

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF WICHITA, KANSAS  
HELD ON JUNE 3, 2014**

The governing body met in regular session at the usual meeting place in the City, at 9:00 a.m., the following members being present and participating, to-wit:

Absent:

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

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(Other Proceedings)

The matter of providing for the offering for sale of General Obligation Sales Tax Bonds came on for consideration and was discussed.

[\_\_\_\_\_] presented and moved the adoption of a Resolution entitled:

**A RESOLUTION DECLARING IT NECESSARY TO ISSUE GENERAL OBLIGATION SALES TAX BONDS OF THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING THE COSTS OF FINANCING ROAD, HIGHWAY AND BRIDGE IMPROVEMENTS OF THE CITY; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION AS REQUIRED BY LAW.**

[\_\_\_\_\_] seconded the motion to adopt the Resolution. Thereupon, 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. 14-[\_\_\_\_\_].

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(Other Proceedings)

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**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 Wichita, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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Karen Sublett, City Clerk

(Published in *The Wichita Eagle*, on June 6, 2014 and June 13, 2014)

**RESOLUTION NO. 14-151**

**A RESOLUTION DECLARING IT NECESSARY TO ISSUE GENERAL OBLIGATION SALES TAX BONDS OF THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING THE COSTS OF FINANCING ROAD, HIGHWAY AND BRIDGE IMPROVEMENTS OF THE CITY; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION AS REQUIRED BY LAW.**

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**WHEREAS**, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

**WHEREAS**, Sedgwick County, Kansas (the "County") pursuant to the authority of K.S.A. 12-187 *et seq.* (the "Act"), imposes a one percent (1%) retailers' sales tax within the County (the "Sales Tax"); and

**WHEREAS**, pursuant to the Act, the City is the recipient of funds derived from the Sales Tax and is authorized pursuant to K.S.A. 12-195b to issue general obligation bonds secured by a pledge of the Sales Tax, provided certain procedural requirements contained in the Act are satisfied and the City obtains a comprehensive feasibility study showing that the City's revenues from the Sales Tax will be sufficient to retire such bonds; and

**WHEREAS**, pursuant to the Act, the City Council (the "Governing Body") of the City has heretofore passed Ordinance No. 41-815 pledging one-half of the City's receipts from the Sales Tax for the purpose of financing the costs of road, highway and bridge projects in the City and related right-of-way acquisition (collectively, the "Improvements"); and

**WHEREAS**, the City is authorized under the laws of the State of Kansas to issue general obligation bonds to construct the Improvements; and

**WHEREAS**, the Governing Body hereby finds and determines it to be necessary to issue sales tax/general obligation bonds under the authority of the Act for the purpose of financing the costs of certain Improvements and to pledge fifty percent (50%) of City's revenues from the Sales Tax to the payment of such sales tax/general obligation bonds.

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

**Section 1. Bond Authorization.** It is hereby determined and declared to be necessary to issue sales tax/general obligation bonds for the purpose of paying \$89,895,000 of the costs of the Improvements and related interest and financing costs (the "Bonds"). The Bonds shall be general obligations of the City to be paid and secured by a pledge of a portion of the City's receipts from the Sales Tax as set forth in **Section 2** hereof, and, if not paid, shall be paid from ad valorem taxes which may be levied by the City for such purpose without limit as to rate or amount. The Bonds may be issued to reimburse expenditures made before the date of adoption of this Resolution, pursuant to Treasury Regulation §1.150-2.

**Section 2. Pledge of Sales Tax.** The Governing Body hereby pledges fifty percent (50%) of City's revenues from the Sales Tax to the payment of the Bonds.

**Section 3.** This Resolution shall be published once a week for two (2) consecutive weeks in the official newspaper of the City. If within thirty (30) days after the final publication, there shall be filed with the Sedgwick County Election Commissioner, a written petition requesting an election on the issuance of the Bonds and the pledge of the Sales Tax, signed by not less than five per cent (5%) of the electors of the City who voted at the last preceding general election of the City, then no such Bonds shall be issued or Sales Tax pledged unless such proposition shall be submitted to and approved by a majority of the voters of the City voting at an election held thereon. If no sufficient protest is filed within the period of time hereinbefore stated, then the Governing Body shall be authorized to issue the Bonds pursuant to the Act and to pledge the City's portion of the Sales Tax to the payment thereof.

**Section 3. Effective Date.** This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

**ADOPTED** by the City Council of the City of Wichita, Kansas, on June 3, 2014.

(SEAL)

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

APPROVED AS TO FORM:

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Gary E. Rebenstorf, Director of Law

**CERTIFICATE**

I, hereby certify that the above and foregoing is a true and correct copy of Resolution No. 14-151 adopted by the City Council of the City of Wichita, Kansas on June 3, 2014, as the same appears of record in my office.

DATED: June 3, 2014.

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Karen Sublett, City Clerk