

RESOLUTION NO. 25-1070

A RESOLUTION AUTHORIZING THE BNSF WEST TRACK SEPARATION PRELIMINARY ENGINEERING PROJECT, PN 3-C-029-24, AND AMENDING RESOLUTION 24-1008.

WHEREAS, on January 23, 2024, the Governing Body approved Resolution 24-1008 authorizing the BNSF West Track Separation Preliminary Engineering Project (the "Project"), and the issuance of general obligation bonds in the amount not to exceed \$500,000, exclusive of bond issuance costs and costs for temporary financing, to pay for the cost of the Project; and

WHEREAS, the Governing Body hereby wishes to increase the cost of the Project and to include Federal Railroad Administration (FRA) Railroad Crossing Elimination (RCE) grant funds and BNSF funds to pay for the project.

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

SECTION ONE: Section Three of Resolution No. 24-1008 is hereby amended as follows:

SECTION THREE: The cost of the Project shall not exceed \$2,350,000, exclusive of issuance and interest costs for temporary financing. The funds to pay for the Project shall come from the following source:

FRA RCE Grant	\$ 1,750,000
BNSF	\$ 100,000
General Obligation Bonds	<u>\$ 500,000</u>
TOTAL	\$ 2,350,000

Included in the Project costs are preliminary design, survey, staff time, and such other necessary work to complete the Project.

SECTION TWO: The City intends to reimburse itself for capital expenditures made on or after the date which is 60 days before the date of this Resolution in connection with the Project, pursuant to Treasury Regulation § 1.150-2, with the proceeds of bonds and/or notes in the maximum principal amount of \$500,000 exclusive of issuance costs and any interest costs for temporary financing.

SECTION THREE: This Resolution shall take effect immediately.

ADOPTED by the Governing Body this 5th day of August 2025.

SIGNED by the Mayor this 5th day of August 2025.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney