
G.O. SALE DOCUMENTS

- A. Excerpt of Minutes of Meeting authorizing offering for sale of Bonds and Notes
 - B. Resolution for a Public Sale
 - C. Certificate Deeming Preliminary Official Statement Final
-

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF OLATHE, KANSAS
HELD ON MAY 21, 2024**

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Present: _____.

Absent: _____.

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

The matter of providing for the offering for sale of general obligation bonds and general obligation temporary notes came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL
OBLIGATION BONDS AND GENERAL OBLIGATION TEMPORARY NOTES
OF THE CITY OF OLATHE, KANSAS.**

Councilmember _____ 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: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 24-_____.

* * * * *

(Other Proceedings)

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Olathe, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

City Clerk

RESOLUTION NO. 24-1017

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS AND GENERAL OBLIGATION TEMPORARY NOTES OF THE CITY OF OLATHE, KANSAS.

WHEREAS, the City of Olathe, Kansas (the “Issuer”), has previously authorized certain public improvements described as follows (the “Improvements”):

PN#	PROJECT NAME	SERIES 2024A BONDS	SERIES 2024-A NOTES
3-C-108-22	135th and Greenwood Geometric Improvements	\$ 853,121.59	\$ -
3-G-010-24	135th Street Retaining Wall	-	2,020,000.00
3-C-041-23	Black Bob Road, 153rd Terrace to 159th Street	-	4,311,613.33
3-B-099-21	Bluestem, 107th Terrace and Cedar Creek Parkway	1,101,620.53	-
3-C-011-24	Quivira Road, 143rd to 151st, Improvements	-	3,997,313.25
6-C-007-23	Animal Shelter	-	399,833.33
6-C-016-19	City Hall Environmental Systems Renovation & Roof	-	2,571,451.39
6-C-013-23	Fire Station #9	-	10,495,822.50
6-C-010-23	Parking Garage Repair and Protection	-	699,708.33
6-C-038-24	Facility Renovations and Improvements	-	3,270,000.00
6-C-010-20	Police Building Expansion-Phase II	29,603,119.64	-
7-C-041-22	Future Fire Station Land Procurement	-	682,109.71
3-B-027-19	Cedar Creek Parkway South of College	6,419,113.81	-
3-B-036-22	Monticello Road	2,787,440.59	-
3-C-114-20	Pflumm Road, 143rd to 151st, Improvements	-	9,466,813.15
6-C-016-XX	Fire Station No. 1 Replacement	-	2,890,000.00
3-C-025-18	Santa Fe, Ridgeview to Mur-Len, Improvements	-	28,738,689.28
6-C-017-23	Police Firing Range	-	2,940,000.00
3-B-065-21	Clare Road, 106th Terrace to College	-	6,671,052.34
3-C-110-20	135th and Pflumm Geometric Improvements	-	1,161,624.15
3-TS-000-24	Traffic Signals	500,000.00	-
3-R-000-25	Street Reconstruction Program	4,000,000.00	-
3-C-058-19	Ridgeview, 143rd to 151st, Improvements	3,140,772.33	-
3-C-008-22	Black Bob Road, 159th to 167th, Improvements	-	1,500,000.00
6-C-031-24	Modernization of Fire Stations (2024)	-	1,050,000.00
3-C-024-21	119th Street, Woodland to Northgate, Improvements	-	22,593,695.36
3-B-085-22	Hedge Lane, 167th to 171st	-	2,354,283.54
3-C-038-23	BNSF East Track Quiet Zone Engineering	-	208,284.56
3-C-010-22	167th & 169 Highway Overpass Improvements Project	440,533.60	-
	Total Estimated Improvement Fund Deposit:	\$48,845,722.09	\$108,022,294.24

; and

WHEREAS, the Issuer has previously issued the following temporary notes to temporarily finance a portion of the costs of the Improvements (the “Existing Notes”):

<u>Series</u>	<u>Dated</u> <u>Date</u>	<u>Maturity</u> <u>Date</u>	<u>Outstanding</u> <u>Amount</u>
2023-A	July 18, 2023	August 1, 2024	\$72,140,000

; and

WHEREAS, the Issuer proposes to issue its general obligation temporary notes in order to provide cash funds to meet its obligations incurred in connection with constructing certain Improvements prior to the completion thereof and to retire a portion of the Existing Notes; and

WHEREAS, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of certain Improvements that are now complete and to retire a portion of the Existing Notes; and

WHEREAS, the City Council of the Issuer (the “Governing Body”) has selected the firm of Columbia Capital Management, LLC, Merriam, Kansas (“Financial Advisor”), as financial advisor for one or more series of temporary notes and bonds of the Issuer; and

WHEREAS, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of said temporary notes and bonds and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation temporary notes and general obligation bonds; and

WHEREAS, the Issuer desires to authorize the Financial Advisor and Gilmore & Bell, P.C., Kansas City, Missouri, the Issuer’s bond counsel (“Bond Counsel”), in conjunction with the Clerk and Chief Financial Officer of the Issuer, to proceed with the preparation of a preliminary official statement and notice of sale and to authorize the distribution thereof and all other preliminary actions necessary to sell said general obligation temporary notes and general obligation bonds.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS, AS FOLLOWS:

Section 1. The Issuer is hereby authorized to offer at competitive public sale one or more series of general obligation bonds (the “Bonds”) and one or more series of general obligation temporary notes (the “Notes”), all to provide funds to retire the Existing Notes and finance the cost of the Improvements.

All proposals for the purchase of the Bonds and the Notes shall be submitted upon the terms and conditions set forth in the notice of sale related to the Bonds and Notes (the “Notice of Sale”), and shall be reviewed by the Mayor, Clerk, Treasurer and Chief Financial Officer, the Financial Advisor and Bond Counsel as soon after the submittal hour as possible.

The Mayor is hereby authorized to award the sale of the Bonds to the submitter of the best proposal as determined pursuant to the provisions of the Notice of Sale or to reject all proposals; provided, however, that the principal amount of the Bonds shall not exceed \$50,500,000, and the true interest cost of the Bonds shall not exceed 5.00%.

The Mayor is hereby authorized to award the sale of the Notes to the submitter of the best proposal as determined pursuant to the provisions of the Notice of Sale or to reject all proposals; provided, however, that the principal amount of the Notes shall not exceed \$109,500,000 and the true interest cost of the Notes shall not exceed 4.75%.

All proposals for the purchase of the Bonds and the Notes shall be delivered to the Governing Body at its next meeting following the award of the Bonds and Notes, at which meeting the Governing Body shall review such proposals and ratify the award of the sale of the Bonds and the Notes or the rejection of all proposals.

Section 2. The Chief Financial Officer and the Clerk, in conjunction with the Financial Advisor and Bond Counsel, are hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Bonds and Notes (the "Preliminary Official Statement"), and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Bonds and Notes.

Section 3. The Clerk, Treasurer and Chief Financial Officer, in conjunction with the Financial Advisor and Bond Counsel, are hereby authorized and directed to give notice of said sale by distributing copies of the Notice of Sale and Preliminary Official Statement to prospective purchasers of the Notes and the Bonds. Proposals for the purchase of the Notes and the Bonds shall be submitted upon the terms and conditions set forth in the Notice of Sale and awarded or rejected in the manner set forth in the Notice of Sale.

Section 4. For the purpose of enabling the purchaser(s) of the Bonds and Notes to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the appropriate officers of the Issuer are hereby authorized: (a) to approve the form of the Preliminary Official Statement and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the purchaser(s) to comply with the requirements of the Rule.

Section 5. The Issuer agrees to provide to the purchaser(s) within seven business days of the date of the sale of Bonds and Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the purchaser(s), whichever is earlier, sufficient copies of the final Official Statement to enable the purchaser(s) to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The Mayor, Clerk, Treasurer and Chief Financial Officer, and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds and Notes. Such officials are also directed and authorized to make provision for payment and/or redemption of the Existing Notes from proceeds of the Bonds and Notes and other available funds.

Section 7. The transactions described in this Resolution may be conducted, and documents related to the Bonds and Notes may be sent, received, executed and stored by electronic means or transmissions. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents (or documents executed by electronic transmission) shall be deemed to be authentic and valid

counterparts of such documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 8. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the Governing Body on May 21, 2024.

(Seal)

Mayor

ATTEST:

City Clerk

EXHIBIT A

**CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL**

_____, 2024

To: _____
_____, _____

_____, _____

Re: City of Olathe, Kansas, General Obligation Temporary Notes, Series 2024-A
City of Olathe, Kansas, General Obligation Improvement Bonds, Series 2024A

The undersigned Chief Financial Officer of the City of Olathe, Kansas (the “Issuer”) is authorized to deliver this Certificate to the addressee(s) (the “Purchaser(s)”) on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser(s) copies of the Preliminary Official Statement (the “Preliminary Official Statement”) relating to the above-referenced notes and bonds (the “Obligations”).

For the purpose of enabling the Purchaser(s) to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Obligations depending on such matters.

Very truly yours,

CITY OF OLATHE, KANSAS

By: _____
Title: Chief Financial Officer