thereof.

“**Beneficial Owner**” of the Bonds includes any Owner of the Bonds and any other Person who, directly or indirectly has the investment power with respect to such Bonds.

“**Bond and Interest Fund**” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“**Bond Counsel**” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“**Bond Payment Date**” means any date on which principal of or interest on any Bond is payable.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

“Bond Registrar” means the State Treasurer, Topeka, Kansas and any successors and assigns.

“Bond Resolution” means this resolution relating to the Bonds.

“Bonds” means the General Obligation Bonds, Series 2020-1, authorized and issued by the Issuer pursuant to the Ordinance and this Bond Resolution.

“Business Day” means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

“Cede & Co.” means Cede & Co., as nominee of DTC and any successor nominee of DTC.

“City” means the City of Goddard, Kansas.

“Clerk” means the duly appointed and/or elected Clerk or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder by the United States Department of the Treasury.

“Consulting Engineer” means an independent engineer or engineering firm, or architect or architectural firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by this Bond Resolution.

“Costs of Issuance” means all costs of issuing the Bonds, including but not limited to all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code, all expenses incurred in connection with receiving ratings on the Bonds, and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

“Costs of Issuance Account” means the Costs of Issuance Account for General Obligation Bonds, Series 2020-1 created pursuant to **Section 501** hereof.

“Dated Date” means January 29, 2020.

“Debt Service Account” means the Debt Service Account for General Obligation Bonds, Series 2020-1 created within the Bond and Interest Fund pursuant to **Section 501** hereof.

“Debt Service Requirements” means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Bonds for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

“Defaulted Interest” means interest on any Bond which is payable but not paid on any Interest Payment Date.

“Defeasance Obligations” means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) such obligations are rated in a rating category by Moody's or Standard & Poor's that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

“Derivative” means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

“DTC Representation Letter” means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

“Event of Default” means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise;

(b) Payment of any installment of interest on any of the Bonds shall not be made when the same shall become due; or

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Bond Resolution on the part of the Issuer to be performed, and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the Issuer by the Owner of any of the Bonds then Outstanding.

“Federal Tax Certificate” means the Issuer's Federal Tax Certificate dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the Governing Body to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

“Fiscal Year” means the twelve month period ending on December 31.

“Fitch” means Fitch Ratings, a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Fitch” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Funds and Accounts” means funds and accounts created pursuant to or referred to in *Section 501* hereof.

“Governing Body” means the Governing Body of the Issuer.

“Improvement Fund” means the Improvement Fund for General Obligation Bonds, Series 2020-1 created within the Bond and Interest Fund pursuant to *Section 501* hereof.

“Improvements” means the improvements referred to in the preamble to the Ordinance and any Substitute Improvements.

“Independent Accountant” means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Bond Resolution.

“Interest Payment Date(s)” means the Stated Maturity of an installment of interest on any Bond which shall be January 1 and July 1 of each year, commencing July 1, 2020.

“Issue Date” means the date when the Issuer delivers the Bonds to the Purchaser in exchange for the Purchase Price.

“Issuer” means the City and any successors or assigns.

“Kroll” means Kroll Bond Rating Agency, Inc., a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or

liquidated or shall no longer perform the functions of a securities rating agency, “Kroll” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“**Maturity**” when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

“**Mayor**” means the duly elected and acting Mayor, or in the Mayor's absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the Issuer.

“**Moody's**” means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody's” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“**Notice Address**” means with respect to the following entities:

(a) To the Issuer at:

118 N. Main, P.O. Box 667
Goddard, Kansas 67052
Fax: (316) 794-2401

(b) To the Paying Agent at:

State Treasurer of the State of Kansas
Landon Office Building
900 Southwest Jackson, Suite 201
Topeka, Kansas 66612-1235
Fax: (785) 296-6976

(c) To the Purchaser:

(d) To the Rating Agency(ies):

Moody's Municipal Rating Desk
7 World Trade Center
250 Greenwich Street
23rd Floor
New York, New York 10007

S&P Global Ratings, a division of S&P Global Inc.
55 Water Street, 38th Floor
New York, New York 10004

Fitch Ratings
One State Street Plaza
New York, New York 10004

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Kroll Bond Rating Agency
845 Third Avenue, 4th Floor
New York, New York 10022

or such other address as is furnished in writing to the other parties referenced herein.

“Notice Representative” means:

- (a) With respect to the Issuer, the Clerk.
- (b) With respect to the Bond Registrar and Paying Agent, the Director of Bond Services.
- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

“Official Statement” means Issuer’s Official Statement relating to the Bonds.

“Olympic Park STAR Bond District” means the STAR bond project district created by the City pursuant to the STAR Bond Act pursuant to Ordinance No. 736 adopted December 17, 2012 by the City Council of the City.

“Ordinance” means Ordinance No. ___ of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

“Outstanding” means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

- (a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Bonds deemed to be paid in accordance with the provisions of *Article VII* hereof; and
- (c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register. Whenever consent of the Owners is required pursuant to the terms of this Bond Resolution, and the Owner of the Bonds, as set forth on the Bond Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Bonds.

“Participants” means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

“Paying Agent” means the State Treasurer, Topeka, Kansas and any successors and assigns.

“Permitted Investments” shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and

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amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the Issuer's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's or Standard & Poor's; (i) investments and shares or units of a money market fund or trust, the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the State as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f), all as may be further restricted or modified by amendments to applicable State law.

“Person” means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

“Purchase Price” means the principal amount of the Bonds plus accrued interest to the date of delivery.

“Purchaser” means _____ the original purchaser of the Bonds, and any successor and assigns.

“Rating Agency” means any company, agency or entity that provides, pursuant to request of the Issuer, financial ratings for the Bonds.

“Record Dates” for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” means, when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Bond Resolution.

“Redemption Price” means, when used with respect to any Bond to be redeemed, the price at which such Bond is to be redeemed pursuant to the terms of this Bond Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

“Refunded Notes” means the Series 2018-1 Notes.

“Refunded Notes Paying Agent” means the paying agent for the Refunded Notes as designated in the Refunded Notes Resolution, and any successor or successors at the time acting as paying agent of the Refunded Notes.

“Refunded Notes Redemption Date” means February 1, 2020, the Maturity date of the Series 2018-1 Notes.

“Refunded Notes Resolution” means the resolution which authorized the Refunded Notes.

“Replacement Bonds” means Bonds issued to the Beneficial Owners of the Bonds in accordance with *Section 213* hereof.

“Securities Depository” means, initially, DTC, and its successors and assigns.

“Series 2018-1 Notes” means the City's \$3,340,000 principal amount of General Obligation Renewal Temporary Notes, Series 2018-1, dated January 30, 2018.

“Special Record Date” means the date fixed by the Paying Agent pursuant to *Article II* hereof for the payment of Defaulted Interest.

“Standard & Poor's” or “S&P” means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor's shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“State” means the state of Kansas.

“State Treasurer” means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State.

“Stated Maturity” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in *Article V* hereof.

“TDD Sales Tax Revenues” means gross receipts of the City under K.S.A. 12-17,140 *et seq.*, as amended, from any transportation development district sales tax imposed within the Olympic Park STAR Bond District.

“Term Bonds” means collectively the ____ Term Bonds and the ____ Term Bonds.]

“Treasurer” means the duly appointed and/or elected Treasurer of the Issuer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

[“ ____ **Term Bonds**” means the Bonds scheduled to mature in the year ____.]

[“ ____ **Term Bonds**” means the Bonds scheduled to mature in the year ____.]

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds have been heretofore authorized and directed to be issued pursuant to the Ordinance in the principal amount of \$3,550,000*, for the purpose of providing funds to: (a) pay the costs of the Improvements; (b) pay Costs of Issuance; and (c) retire the Refunded Notes.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in an Authorized Denomination, and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated as of the Dated Date, shall become due in the amounts, on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in *Article III* hereof, and shall bear interest at the rates per annum as follows:

[SERIAL BONDS]

Stated Maturity <u>January 1</u>	Principal <u>Amount</u>	Annual Rate <u>of Interest</u>	Stated Maturity <u>January 1</u>	Principal <u>Amount</u>	Annual Rate <u>of Interest</u>
2023	\$130,000		2033	\$180,000	
2024	135,000		2034	185,000	
2025	140,000		2035	190,000	
2026	145,000		2036	195,000	
2027	150,000		2037	200,000	
2028	155,000		2038	205,000	
2029	160,000		2039	210,000	
2030	160,000		2040	220,000	
2031	165,000		2041	225,000	
2032	170,000		2042	230,000	

[TERM BONDS

Stated Maturity <u>January 1</u>	Principal <u>Amount</u>	Annual Rate <u>of Interest</u>
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The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid on the Interest Payment Dates in the manner set forth in *Section 204* hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as *EXHIBIT A* or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq.*

Section 203. Designation of Paying Agent and Bond Registrar. The State Treasurer, Topeka, Kansas, is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Bond Registrar and Paying Agent for the Bonds.

The Issuer will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Bond Registrar by (a) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (b) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq.* and K.S.A. 10-620 *et seq.*, respectively.

Section 204. Method and Place of Payment of the Bonds. The principal of, or Redemption Price, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first

class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the Issuer.

Section 205. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

Section 206. Registration, Transfer and Exchange of Bonds. The Issuer covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any Authorized Denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Bond Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Code § 3406, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The Issuer and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to *Article III* hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the Issuer of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to this *Article II*.

The Issuer and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the

sum or sums so paid, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners (or a designated representative thereof) of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

Section 207. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the Issuer by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk, and the seal of the Issuer shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the Issuer affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds as herein specified, and when duly executed, to deliver the Bonds to the Bond Registrar for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form attached hereto as *EXHIBIT A* hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Bond Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Bond Registrar. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Bond Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the Issuer or its representative.

Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the Issuer and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the Issuer and the Paying Agent may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be

imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the Issuer, and shall be entitled to all the benefits of this Bond Resolution equally and ratably with all other Outstanding Bonds.

Section 209. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the Issuer.

Section 210. Book-Entry Bonds; Securities Depository. The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in this Section. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the Beneficial Owners as described in the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds; or

(b) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with

respect to such Replacement Bonds. If the Securities Depository resigns and the Issuer, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the Issuer.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Issuer may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in an Authorized Denominations and form as provided herein.

Section 211. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Bond Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

Section 212. Preliminary and Final Official Statement. The Preliminary Official Statement dated December 20, 2019 is hereby ratified and approved.

The Official Statement is hereby authorized to be prepared by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor and Clerk are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 213. Sale of the Bonds. The sale of the Bonds to the Purchaser is hereby ratified and confirmed. The Mayor and Clerk are hereby authorized to execute the official bid form submitted by the Purchaser. Delivery of the Bonds shall be made to the Purchaser on the Issue Date (which shall be as soon as practicable after the adoption of this Bond Resolution), upon payment of the Purchase Price.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption by Issuer.

Optional Redemption. At the option of the Issuer, Bonds maturing on January 1 in the years 2027, and thereafter, will be subject to redemption and payment prior to their Stated Maturity on January 1, 2026, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

Extraordinary Redemption of the Bonds. The Bonds are subject to extraordinary redemption in whole or in part at any time prior to Stated Maturity at a redemption price equal to 100% of the principal amount thereof, plus accrued interest thereon to the Redemption Date, in the event the Opinion of Bond Counsel requested pursuant to this subsection recommends redemption to preserve the exclusion of interest on the Bonds for federal income tax purposes. The Issuer agrees that immediately following any calendar year during which (a) CID Sales Tax Revenues available for debt service on the Bonds and (b) TDD Sales Tax Revenues collected and deposited with the Issuer exceed 8% of the debt service payments on the Bonds for such calendar year, the Issuer will request an Opinion of Bond Counsel that the use of such CID Sales Tax Revenues and TDD Sales Tax Revenues does not affect the exclusion of interest on any Outstanding Bonds. Such Opinion of Bond Counsel may recommend the redemption of a portion of the Bonds to preserve the exclusion of interest on any Outstanding Bonds.

[*Mandatory Redemption.* (a) ____ *Term Bonds.* The ____ Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in *Article IV* hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on January 1 in each year, the following principal amounts of such ____ Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
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*Final Maturity

(b) ____ *Term Bonds.* The ____ Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in *Article IV* hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on January 1 in each year, the following principal amounts of such ____ Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
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*Final Maturity

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the Issuer may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the Issuer under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the Issuer to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity as designated by the Issuer, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the Issuer intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the Issuer will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.]

Section 302. Selection of Bonds to be Redeemed. Bonds shall be redeemed only in an Authorized Denomination. When less than all of the Bonds are to be redeemed and paid prior to their Stated Maturity, such Bonds shall be redeemed in such manner as the Issuer shall determine. Bonds of less than a full Stated Maturity shall be selected by the Bond Registrar in a minimum Authorized Denomination of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption a minimum Authorized Denomination of face value shall be treated as though it were a separate Bond of the denomination of a minimum Authorized Denomination. If it is determined that one or more, but not all, of a minimum Authorized Denomination of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem a minimum Authorized Denomination, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of a minimum Authorized Denomination of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of a minimum Authorized Denomination of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the Issuer desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Bond Registrar at least 45 days prior to the Redemption Date of written instructions of the Issuer specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. [The foregoing provisions of this

paragraph shall not apply in the case of any mandatory redemption of Term Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the Issuer and whether or not the Paying Agent holds moneys available and sufficient to effect the required redemption.]

Unless waived by any Owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the Purchaser. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the Owners of said Bonds. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and
- (e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as

provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

In addition to the foregoing notice, further notice may be given by the Issuer or the Bond Registrar on behalf of the Issuer as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed:

(a) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2) the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) Each further notice of redemption shall be sent at least one day before the mailing of notice to Owners by first class, registered or certified mail or overnight delivery, as determined by the Bond Registrar, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

The Paying Agent is also directed to comply with any mandatory standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the Issuer payable as to both principal and interest from CID Sales Tax Revenues, after application thereof to the full and final repayment of the Issuer's Sales Tax Special Obligation Refunding Revenue Bonds (Olympic Park STAR Bond Project), Series 2019, and any other bonds of the Issuer issued to refund such bonds or issued on a parity with such bonds under K.S.A. 12-17,160 *et seq.* to pay the costs of projects in the Issuer's Olympic Park STAR Bond District, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax; Transfer to Debt Service Account. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by, to the extent necessary, levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes and/or assessments referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be transferred to the Debt Service Account and shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS DEPOSIT AND APPLICATION OF BOND PROCEEDS

Section 501. Creation of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Improvement Fund for General Obligation Bonds, Series 2020-1.
- (b) Debt Service Account for General Obligation Bonds, Series 2020-1 (within the Bond and Interest Fund).
- (c) Costs of Issuance Account for General Obligation Bonds, Series 2020-1.

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Bond Resolution so long as the Bonds are Outstanding.

Section 502. Deposit of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

- (a) All accrued interest received from the sale of the Bonds and \$[_____], representing interest on the Bonds during construction of the Improvements shall be deposited in the Debt Service Account.
- (b) The sum of \$ _____ shall be deposited in the Costs of Issuance Account.
- (c) The remaining balance of the proceeds derived from the sale of the Bonds (\$ _____) shall be deposited into the Improvement Fund.

Section 501. Application of Refunded Note Proceeds and Moneys in the Improvement Fund; Redemption of Refunded Notes. Unspent proceeds of the Refunded Notes will be applied to the Redemption of the Refunded Notes on the Refunded Notes Redemption Date. Moneys in the Improvement Fund shall be used for the sole purpose of: (a) paying the costs of the Improvements, in accordance with the plans and specifications therefor prepared by a Consulting Engineer, including any alterations in or

amendments to said plans and specifications deemed advisable by the Consulting Engineer; and (b) after application of proceeds of the Refunded Notes, retiring the Refunded Notes.

Withdrawals from the Improvement Fund shall be made only when authorized by the Governing Body. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Mayor (or designate) stating that such payment is being made for a purpose within the scope of this Bond Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Mayor (or designate) stating that such payment is being made for a purpose within the scope of this Bond Resolution. After redemption of the Refunded Notes, and upon completion of the Improvements, any surplus remaining in the Improvement Fund shall be deposited in the Debt Service Account.

Section 502. Substitution of Improvements; Reallocation of Proceeds.

(a) The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Bonds provided the following conditions are met: (1) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the Governing Body in accordance with the laws of the State; (2) a resolution or ordinance authorizing the use of the proceeds of the Bonds to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the Governing Body pursuant to this Section, (3) the Attorney General of the State has approved the amendment made by such resolution or ordinance to the transcript of proceedings for the Bonds to include the Substitute Improvements; and (4) the use of the proceeds of the Bonds to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Bonds under State or federal law.

(b) The Issuer may reallocate expenditure of Bond proceeds among all Improvements financed by the Bonds; provided the following conditions are met: (1) the reallocation is approved by the Governing Body; (2) the reallocation shall not cause the proceeds of the Bonds allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (3) the reallocation will not adversely affect the tax-exempt status of the Bonds under State or federal law.

Section 503. Application of Moneys in Debt Service Account. All amounts paid and credited to the Debt Service Account shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the Bonds shall be transferred and paid into the Bond and Interest Fund.

Section 504. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer; or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located]. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account may be invested in accordance with this Bond Resolution and the Federal Tax Certificate in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account.

Section 505. Application of Moneys in the Costs of Issuance Account. Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance. Any funds remaining in the Costs of Issuance Account, after payment of all Costs of Issuance, but not later than 30 days prior to the first Interest Payment Date, shall be transferred to the Debt Service Account.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Bond Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Bond Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the Issuer, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the Issuer contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Bond Resolution. No one or more Owners secured hereby shall have any

right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Bond Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the Issuer and the Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Issuer's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Bond Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of or Redemption Price of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments. If the amount to be so deposited is based on the Redemption Price of any Bonds, no such satisfaction shall occur until (a) the Issuer has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the Issuer has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with **Article III** hereof. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the Issuer, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Bond Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants. The Issuer covenants and agrees that it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor and the Clerk are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

Section 802. Survival of Covenants. The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to *Article VII* hereof or any other provision of this Bond Resolution until such time as is set forth in the Federal Tax Certificate.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 901. Annual Audit. Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. The audit report shall contain a statement regarding the Issuer's compliance with the arbitrage rebate covenants contained in the Federal Tax Certificate. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk, and a duplicate copy of the audit shall be mailed to the Purchaser. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any of the Bonds, or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner. As soon as possible after the completion of the annual audit, the Governing Body shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Bond Resolution, the Issuer shall promptly cure such deficiency.

Section 902. Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of this Bond Resolution, may be amended or modified at any time in any respect by ordinance or resolution of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal of or interest on any Bond;

- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Bond Resolution.

Any provision of the Bonds or of this Bond Resolution may, however, be amended or modified by ordinance or resolution duly adopted by the Governing Body at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more precisely identify the Improvements, to reallocate proceeds of the Bonds among Improvements, to provide for Substitute Improvements, to conform this Bond Resolution to the Code or future applicable federal law concerning tax-exempt obligations, or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Bond Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution or ordinance adopted by the Governing Body amending or supplementing the provisions of this Bond Resolution and shall be deemed to be a part of this Bond Resolution. A certified copy of every such amendatory or supplemental ordinance or resolution, if any, and a certified copy of this Bond Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Bond Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or resolution or of this Bond Resolution will be sent by the Clerk to any such Owner or prospective Owner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the ordinance or resolution of the Issuer hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The Issuer shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Bond Resolution which affects the duties or obligations of the Paying Agent under this Bond Resolution.

Section 903. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Bond Resolution, and shall be conclusive in favor of the Issuer and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

- (a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Bond Resolution, Bonds owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Bond Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the Issuer.

Section 904. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Bond Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

Section 905. Electronic Transactions. The issuance of the Bonds and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

Section 906. Further Authority. The officers and officials of the Issuer, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Bond Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 907. Severability. If any section or other part of this Bond Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Bond Resolution.

Section 908. Governing Law. This Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 909. Effective Date. This Bond Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

ADOPTED by the Governing Body on January 6, 2020.

(SEAL)

Jamey Blubaugh, Mayor

ATTEST:

Teri Laymon, Clerk

**EXHIBIT A
(FORM OF BONDS)**

**REGISTERED
NUMBER ___**

**REGISTERED
\$**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation (“DTC”), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SEDGWICK
CITY OF GODDARD
GENERAL OBLIGATION BOND
SERIES 2020-1**

**Interest
Rate:**

**Maturity
Date:**

**Dated
Date: January 29, 2020**

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Goddard, in the County of Sedgwick, State of Kansas (the “Issuer”), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, unless called for redemption prior to said Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable semiannually on January 1 and July 1 of each year, commencing July 1, 2020 (the “Interest Payment Dates”), until the Principal Amount has been paid.

Method and Place of Payment. The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The interest payable on this Bond on any Interest Payment Date shall be paid to the person in whose name this Bond is registered on the registration books maintained by the Bond Registrar at the close of business on the Record Date(s) for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the Interest Payment Date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds

by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Bond Resolution.

Definitions. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Bond Resolution.

ADDITIONAL PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Bond Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IT IS HEREBY DECLARED AND CERTIFIED that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of the Issuer, including this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, and its seal to be affixed hereto or imprinted hereon.

CITY OF GODDARD, KANSAS

(Facsimile Seal)

By: _____ (facsimile)
Mayor

ATTEST:

By: _____ (facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Bonds, Series 2020-1, of the City of Goddard, Kansas, described in the within-mentioned Bond Resolution.

Registration Date: _____

Office of the State Treasurer, Topeka, Kansas,
as Bond Registrar and Paying Agent

By _____

Registration Number: _____

(FORM OF REVERSE SIDE OF BOND)

ADDITIONAL PROVISIONS

Authorization of Bonds. This Bond is one of an authorized series of Bonds of the Issuer designated “General Obligation Bonds, Series 2020-1,” aggregating the principal amount of \$3,550,000* (the “Bonds”) issued for the purposes set forth in the Ordinance of the Issuer authorizing the issuance of the Bonds and the Resolution of the Issuer prescribing the form and details of the Bonds (collectively, the “Bond Resolution”). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 12-6a26 *et seq.*, as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

General Obligations. The Bonds shall be general obligations of the Issuer payable as to both principal and interest from CID Sales Tax Revenues, after application thereof to the full and final repayment of the Issuer’s Sales Tax Special Obligation Refunding Revenue Bonds (Olympic Park STAR Bond Project), Series 2019, and any other bonds of the Issuer issued to refund such bonds or issued on a parity with such bonds under K.S.A. 12-17,160 *et seq.* to pay the costs of projects in the Issuer’s Olympic Park STAR Bond District, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Redemption Prior to Maturity. The Bonds are subject to redemption prior to maturity as set forth in the Bond Resolution.

Book-Entry System. The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Bond Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The Issuer and the Bond Registrar will recognize the Securities Depository nominee, while the Registered Owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the Issuer, the Bond Registrar and the Securities Depository.

Transfer and Exchange. EXCEPT AS OTHERWISE PROVIDED IN THE BOND RESOLUTION, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY. This Bond may be transferred or exchanged, as provided in the Bond Resolution, only on the Bond Register kept for that purpose at the principal office of the Bond Registrar, upon surrender of this Bond, together with a written instrument of transfer or authorization for exchange satisfactory to the Bond Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Bond Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Bonds are issued in fully registered form in Authorized Denominations.

LEGAL OPINION

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Bonds:

GILMORE & BELL, P.C.

Attorneys at Law
100 N. Main Suite 800
Wichita, Kansas 67202

(PRINTED LEGAL OPINION)

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

(Name and Address)

(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$ _____, standing in the name of the undersigned on the books of the Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____

Name

Social Security or
Taxpayer Identification No.

Signature (Sign here exactly as name(s)
appear on the face of Certificate)

Signature guarantee:

By _____

CERTIFICATE OF CITY OF GODDARD

STATE OF KANSAS)
) SS.
COUNTY OF SEDGWICK)

The undersigned, Clerk of the City of Goddard, Kansas, does hereby certify that the within Bond has been duly registered in my office according to law as of January 29, 2020.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Clerk

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

JAKE LATURNER, Treasurer of the State of Kansas, does hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in the office of the State Treasurer, and that this Bond was registered in such office according to law on _____.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Treasurer of the State of Kansas

EXCERPT OF MINUTES STAR Bond Cost Participation

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KANSAS MONDAY, SEPTEMBER 15, 2014

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, September 15, 2014 at 7:00 p.m. with Mayor Marcey Gregory presiding. Mayor Gregory provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Clayton Applegate, and Jamey Blubaugh. Councilmember Hahn was absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Justin Givens, Community Development Director; Sam Houston, Police Chief; Tylor Struckman, Public Works Operations Manager; Matt Lawn, City Treasurer; Harlan Foraker, City Engineer and Thomas Docking, City Attorney.

COMMUNITY IMPROVEMENT DISTRICT “CID” PUBLIC HEARING

Mayor Gregory opened the public hearing for determining the advisability of creating a community improvement district in the City of Goddard, Kansas to be known as the Goddard Olympic Park Community Improvement District and to approve levying a 1% sales tax for improvements.

Brian Silcott reviewed the background of previous actions related to the STAR Bond & CID as follows:

- November 5, 2012 Council sets a public hearing date to create a STAR Bond District (R-12-14)
- December 17, 2012 City Council conducts public hearing to create the Goddard STAR Bond District
- December 17, 2012 Council creates the Goddard STAR Bond District (Ord. 736)
- January 16, 2013 Secretary of Commerce approves the Goddard STAR Bond District
- October 1, 2013 Planning Commission found the STAR Bond Project Plan to be in conformance with the City’s Comprehensive Plan.
- October 7, 2013 Council sets a public hearing to consider adopting the STAR Bond Project Plan (R-13-08)
- November 18, 2013 Council Conducts a public hearing on the STAR Bond Project
- April 21, 2014 Council approves the STAR Bond Project Plan (Ord. 755)
- April 21, 2014 Council approves the Development Agreement (Ord. 755)
- May 8, 2014 Secretary of Commerce approves the Project Plan

- August 22, 2014 CID petition to levy 1% sales tax filed with City Clerk Laymon by the property owner.
- August 25, 2014 City Council sets a public hearing date to create a CID (R-14-13)
- Times-Sentinel News publishes R-14-13 on August 28th, September 4th & 11th

Mayor Gregory asked if anyone would like to address the Council. There being none, Councilmember Zimmerman asked Brian Silcott to explain the CID to the audience.

Silcott explained that the 1% sales tax is a self-imposed tax by the property owners to finance the acquisition, construction of improvements, costs, and services within the CID. These items may include, but not limited to: land acquisition, infrastructure related items, sidewalks, parking lots, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs, private financing costs, and the petitioners' administrative costs in establishing and maintaining the CID, and any other items permitted to be financed within the CID under the Act.

There were questions and discussions among certain people in the audience regarding drainage from the Pate Addition. Councilmember Blubaugh called the meeting to order.

Mayor Gregory closed the public hearing.

CONSIDER AN ORDINANCE CREATING THE COMMUNITY IMPROVEMENT DISTRICT

Brian Silcott stated the purposed ordinance takes the necessary actions to authorize the levy of a 1% local sales tax within the western most parcel of the STAR Bond District. The project is to promote the development of a mixed-use project including an aquatic center, athletic fields, hotel, and other commercial uses.

The estimated project cost is \$64,042,315 with additional 1% City administrative fee for the monitoring, accounting, and administration of the tax. Upon approval by the City Council, the City will create a special revenue fund to be titled "*Goddard Olympic Park CID Sales Tax Revenue Fund.*"

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE CITY OF GODDARD ESTABLISHING THE GODDARD OLYMPIC PARK COMMUNITY IMPROVEMENT DISTRICT; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; LEVYING A 1.00% CID SALES TAX AND PROVIDING FOR THE METHOD OF FINANCING THE SAME.

MOTION: Councilmember *Blubaugh* moved to waive the reading of the ordinance. Councilmember *Torske* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Blubaugh* moved to adopt said ordinance. Councilmember *Applegate* seconded the motion.

- **Roll Call Vote:**

Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 759. The Ordinance was directed to be published one time in the official newspaper of the City.

CONSIDER STAR BOND ISSUANCE ORDINANCE

Brian Silcott stated the proposed ordinance authorizes the sale an amount not to exceed \$31,000,000 in special revenue STAR bonds. Silcott explained that the ordinance states that city legal and administrative staff have reviewed and approve as to form the Bond Trust Indenture, STAR Bond District Tax Distribution Agreement, Bond Purchase Agreement, and Tax Compliance Agreement. It also authorizes the Mayor and city staff to execute and deliver the bonds to the Bond Trustee and to perform all administrative tasks to make the transaction in accordance with the ordinance and documents. The ordinance also authorizes the Mayor, city's financial advisor, bond counsel, and city staff to take appropriate action to comply with the intent of the ordinance.

Silcott added that the STAR Bond revenue component consists of 6.15% State of Kansas sales tax collected in the STAR Bond District, 1% Sedgwick County sales tax collected in the STAR Bond District, 1% Goddard sales tax, 6% Transient Guest Tax collected in the STAR Bond District, and a 1% CID sales tax collected in the western most parcel, which will be later subdivided and the tax applied to those retail locations.

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GODDARD, KANSAS, AUTHORIZING THE ISSUANCE OF ITS SALES TAX SPECIAL OBLIGATION REVENUE BONDS (OLYMPIC PARK STAR BOND PROJECT) IN ONE OR MORE SERIES FOR THE PURPOSE OF FINANCING CERTAIN COSTS RELATING TO A STAR BOND PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

MOTION: Councilmember *Torske* moved to waive the reading of the ordinance. Councilmember *Zimmerman* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Applegate* *seconded the motion*.

Roll Call Vote: Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 760. The Ordinance was directed to be published one time in the official newspaper

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, MAY 18, 2015**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, May 18, 2015 at 7:00 p.m. with Mayor Marcey Gregory presiding. Councilmember Zimmerman provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn and Chris Hedrick.

Also present were: Brian Silcott, City Administrator; Kyler Ludwig, Assistant City Administrator; Teri Laymon, City Clerk; Sam Houston, Police Chief; Matt Lawn, City Treasurer; Tylor Struckman, Public Works Operations Manager; and Harlan Foraker, City Engineer.

CONSIDER STAR BOND ISSUANCE ORDINANCE

Brian Silcott stated the purposed ordinance authorizes the sale an amount not to exceed \$31,000,000 in special revenue STAR bonds. Silcott explained that the ordinance states that city legal and administrative staff have reviewed and approve as to form the Bond Trust Indenture, STAR Bond District Tax Distribution Agreement, Bond Purchase Agreement, and Tax Compliance Agreement. It also authorizes the Mayor and city staff to execute and deliver the bonds to the Bond Trustee and to perform all administrative tasks to make the transaction in accordance with the ordinance and documents. The ordinance also authorizes the Mayor, city's financial advisor, bond counsel, and city staff to take appropriate action to comply with the intent of the ordinance.

Silcott added that the STAR Bond revenue component consists of 6.15% State of Kansas sales tax collected in the STAR Bond District, 1% Sedgwick County sales tax collected in the STAR Bond District, 1% Goddard sales tax, 6% Transient Guest Tax collected in the STAR Bond District, and a 1% CID sales tax collected in the western most parcel, which will be later subdivided and the tax applied to those retail locations.

Thereupon an Ordinance was submitted entitled:

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF GODDARD, KANSAS, AUTHORIZING THE ISSUANCE OF ITS SALES TAX SPECIAL OBLIGATION REVENUE BONDS (OLYMPIC PARK STAR BOND PROJECT) IN ONE OR MORE SERIES FOR THE PURPOSE OF FINANCING CERTAIN COSTS RELATING TO A STAR BOND PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

MOTION: Councilmember *Torske* moved to waive the reading of the ordinance. Councilmember *Zimmerman* *seconded the motion*. The motion carried unanimously.

MOTION: Councilmember *Torske* moved to adopt said ordinance. Councilmember *Applegate* *seconded the motion*.

Roll Call Vote: Torske-Yes, Zimmerman-Yes, Applegate-Yes, Blubaugh-Yes

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance 760. The Ordinance was directed to be published one time in the official newspaper.

**MINUTES-SPECIAL MEETING
GODDARD CITY COUNCIL
118 NORTH MAIN, GODDARD, KS
TUESDAY, SEPTEMBER 15, 2015
7:00 P.M.**

The Goddard City Council met in a Special Session at Goddard City Hall on Tuesday September 15, 2015 at 7:00 p.m. with Mayor Marcey Gregory presiding. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn and Chris Hedrick.

Also present: Brian Silcott, City Administrator; Kelly Bergeron, Community Development Director; Rick Worner, Managing Director at National Realty Advisors; Ted Worner, Associate at National Realty Advisors; and Bruce Nevaizer, Managing Director at Iconos Partners.

EXECUTIVE SESSION

MOTION: Councilmember *Hedrick* moved to recess into executive session pursuant to the financial affairs or trade secrets of a second party to discuss the Star Bond Project, to include the City Administrator, Community Development Director, Rick Worner, Ted Worner, and Bruce Nevaizer. Councilmember *Hahn* seconded the motion. The Motion carried unanimously.

The City Council recessed into Executive Session at 7:00 p.m. and reconvened at 7:30 p.m. Mayor Gregory announced that no binding action was taken in executive session.

MOTION: Councilmember *Hedrick* moved to adjourn the Special Meeting. Councilmember *Hahn* seconded the motion. The Motion carried unanimously.

*Meeting adjourned at 7:30 p.m.
Teri Laymon, City Clerk*

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, NOVEMBER 16, 2015**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, November 16, 2015 at 7:00 p.m. with Mayor Gregory presiding. Councilmember Zimmerman provided the invocation. Council members present were Larry Zimmerman, Enrique Ramirez, and Chris Hahn. Councilmembers Joe Torske and Chris Hedrick were absent.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Kelly Bergeron, Community Development Director; Don McElroy, Police Chief; Matt Lawn, City Treasurer, and Harlan Foraker, City Engineer.

ISSUANCE OF \$3,160,000 TEMPORARY NOTE FOR STAR BOND DISTRICT IMPROVEMENTS

Brian Silcott presented a resolution authorizing staff and the City's financial Advisor to solicit bids for the issuance of \$3,160,000 in temporary notes for improvements within the STAR bond district. The additional \$160,000 is the cost of capitalized interest and issuance fees. Bids will be due Monday, December 7, 2015. The temporary notes will mature December 15, 2017, at which time the temporary notes will be converted into General Obligation bonds with payment being from the City's General tax levy within the Bond & Interest Fund. Temporary Note interest payments will be made semiannually on June 15 & December 15 in 2016 and 2017. The temporary notes will be delivered to the best bidder on December 22, 2015.

The timing of this issuance should coincide with the initial construction of the STAR bond improvement. According to the development agreement with Goddard Destination, construction is to begin before December 31, 2015. The hoteliers are working diligently to meet this timeline; however, it may be necessary to amend the development agreement for a period of 60-90 days to accommodate the construction schedule. If this is the case, the issuance of the temporary notes should be deferred until the first quarter of 2016. Because of this, staff recommends approval of the resolution with the additional language that authorizes the City Administrator to defer the solicitation of bids until a firm construction date is known. If the issuance is deferred, Staff will present a resolution at the December 7 meeting rescinding the resolution considered tonight.

MOTION: Councilmember *Hahn* moved to adopt a resolution authorizing the issuance of \$3,160,000 temporary notes. Councilmember *Ramirez* seconded the motion. The motion carried unanimously.

Resolution 15-06

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS MONDAY, DECEMBER 18, 2017

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday, December 18, 2017. Mayor Marcey Gregory called the meeting to order at 7:00 p.m. Mayor Gregory provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Chris Hahn, and Todd Wentz.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Tim Johnson, Community Development Director, Matt Lawn, City Treasurer; Justin Constantino, Assistant to City Administrator; Fred Farris, Police Chief.

GO BOND REFUNDING AUTHORIZATION RESOLUTION

The matter of providing for the offering for sale of General Obligation Renewal Temporary Notes, Series 2018-1, came on for consideration and was discussed.

MOTION: Councilmember *Torske* presented and moved to adopt the resolution authorizing the offering for sale of General Obligation Renewal Temporary Notes, Series 2018-1 of the City of Goddard, Kansas. Councilmember *Zimmerman* seconded the motion to adopt the Resolution. The Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: Torske, Zimmerman, Ramirez, Hahn, Wentz

Nay:

The Mayor declared the Resolution duly adopted by the Governing Body and the Mayor designated the same Resolution No. 17-10.

MINUTES-REGULAR MEETING CITY OF GODDARD 118 NORTH MAIN, GODDARD, KS TUESDAY, JANUARY 16, 2018

The Goddard City Council met in a Regular Session at Goddard City Hall on Tuesday, January 16, 2018. Mayor Jamey Blubaugh called the meeting to order at 7:00 p.m. Father Matt Marney provided the invocation. Council members present were Joe Torske, Larry Zimmerman, Enrique Ramirez, Brent Traylor and Brook Brandenburg.

Also present were: Brian Silcott, City Administrator; Teri Laymon, City Clerk; Tim Johnson, Community Development Director, Matt Lawn, City Treasurer; Justin Constantino, Assistant to City Administrator; Fred Farris, Police Chief, Harlan Foraker, City Engineer and Ryan Peck, City Attorney.

CONSIDER A RESOLUTION AUTHORIZING GENERAL OBLIGATION RENEWAL NOTES SERIES 2018-01 FOR SERIES 2016-01.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION RENEWAL TEMPORARY NOTES, SERIES 2018-1, OF THE CITY OF GODDARD, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS

CONNECTED THEREWITH.

MOTION: Councilmember *Torske* moved to adopt said Resolution. Councilmember *Ramirez* seconded the motion. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body as follows:

Yea: Torske, Zimmerman, Ramirez, Traylor, Brandenburg

Nay:

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 18-01, and was signed by the Mayor and attested by the Clerk.

**MINUTES-REGULAR MEETING
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, DECEMBER 2, 2019**

The Goddard City Council met in a Regular Session at Goddard City Hall on Monday December 2, 2019. Mayor Blubaugh called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance and the Invocation. Council members present were, Joe Torske, Larry Zimmerman, Sarah Leland, and Hunter Larkin. Councilmember Traylor was absent

Also present were: Brian Silcott, City Administrator, Teri Laymon, City Clerk; Micah Scoggan, City Planner; Fred Farris, Chief of Police; Brook Brandenburg, Public Works Director; Thatcher Moddie, Administrative Fellow; Matt Lawn, City Treasurer and Harlan Foraker, City Engineer.

CONSIDER A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIES 2020-01 GO BONDS IN THE AMOUNT OF \$3,445,000 RELATED TO THE STAR BOND TEMPORARY NOTE ISSUANCE

Brian Silcott stated at the February 23, 2015, Special Meeting the City Council unanimously committed \$3,000,000 to the STAR Bond project. The improvement was authorized when the City Council unanimously adopted Ordinance 773, on May 18, 2015, authorizing up to \$10,000,000 for improvements within the STAR Bond District. During the November 16, 2015, meeting the City Council approved the issuance of Series 2016-1 with an issuance date of February 1, 2016, and a maturity date of February 1, 2018, with an issuance amount of \$3,160,000. The Governing Body unanimously adopted Resolution 17-10 authorizing the sale of new temporary notes (Series 2018-1) referenced as the sales of GO Renewal temporary notes and the retirement of temporary note issuance Series 2016-1. The current issuance extended the Series 2016-1 with an expiration of February 1, 2018 to February 1, 2020.

This resolution does not include the Series 2018-2 issuance related to the STAR Bond district's interior infrastructure issuance. This issuance will be addressed separately for compliance with Community Improvement District issuance covenants and tax compliance.

The Series 2018-1 issuance totals \$3,340,000. The City selects Gilmore & Bell as Bond Counsel and Stiefel, Nicolas, and Company as the City's Financial Advisor (FA) and authorizes the FA to

proceed with the offering of General Obligation (GO) bonds. The resolution authorizes the preparation and distribution of a preliminary official statement related to the placement of the bonds. The resolution also directs staff and the Mayor to prepare the necessary documents to proceed with this issuance. The resolution sets the sale of the bonds at the Monday, January 6, 2020 Regular City Council meeting. The term of the notes will be from 2021 to 2040 with payments made on April 1 and October 1 of each calendar year. The bond sale amount totals \$3,445,000. The Series 2018-1 GO renewal temporary note will be retired with this issuance.

Failure to adopt this resolution will result in the City paying \$3,340,000 when the Series 2018-1 note matures. The City is also obligated to contribute another \$3,000,000 to the STAR Bond project. Upon the retirement of the STAR Bond issuance, the City will recover its cost through the STAR Bond district's western parcel 1-cent Community Improvement District levy.

MOTION: Councilmember *Torske* moved adopt said resolution as presented. Councilmember *Zimmerman* seconded the motion. The motion carried unanimously.

Resolution # 19-33

NOTHING FOLLOWS

RatingsDirect®

Summary:

Goddard, Kansas; General Obligation; Note

Primary Credit Analyst:

Jim Tchou, New York (1) 212-438-3821; jim.tchou@spglobal.com

Secondary Contact:

Joyce Jung, New York + 1 (212) 438 0629; joyce.jung@spglobal.com

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Goddard, Kansas; General Obligation; Note

Credit Profile

US\$3.55 mil GO bnds ser 2020-1 dtd 01/29/2020 due 01/01/2042

Long Term Rating AA-/Stable New

Goddard GO temp nts ser 2019-1 dtd 12/18/2019 due 12/01/2022

Short Term Rating SP-1+ Affirmed

Rationale

S&P Global Ratings assigned its 'AA-' long-term rating to Goddard, Kan.'s series 2020-1 general obligation (GO) bonds. We also affirmed our 'SP-1+' short-term rating on the city's series 2019-1 GO temporary notes. The outlook is stable.

Security and the use of proceeds

Ad valorem taxes, which may be levied without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city, secure the GO bonds. The series 2020-1 bonds are also secured from certain community improvement district (CID) sales tax revenues, after application thereof to the full and final repayment of the city's series 2019 sales tax special obligation refunding revenue bonds (the STAR bonds), and any other bonds of the city issued to refund such bonds or issued on a parity with such bonds under to pay the costs of projects in the Olympic Park STAR bond district. We do not expect the CID sales tax revenue to be available for debt service payments for the series 2020-1 bonds until the STAR bonds reach final maturity on June 1, 2034, or unless earlier redeemed. As a result, we are currently rating the series 2020-1 bonds to the city's unlimited ad valorem pledge.

We understand series 2020-1 bond proceeds will be used to provide permanent financing for the city's series 2018-1 GO renewal temporary notes, which were used to temporarily finance certain CID improvements, including: the construction and procurement of certain improvements in the Goddard Olympic Park CID and the construction of a restricted crossing U-turn intersection or signalized intersection on US-54 Highway to service other CID components.

The short-term rating reflects our view of our 'AA-' rating on the city and its low market-risk profile, including the authority to issue take-out debt and availability of pertinent disclosure information. State law requires the authorization of long-term take-out GO debt before the issuance of temporary notes. The temporary notes are a GO of the city, secured by its full faith credit and resources pledge. In addition, the notes are partially payable from special assessment taxes levied on improvements financed with note proceeds or, if not, ad valorem taxes levied without limitation as to rate or amount on all taxable, tangible real and personal property within the city's territorial limits.

Credit overview

The 5.17-square-mile Goddard encompasses residential to light-manufacturing properties and is a first-tier suburb immediately adjacent to Wichita. Assessed valuation (AV) has grown by about 4% annually during the past five fiscal years. We expect similar AV growth during the next few fiscal years. As a growing city, we expect Goddard's debt will likely remain very weak during the next few years; the city's fiscal flexibility, supported by strong management,

somewhat offsets our concerns. We also expect the city's participation in the broad and diverse Wichita metropolitan statistical area (MSA) will likely contribute to overall rating stability.

The 'AA-' rating reflects our opinion of Goddard's:

- Adequate economy, with access to a broad and diverse MSA;
- Strong financial management, with good financial policies and practices under our Financial Management Assessment (FMA) methodology;
- Adequate budgetary performance, with an operating deficit in the general fund but a slight operating surplus at the total governmental fund level in fiscal 2018;
- Very strong budgetary flexibility, with available cash-based reserves in fiscal 2018 at 77% of operating expenditures;
- Very strong liquidity, with total government available cash at 1.9x total governmental fund expenditures and 17.5x governmental debt service, and access to external liquidity we consider strong;
- Very weak debt and contingent liability position, with debt service carrying charges at 10.7% of expenditures and net direct debt that is 432% of total governmental fund revenue, and high overall net debt at greater than 10% of market value; and
- Strong institutional framework score.

Adequate economy

We consider Goddard's economy adequate. The city, with an estimated population of 5,708, is a first-tier suburb, immediately adjacent to Wichita. It is in the Wichita MSA, which we consider broad and diverse. It has a projected per capita effective buying income at 79% of the national level and per capita market value of \$59,414. Overall, market value grew by 4% during the past year to \$339.1 million in fiscal 2019. Sedgwick County unemployment was 3.8% in 2018.

Leading Goddard employers include:

- Sedgwick County Unified School District No. 265 (688 employees),
- Universal Products (189),
- Walmart Inc. (184),
- Dillons Warehouse (175), and
- Nowak Construction (93).

The city's residential and commercial sectors have been the main factors of Goddard's property tax base growth recently, coupled with the city school system's appeal. AV grew by an aggregate 19% since fiscal 2014 to \$49.9 million in fiscal 2019.

Strong management

We view the city's financial management as strong, with good financial policies and practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Highlights include management's:

- Revenue and expenditure assumptions based, in part, on up to five years' historical data, coupled with information from outside sources to assist with forecasting;
- Monthly budget reports to the city council, including budget-to-actual comparisons;
- Rolling five-year capital improvement plan that includes project cost estimates and identifies funding sources;
- Formal investment management policy that adheres to state guidelines with, at least, quarterly holdings and performance reports to the council;
- Formal debt management policy that provides debt guidelines and other qualitative descriptions but lacks material debt ratio parameters; and
- Formal policy of adopting an annual general fund budget that includes a contingency equal to, at least, 7% of total general fund appropriations but no more than 10%.

We understand the city does not currently perform multiyear financial forecasting, except for projecting one year beyond the budget year.

Adequate budgetary performance

Goddard's budgetary performance is adequate, in our opinion. The city had deficit operating results in the general fund at 2.4% of expenditures but slight surplus results across all governmental funds at 1.3% in fiscal 2018.

We adjusted our estimates to account for what we view as recurring transfers from the general fund, coupled with the use of debt proceeds across all governmental funds. Management attributes fiscal 2018 performance mainly to conservative budgeting and a lack of unexpected budgetary challenges.

In fiscal 2019, property taxes generated 88% of general fund revenue. We project the city will end fiscal 2019 with expenditures exceeding revenue by \$500,000, or 13% of expenditures, due to transfers into the street and capital improvement funds. We also posit that the small budget makes performance ratios vulnerable to minor revenue and expenditure swings, which could have an effect on fiscal year-end results.

Officials balanced the fiscal 2020 general fund budget with the use of a \$1 million cash carryover. Kansas municipalities typically balance the budget with cash-based reserves to maintain proper budget authority, considering they cannot amend the budget due to unexpected expenditures without a public hearing and publication. Officials expect available reserves to remain stable, and they do not plan to draw down reserves by fiscal year-end 2020.

Very strong budgetary flexibility

Goddard's budgetary flexibility is very strong, in our view, with available cash-based reserves in fiscal 2018 at 77% of operating expenditures, or \$2.7 million. We expect available cash-based reserves to remain above 30% of expenditures for the current and next fiscal years, which we view as a positive credit factor. Cash-based reserves include \$1.4 million, or 40% of expenditures, in the general fund and \$1.3 million, or 37%, outside the general fund but legally available for operations. Impairing budgetary flexibility, in our view, is Goddard's use of cash accounting, which reduces clarity about the amount of funds that are truly available.

Goddard has historically maintained very strong reserves. In addition to the general fund, our calculations include

unencumbered cash in the equipment reserve and capital improvement funds. We estimate the city will end fiscal 2019 with an available fund balance of about 63% of expenditures. We understand it will gradually build reserves during the next few fiscal years to pay for one-time projects. Therefore, we expect budgetary flexibility will likely remain very strong during the next two fiscal years.

Very strong liquidity

In our opinion, Goddard's liquidity is very strong, with total government available cash at 1.9x total governmental fund expenditures and 17.5x governmental debt service in fiscal 2018. In our view, the city has strong access to external liquidity if necessary.

At Dec. 31, 2018, the city mainly held cash in local banks and certificates of deposit, which we do not consider aggressive. Goddard's issuance of GO bonds and temporary notes during the past 20 years demonstrates its strong access to external liquidity. The city does not have any privately placed or variable-rate debt we consider a contingent liability risk. Therefore, we expect liquidity will likely remain very strong.

Very weak debt and contingent liability profile

In our view, Goddard's debt and contingent liability profile is very weak. Total governmental fund debt service is 10.7% of total governmental fund expenditures, and net direct debt is 432% of total governmental fund revenue. High overall net debt at 11.6% of market value weakens our view of the city's debt profile.

Outside of providing permanent financing for two outstanding GO temporary notes for about \$1.6 million in total, which we have already factored into our debt analysis, we understand management plans to issue roughly \$800,000 to \$850,000 in additional GO temporary notes during the next two years for a lift station.

Goddard's pension contributions totaled 4.2% of total governmental-fund expenditures in fiscal 2018. The city made its full annual required pension contribution in fiscal 2018.

We do not view pension and other postemployment benefit (OPEB) liabilities as an immediate credit pressure because required contributions currently make up a small portion of total governmental expenditures. If required material contributions were to increase unexpectedly during the next few fiscal years, we posit this would not have an effect on fiscal stability due to sizable reserves officials could use for contingencies, if needed.

As of Dec. 31, 2018, the latest measurement date, Goddard participates in Kansas Public Employees' Retirement System (KPERs), which is 68.9% funded, and Kansas Police & Firemen's Retirement System (KP&F) with a net pension liability equal to \$645,701 for KPERs and \$1.1 million for KP&F. The state actuarially determines contributions, and the city has historically funded annual required costs in full.

Actuarial assumptions include a discount rate of 7.75%, which we view as aggressive, representing market risk and resulting in contribution volatility if the plan fails to meet assumed investment targets. In addition, contributions are likely to grow due to level payroll funding rather than level-dollar contributions, which would result in consistent payments.

Goddard does not offer OPEBs, which we view favorably because such liabilities could cause long-term fiscal pressure. The city allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the

applicable premium, conceptually, the city subsidizes retirees because each participant pays the same premium regardless of age. However, Goddard's financial statements do not quantify the cost of this subsidy.

Strong institutional framework

The institutional framework score for Kansas municipalities with more than \$275,000 in annual gross receipts and more than \$275,000 in GO or revenue bonds outstanding is strong.

Outlook

The stable outlook reflects S&P Global Ratings' opinion it will likely not change the rating during the two-year outlook. The outlook further reflects our expectation management will likely follow through on its intention to increase available cash-based reserves gradually. In addition, we expect the local economy will likely continue to grow at a stable rate.

Upside scenario

With all other credit factors remaining equal, we could raise the rating if economic indicators were to improve and debt were to decrease.

Downside scenario

We could lower the rating if, in the unlikely event, the economy were to deteriorate significantly, resulting in prolonged weak budgetary performance and sizable available reserve reductions.

Related Research

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.standardandpoors.com for further information. Complete ratings information is available to subscribers of RatingsDirect at www.capitaliq.com. All ratings affected by this rating action can be found on S&P Global Ratings' public website at www.standardandpoors.com. Use the Ratings search box located in the left column.

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**City of Goddard
City Council Meeting
January 6, 2020**

TO: Mayor & City Council
SUBJECT: Goddard Portal Software Purchase
INITIATED BY: City Planner
AGENDA: New Business

Background: The Governing Body approved the purchase of Viewpoint Cloud on December 16, 2019. The quote presented was based off a quote originally introduced to the city in July. Since that July quote, the price for the software increased. This is due to the fact that services previously introduced by OpenGov as being optional in July are no longer optional and are required in the purchase price.

Analysis: Viewpoint Cloud was offering its service at \$11,140 for the introductory rate. It would have then dropped to \$7,447 for the following year and increase by 7% annually year over year.

Currently:

We have negotiated a 3-year contract at \$10,560 per year until January 7, 2022
There will be a one-time implementation fee of \$7,680. The difference from the previous quote, for the years are as follows:
2020 - \$18,240 (difference of \$7,100)
2021 - \$10,560 (difference of \$3,113)
2022 - \$10,560 (difference of \$2,591.71)

Financial: Staff recommends allocating the proposed software purchase line item 10-580-6349 General Fund - Code Enforcement – Software & Licenses

Cost will be accounted for in the 2020 revised and 2021 proposed budget

Legal Considerations: Approved as to form

Recommendation/Actions: It is recommended that the City Council approve the purchase of Viewpoint Cloud with the revised price quote **VOICE**

Attachments: G.3.a : Screenshots of software (3 Pages)

Permit Fee

Processing will proceed upon payment.

 Credit Card
\$14.46 processing fee

 Cash/Check
No processing fee

Permit Fee	\$400.00	×
Planning Application Fee - Flat Fee by Property Type	\$50.00	×
+ Add Fee...		
Total Fee Amount:	\$450.00	
Total Due:	\$450.00	

Pay

[Waive Payment](#)

Say something about this...

Comment

28164 + Add to a project

Building Permit – Residential Permit ✔ New Official Permit Issued

Inspection (Initial/Footing/Framing)

 Alex Pajusi

 November 14, 2016

+ Add Inspection

<input type="radio"/> Framing <small>remove</small>	Pass	Fail
<input type="radio"/> Masonry <small>remove</small>	Pass	Fail
<input type="radio"/> Fire and Draftstopping <small>remove</small>	Pass	Fail
<input type="radio"/> Swimming Pool <small>remove</small>	Pass	Fail
<input type="radio"/> Initial <small>remove</small>	Pass	Fail

 **Initial**
Failed on Nov 14th 2016, 2:51 pm by Alex Pajusi

Fail due to inadequate safety measures onsite. Follow up in 14 days

Reinspect

 **Footings**
Passed on Nov 14th 2016, 2:51 pm by Alex Pajusi

Reinspect

Say something about this...

28268

+ Add to a project



Citizen Complaint – Exterior Maintenance

Verification of issue and assignment

Your approval is required.

Approve

Reject

Skip

Discuss



Location

900 Southeast Douglas Avenue

In Violation

Owner

Michael Smith

Attachments

Upload File

jpg

[Unkempt lawn.jpg](#)

Uploaded November 10, 2016 by Carl Anderson



Details on issue

Provide a written description of the violation

Description of Violation *

Neighbor's lawn is unkempt and full of trash

List any steps taken by you to remedy the issue

Have you contacted the violator? *

Agenda Item H.1

City of Goddard City Council Meeting January 6, 2020

TO: Mayor and City Council
SUBJECT: Annual Cash Basis Waiver of GAAP
INITIATED BY: City Administrator
AGENDA: New Business

Recommendation: It is recommended the Council consider adopting the proposed resolution requesting the Director of Accounts and Reports to waive requirements of GAAP law as they apply to the City of Goddard for the year ending December 31, 2020; and financial statements and financial reports of the said municipality to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget law of the State of Kansas.

Background: Adoption of a resolution requesting the Director of Accounts and Reports to waive requirements of said law as they apply to the City of Goddard; and that financial statements and financial reports be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget law has historically occurred annually. The Council last adopted a similar resolution on January 7, 2019.

Analysis: The proposed resolution waives GAAP accounting and directs staff to construct all financial statements and reports using cash basis and budget laws.

Financial Considerations: None

Legal Considerations: Approve as to form. Failure to comply with cash basis will require the application of GAAP, including the cost of software and a staff accountant to conform to GAAP.

Recommended Actions: It is recommended that the City Council consider adopting the proposed resolution.

- Consider the Resolution (**VOICE**)

Attachments: H.1.a Proposed Resolution (1 page); H.1.b K.S.A. 75-1120a (1 page)

RESOLUTION 20-__

A RESOLUTION PROVIDING FOR A WAIVER FROM THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AND FIXED ASSET ACCOUNTING

WHEREAS the City of Goddard, Kansas, has determined that the financial statements and financial reports for the year ending December 31, 2020, to be prepared in conformity with the requirements of K.S.A. 75-1120a (a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the City Council or the members of the general public of the City of Goddard; and

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of said municipality, which require financial statements and financial reports to be prepared in conformity with said statements for the year ending December 31, 2020,

Now, **THEREFORE BE IT RESOLVED**, by the City Council of the City of Goddard, Kansas, in regular meeting duly assembled this 6th day of January, 2020, that the said City Council requests the Director of Accounts and Reports to waive requirements of said law as they apply to the City of Goddard for the year ending December 31, 2020; and

BE IT FURTHER RESOLVED, that the said City Council shall cause its financial statements and financial reports of the said municipality to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget law of this state.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF GODDARD THIS 6th DAY OF JANUARY 2020.

Jamey Blubaugh, Mayor

(SEAL)

Teri Laymon, City Clerk

75-1120a

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES

Article 11.--MUNICIPAL ACCOUNTING BOARD

75-1120a. Uniform system of fiscal procedure, accounting and reporting for municipalities; use of generally accepted accounting principles; waivers, when. (a) Except as otherwise provided in this section, the governing body of each municipality, as defined in K.S.A. 75-1117, and amendments thereto, shall utilize accounting procedures and fiscal procedures in the preparation of financial statements and financial reports that conform to generally accepted accounting principles as promulgated by the governmental accounting standards board and the American institute of certified public accountants and adopted by rules and regulations of the director of accounts and reports.

(b) The governing body of any municipality, which has aggregate annual gross receipts of less than \$275,000 and which does not operate a utility, shall not be required to maintain fixed asset records.

(c) (1) The director of accounts and reports shall waive the requirements of subsection (a) upon request therefor by the governing body of any municipality. The waiver shall be granted to the extent requested by the governing body. Prior to requesting the waiver provided for in this subsection, the governing body, by resolution, annually shall make a finding that financial statements and financial reports prepared in conformity with the requirements of subsection (a) are not relevant to the requirements of the cash-basis and budget laws of this state and are of no significant value to the governing body or members of the general public of the municipality. No governing body of a municipality shall request the waiver or adopt the resolution authorized under this subsection if the provisions of revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality require financial statements and financial reports to be prepared in conformity with the requirements of subsection (a). The governing body of any municipality which is granted a waiver under this subsection shall cause financial statements and financial reports of the municipality to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash-basis and budget laws of this state.

(2) The provisions of this subsection do not apply to community colleges.

(d) The director of accounts and reports shall waive the requirements of law relating to the preparation and maintenance of fixed asset records upon request therefor by the board of trustees of any community college. The waiver shall be granted to the extent and for the period of time requested by the board of trustees. Nothing contained in this subsection shall be construed so as to exempt any community college from compliance with the provisions of K.S.A. 71-211, and amendments thereto, which requires the use by all community colleges of a standardized and uniform chart of accounts.

History: L. 1978, ch. 334, § 5; L. 1979, ch. 279, § 1; L. 1981, ch. 327, § 1; L. 1982, ch. 348, § 1; L. 1994, ch. 274, § 7; July 1.

**City of Goddard
City Council Meeting
January 6, 2020**

TO: Mayor and City Council
SUBJECT: Appropriation Resolution
INITIATED BY: City Administrator
AGENDA: New Business

Recommendations: It is recommended the Council consider the proposed annual resolution.

Background: In routine review of accounts payable practices the City Administrator identified the lack of resolution which is commonplace within most professionally managed communities that creates transparency in the accounts payable and payroll practices.

Analysis: The proposed resolution conforms to best practices of GFOA and ICMA addressing the practices of accounts payable and payroll practices. Although current practices are authorized under current KSA's the adoption of an annual resolution is commonplace and usually occurs at the same meeting as the adoption of the annual GAAP waiver. The proposed resolution **does not** modify, amend, or change any of our current payroll or accounts payable practices. If enacted all payments must still be presented to the governing body for review. Any payments that are of an extraordinary nature will continue to require authorization of the governing body.

Financial Considerations: There is no cost associated with passage of the proposed resolution.

Legal Considerations: Approve as to form. The proposed resolution has been drafted by City Attorney Ryan Peck, and reviewed by City Auditor Randy Ford.

Recommendation/Actions: It is recommended that the City Council: Adopt the proposed resolution.

Attachments: H.2.a Proposed Resolution (1 page)

RESOLUTION NUMBER 20-__

A RESOLUTION PROVIDING FOR THE APPROPRIATION, BY FUND, OF THE BUDGET OF THE CITY OF GODDARD FOR THE YEAR BEGINNING JANUARY 1, 2020; AND APPROPRIATING MONEY FROM THE VARIOUS FUNDS TO PAY PAYROLLS AND CLAIMS AGAINST THE CITY OF GODDARD FOR THE CALENDAR YEAR 2020.

WHEREAS, the 2020 proposed annual budget and financial statement as shown on standard State budget forms and subject to notice of hearing and public hearing was approved, adopted and appropriated, by fund as the maximum amounts to be expended for the year starting January 1, 2020, **SO NOW, THEREFORE**

BE IT RESOLVED by the Governing Body of the City of Goddard, Kansas:

Section 1. That the 2020 Budget of the City of Goddard, as adopted, shall constitute an appropriation of the money so budgeted, and the City Administrator shall be authorized to adjust all salaries, including exempt positions, to pay payrolls and claims as provided in said Budget of the City of Goddard; provided that all such payment made shall be deducted from the accounts so appropriated and that the total of payment made shall not exceed the amount appropriated.

Section 2. That the City Administrator shall establish regulations as to the manner of payment of the periodic dates on which payrolls and claims shall be paid, provided, that all employees of the City of Goddard shall be paid biweekly and no payroll or claim shall be paid until it has been approved by the Mayor, City Administrator or the City Treasurer.

Section 3. That the payment of payrolls, claims, and line item appropriations shall be by warrant checks as provided by law and such warrant checks shall be signed by three of the following; the Mayor, the City Administrator, the City Clerk, or the City Treasurer. All such warrant checks issued in payment of payrolls and claims shall be delivered to the officers, employees, agents, vendors and other claimants of the City by the City Treasurer and that it shall be his/her duty to maintain a record of all warrant checks so delivered.

Adopted by the City Council and signed by the Mayor this 6th day of January 2020.

Jamey Blubaugh, Mayor

ATTEST:

(SEAL)

Teri Laymon, City Clerk