

RESOLUTION NO. 26-1035

A RESOLUTION AUTHORIZING VARIOUS IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY OF OLATHE, KANSAS AND SETTING FORTH THE INTENT TO ISSUE WATER AND SEWER SYSTEM REVENUE BONDS FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF SUCH IMPROVEMENTS AND RELATED BOND RESERVES AND FINANCING COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION.

WHEREAS, the City of Olathe, Kansas (the “Issuer” or “City”) is authorized under the laws of the State of Kansas to issue utility revenue bonds to repair, alter, extend, reconstruct, enlarge or improve the water and sewer system (the “System”) owned and operated by the Issuer; and

WHEREAS, the governing body of the Issuer hereby finds and determines it to be necessary to improve the System, and that a portion of the costs thereof should be financed by the issuance of utility revenue bonds of the Issuer, under authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented (the “Act”).

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

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

Indian Creek Trunk Main Improvements (1-C-004-25): This project will include the rehabilitation of over 27,000 linear feet of sanitary sewer trunk mains ranging in size from 18 inches to 54 inches. These improvements will include pipe grouting, joint grouting, cured in place piping (CIPP) and manhole end seals.

West Cedar Creek Interceptor Phase 1 (1-C-011-24): The West Cedar Creek Sanitary Sewer Interceptor includes the design and construction of nearly 5.6 miles of gravity sanitary sewer interceptor from the City’s existing 159th Street lift station to Dennis Avenue near the entrance to the City’s Lake Olathe park. Another branch from this interceptor will connect to the City’s existing Cedar Lake lift station (roughly 1 mile). The construction of both interceptors will allow for the decommissioning of both lift stations. At the north end of the main interceptor, a large regional lift station will be constructed, and all flows will be pumped through a new force main from the lift station at Dennis Avenue all the way to the City’s Cedar Creek Wastewater Treatment Plant located on 119th Street west of Clare Road.

Cedar Creek WWTP Expansion Phase II (BNR) (1-C-013-25): This project will increase the capacity at the Cedar Creek Wastewater Treatment Plant from 7.75

million gallons per day (MGD) to 11.25 MGD. This expansion will include one biological nutrient removal train, one clarifier and all necessary modifications to the current plant to accommodate the additional treatment train.

Super Critical Water Oxidation Pilot (1-C-019-25): Poly- and perfluoroalkyl substances (PFAS) have become an increasing concern within the water and sewer industry, including with the U.S. Environmental Protection Agency (EPA)'s release of its Joint Principles for Preventing and Managing PFAS in Biosolids. This project will include the piloting of a Super Critical Water Oxidation (SCWO) unit that will destroy PFAS in the biosolids.

Cedar Creek Solids Handling Expansion (1-C-025-25): This project includes the replacement of aging equipment and the installation of new solids thickening and storage equipment. This expansion will allow the City to increase the processing of solids to meet future capacity needs. The project will also provide redundancy that currently does not exist, since the facility currently has only one gravity thickener and sludge storage capacity of only 5 days.

Lone Elm Park Sanitary Sewer Extension (1-C-008-25): This project will extend an existing 24-inch sanitary sewer main located within Lone Elm Park to the southern property line of the park.

WTP2: Membrane Module Replacement (5-C-034-25): This project includes the replacement of the membrane filtration modules that were installed in 2015. These modules produce up to 13 MGD of finished water and have a design life of approximately 10 years. This project will review and pilot test alternative membrane technologies that may be retrofit into the existing system. This project will also include valve replacement and minor electrical updates.

Sanitary Sewer Rehab (I&I) (1-R-000-XX): Groundwater infiltration and stormwater inflow (I&I) are the main drivers with the Sanitary I&I Program. This project will systematically rehabilitate and replace sanitary sewer lines and manholes which have been identified and prioritized from asset maintenance inspections. The goal of the I&I program is to reduce the amount of I&I flow into the sanitary sewer system.

Neighborhood Sanitary Sewer Rehab (1-R-100-XX): The Sanitary Sewer Rehabilitation Program exists to methodically replace sanitary sewer mains throughout the City's collection system to ensure that the City's desired level of sewer service to its customers is maintained. This project will reduce the potential of backups or overflows from the sanitary sewers through failed sections of pipe and reduce the amount of inflow and infiltration entering the system through defects in sanitary mains, manholes, and service connections.

Waterline Rehabilitation (5-R-000-XX): The Waterline Rehabilitation Program exists to methodically replace water mains throughout the City's distribution system to ensure that the City's desired level of water service to its customers is

maintained. This project specifically targets the replacement of the highest risk pipes in the City's water distribution system and as such will reduce the risk of failures within the City's system.

Harold Street Digester Lid (1-C-016-XX): The Harold Street Wastewater Treatment Facility installed two new digester lids in 2016. The coating systems installed within a highly corrosive environment have a life expectancy of 10 years. This project is a rehabilitation of the coating system.

Wellfield Drainage Ditch (5-C-XXX-XX): A drainage ditch along the northern property line of the well field is experiencing erosion that could compromise the integrity of Vertical Well 8 and a monitoring well. The ditch drains directly into the Kansas River. The repair for stabilization of the streambank will consist of grading, riprap stone for slope protection, and turf reinforcement.

WTP2: Collector Well No. 4 Generator Improvements (5-C-028-26): This project will include the installation of generator power for Collector Well No. 4 within the wellfield site, providing necessary risk mitigation should power be lost due to weather or natural disasters.

and any necessary and related improvements to the System (collectively, the "Projects") at an estimated cost of \$216,094,565.

SECTION 2. The Projects will not cause duplication of any existing water and sewer utility service furnished by a private utility in the boundaries of the City.

SECTION 3. It is necessary to issue water and sewer system revenue bonds of the City, in an amount not to exceed \$143,030,049 (the "Bonds"), under authority of the Act, to pay a portion of the costs of the Projects and related bond reserves and financing costs. Said Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

SECTION 4. Before issuing the Bonds, there shall be published one (1) time in the official newspaper of the Issuer, a notice of the intention of the governing body to undertake the Projects and to issue the Bonds in substantially the form attached hereto and made a part hereof by reference as though fully set out herein. If, within fifteen (15) days after the publication of such notice, there shall be filed with the Clerk a written protest against the Projects or the issuance of the Bonds, signed by not less than twenty percent (20%) of the qualified electors of the City, the governing body shall thereupon submit such proposed Projects and the proposed Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the Clerk within the period of time hereinbefore stated, then the governing body of the Issuer shall proceed to authorize the Projects and to issue the Bonds.

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

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ADOPTED BY TWO-THIRDS VOTE of the Governing Body of the City of Olathe,
this 21st day of April, 2026.

SIGNED by the Mayor this 21st day of April, 2026.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

(Published in *The Legal Record* on April _____, 2026)

NOTICE

TO: THE RESIDENTS OF THE CITY OF OLATHE, KANSAS

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

Indian Creek Trunk Main Improvements (1-C-004-25): This project will include the rehabilitation of over 27,000 linear feet of sanitary sewer trunk mains ranging in size from 18 inches to 54 inches. These improvements will include pipe grouting, joint grouting, cured in place piping (CIPP) and manhole end seals.

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the wellfield site, providing necessary risk mitigation should power be lost due to weather or natural disasters.

and any necessary and related improvements to the System (collectively, the "Projects") at an estimated cost of \$216,094,565.

In order to finance a portion of the costs of the Projects and related bond reserves and financing costs, the governing body of the Issuer further intends to issue water and sewer system revenue bonds, in an amount not to exceed \$143,030,049 (the "Bonds") in one or more series under the authority of K.S.A. 10-1201 *et seq.* (the "Act"). The Bonds will **not** be general obligations of the Issuer payable from taxation but shall be payable only from net revenues of the System. The proceeds of the Bonds will be used to pay the costs of the Projects and related bond reserves and financing costs.

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

DATED: April 21, 2026.

ATTEST: /s/ John Bacon, Mayor

/s/ Brenda Swearingian, City Clerk