

**ORDINANCE NO. 8161**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,935,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021-B, OF THE CITY OF LEAVENWORTH, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, AND K.S.A. 10-427 ET SEQ., ALL AS AMENDED.**

**WHEREAS**, the Governing Body of the **City of Leavenworth, Kansas**, (the “City”) has heretofore duly authorized, issued and delivered its \$3,860,000 aggregate principal amount of General Obligation Bonds, Series 2013-A, dated June 27, 2013, (the "Series 2013-A Bonds") pursuant to its Ordinance No. 7920 adopted June 11, 2013, and published as required by law, and Resolution No. B-2060 adopted June 11, 2013, (the “Series 2013-A Bond Resolution”) in accordance with the requirements of Charter Ordinance No. 37 of the City, K.S.A. 12-1736 et seq. and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended; and

**WHEREAS**, as of April 1, 2021, there remains outstanding of the Series 2013-A Bonds the principal amount of \$1,690,000 bearing interest payable semiannually on March 1 and September 1 each year and maturing serially on September 1, as follows:

**SERIAL BONDS**

<u>MATURITY</u> <u>(SEPTEMBER 1)</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>INTEREST</u> <u>RATE</u>
2021	\$390,000	1.75%
2022	400,000	1.95
2023	405,000	2.15
2024	245,000	2.25
2025	250,000	2.40

**WHEREAS**, pursuant to Section 301 of the Series 2013-A Bond Resolution, the Series 2013-A Bonds, or any portion thereof maturing on September 1, 2022, and thereafter may be called for redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

**WHEREAS**, the City has heretofore duly authorized, issued and delivered its \$5,700,000 aggregate principal amount of General Obligation Refunding and Improvement Bonds, Series 2016-A, dated June 30, 2016, (the "Series 2016-A Bonds") pursuant to its Ordinance No. 7998 adopted June 14, 2016, and published as required by law, and Resolution No. B-2140 adopted June 14, 2016, (the “Series 2016-A Bond Resolution”) in accordance with the requirements of Charter Ordinance No. 56 of the City, Home Rule Ordinance No. 7942 of the City, K.S.A. 10-427 et seq., and Article 1 of Chapter 10 of the Kansas Statutes Annotated, all as amended; and

**WHEREAS**, as of April 1, 2021, there remains outstanding of the Series 2016-A Bonds the principal amount of \$3,400,000 bearing interest payable semiannually on March 1 and September 1 each year and maturing serially on September 1, as follows:

SERIAL BONDS

<u>MATURITY (SEPTEMBER 1)</u>	<u>PRINCIPAL AMOUNT</u>	<u>INTEREST RATE</u>
2021	\$620,000	2.00%
2022	435,000	2.00
2023	440,000	2.00
2024	460,000	2.05
2025	465,000	2.25
2026	485,000	2.30
2029	100,000	2.10
2030	100,000	2.20
2031	105,000	2.30

TERM BONDS

2028	190,000	2.00
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**WHEREAS**, pursuant to Sections 301 of the Series 2016-A Bond Resolution, the Series 2016-A Bonds, or any portions thereof maturing on September 1, 2022, and thereafter may be called for redemption and payment prior to their stated maturity on September 1, 2021, and thereafter as a whole or in part on any date, at the redemption price of one hundred percent (100%) of the principal amount redeemed plus all accrued interest there to the redemption date; and

**WHEREAS**, pursuant to Section 301 of the Series 2013-A Bond Resolution, the City deems it necessary and advisable to call the Series 2013-A Bonds maturing on September 1, 2023, through and including September 1, 2025, (i.e., \$900,000) (the “Series 2013-A Refunded Bonds”); on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City; and

**WHEREAS**, pursuant to Section 301 of the Series 2016-A Bond Resolution, the City deems it necessary and advisable to call the Series 2016-A Bonds maturing on September 1, 2023, through and including September 1, 2031, (i.e., \$2,345,000) (the “Series 2016-A Refunded Bonds”) on September 1, 2021, and paid from the issuance of general obligation refunding bonds of the City (the Series 2013-A Refunded Bonds and Series 2016-A Refunded Bonds are collectively referred to as the “Refunded Bonds”); and

**WHEREAS**, the City has found and hereby determines it necessary and advisable to issue and sell General Obligation Refunding Bonds, Series 2021-B, (the “Bonds”) for the purposes of currently refunding the Refunded Bonds in the principal amount of \$3,245,000 together with accrued interest payable thereon and paying the cost of issuing the Bonds; and

**WHEREAS**, the City does hereby authorize the issuance and sale of the bonds to the best bidder.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS:**

**Section 1.** That for the purpose of providing funds to currently refund the Refunded Bonds in the principal amount of \$3,245,000 together with accrued interest payable thereon and paying the cost of issuing the Bonds, there is hereby authorized and directed to be issued General Obligation Refunding Bonds, Series 2021-B, of the City in the aggregate principal amount of Two Million Nine Hundred Thirty-five Thousand Dollars (\$2,935,000) as provided by K.S.A. 10-427

et seq., and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

**Section 2.** That the Mayor and City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

**Section 3.** That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

**Section 4.** That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not effect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

**Section 5.** That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

**Section 6.** That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this 27th day of April, 2021.

CITY OF LEAVENWORTH, KANSAS

(SEAL)

/s/ Nancy D Bauder  
Nancy D. Bauder, Mayor

ATTEST:

/s/ Carla K. Williamson  
Carla K. Williamson, CMC, City Clerk