

ORDINANCE NO. 2958

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2931 OF THE CITY OF PAOLA, KANSAS AND AUTHORIZING THE CITY TO MAKE WATER SYSTEM IMPROVEMENTS, AUTHORIZING THE CITY TO ISSUE ITS GENERAL OBLIGATION BONDS OR TEMPORARY NOTES IN THE PRINCIPAL AMOUNT OF \$9,500,000 TO PAY CERTAIN COSTS OF SUCH IMPROVEMENTS

WHEREAS, pursuant to K.S.A. 65-163d through 65-163u (the “Act”) the City of Paola, Kansas (the “City”), is a municipality which has joined with the City of Louisburg, Kansas to jointly operate, construct and maintain a public water supply system, as defined in the Act, and the City is authorized to acquire, construct, reconstruct, improve, equip, rehabilitate and extend all or any part of the public water supply system; provided such improvement is not related to the diversion or transportation of water acquired through a water transfer, as defined by K.S.A. 82a-1501; and

WHEREAS, the governing body of the City finds it necessary to improve the City’s public water supply system by providing financing to pay certain costs of acquiring, constructing and equipping raw water intake structures, a raw water treatment plant, water transmission lines, elevated storage tanks and all things necessary and incidental thereto, including, but not limited to, engineering and design services, geo-technical services, acquisition of land and/or easements, legal services, interest during construction, inspection, and acquisition of water rights (the “Water System Improvements”), to be operated jointly with the City of Louisburg, Kansas; and

WHEREAS, in Ordinance No. 2931, the City authorized financing of \$2,000,000 in preliminary expenditures related to the Water System Improvements; and

WHEREAS, the estimated costs of the Water System Improvements to be financed by the City has increased to \$9,500,000 (including the previously authorized preliminary expenditures); and

WHEREAS, the Water System Improvements are not related to the diversion or transportation of water acquired through a water transfer defined in K.S.A. 82a-1501; and

WHEREAS, it is necessary to pay the City’s share of certain costs of the Water System Improvements by issuing general obligation bonds of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

Section 1. Ordinance No. 2931 of the City is repealed and replaced with this Ordinance.

Section 2. The Water System Improvements are authorized and directed to be completed pursuant to the Act.

Section 3. To provide funds to pay the City's share of the preliminary costs of the Water System Improvements, the City authorizes the issuance of its general obligation bonds in an aggregate amount not to exceed \$9,500,000, all pursuant to the Act. General obligation temporary notes of the City may be issued from time to time to pay for the interim financing for the Water System Improvements until bonds for permanent financing are issued.

Section 4. The obligations authorized by this Ordinance or other obligations of the City are authorized to reimburse expenditures made by the City 60 days before the effective date of this Ordinance and thereafter, as provided in United States Treasury Regulation § 1.150-2.

Section 5. The Mayor and City Clerk are authorized and directed to take such other action, including the execution of documents, as may be necessary to proceed with the intent of this Ordinance.

Section 6. This Ordinance shall be in full force and effect after it is passed and approved by the City Council and published one time in the official City newspaper.

PASSED AND APPROVED by the governing body of the City of Paola, Kansas, on October 23, 2007.

CITY OF PAOLA, KANSAS

[seal]

By _____
Artie Stuteville, Mayor

ATTEST:

By _____
Daniel G. Droste, City Clerk