

**City of Mission  
Regular Meeting Agenda  
Wednesday, June 17, 2020  
7:00 p.m.  
Meeting Held Virtually Via Zoom**

(Information for the public on how to participate will be available at  
missionks.org/calendar prior to the meeting)

*If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. PUBLIC HEARINGS**

**2. SPECIAL PRESENTATIONS**

- World Elder Abuse Awareness Day Proclamation

**3. ISSUANCE OF NOTES AND BONDS**

- 3a. 2020A General Obligation Bonds Acceptance of Sale ([page 3](#))
- 3b. 2020A General Obligation Bonds Ordinance Authorizing Issuance ([page 10](#))
- 3c. 2020A General Obligation Bonds Resolution Prescribing Form and Details ([page 16](#))

**4. CONSENT AGENDA**

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

**CONSENT AGENDA - GENERAL**

- 4a. [Minutes of the May 20, 2020 City Council Meeting](#) and  
[May 27, 2020 Special City Council Meeting](#)

**CONSENT AGENDA - Finance & Administration Committee**

Finance & Administration Committee Meeting Packet 6-3-2020  
Finance & Administration Committee Meeting Minutes 6-3-2020

- 4b. Ordinance Regarding Vehicle Tows

**CONSENT AGENDA - Community Development Committee**

Community Development Committee Meeting Packet 6-3-2020  
Community Development Committee Meeting Minutes 6-3-2020

- 4c. Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Bike Lanes Contract Award
- 4d. Resolution Special Purpose Permit - Sandhills Brewing

**5. PUBLIC COMMENTS**

**6. ACTION ITEMS**  
**Planning Commission**

**Miscellaneous**

**7. COMMITTEE REPORTS**

**Finance & Administration, Debbie Kring**

Finance & Administration Committee Meeting Packet 6-3-2020  
Finance & Administration Committee Meeting Minutes 6-3-2020

- 7a. Voter Engagement Strategy Resolution ([page 76](#))

**Community Development, Sollie Flora**

Community Development Committee Meeting Packet 6-3-2020  
Community Development Committee Meeting Minutes 6-3-2020

- 7b. 2021-2025 CARS Projects ([page 88](#))

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

- 9a. Resolution Ratifying Emergency Expenditure for Rock Creek Channel Repairs ([page 93](#))
- 9b. COVID-19 Reopening Plan for Mission Municipal Court ([page 105](#))
- 9c. Resolution Affirming that Black Lives Matter, Recognizing That Fighting Against Racial Inequity and Social Injustice Must be a High Priority, and Committing to a Comprehensive and Ongoing Review of Policies, Practices and Sustained Dialogue to Ensure that all Members of our Community are Protected Equally. ([page 107](#))

**10. COMMENTS FROM THE CITY COUNCIL**

**11. MAYOR'S REPORT**  
**Appointments**

**12. CITY ADMINISTRATOR'S REPORT**

**13. EXECUTIVE SESSION**

**ADJOURNMENT**

<b>City of Mission</b>	Item Number:	3a, 3b. and 3c.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

**RE:** Sale of General Obligation Refunding Bonds, Series 2020A

**RECOMMENDATION:** Consider and approve the necessary bond documents to proceed with the sale of General Obligation Refunding Bonds, Series 2020A, in the amount of \$6,250,000 to fund the replacement of General Obligation Refunding Bonds, Series 2010B.

**DETAILS:** The City of Mission issued \$6,945,000 in general obligation (GO) refunding bonds in 2010 for the purpose of restructuring GO bonds that were previously issued in 2005 and 2009 to fund flood mitigation efforts and stormwater infrastructure improvements.

At the May 20 City Council meeting, staff was directed to undertake the next steps with our financial advisors and bond counsel to proceed to offer for sale General Obligation Refunding Bonds, Series 2020A. Pursuant to the direction of the City Council, the sale of the bonds will be advertised and written bids accepted through 10:00 a.m. (CST) on Wednesday, June 17, 2020. In order to obtain the lowest interest cost, the City will solicit competitive bids from both local banks as well as regional and national bond underwriters. The Council will take three separate actions related to the Bond Sale at the City Council meeting that same evening:

1. Acceptance of the winning bid
2. Ordinance Authorizing the Sale
3. Resolution Prescribing the form and details of the bond sale

The Ordinance and Resolution documents are enclosed and will be updated with the specific details following receipt of the bids. The City's financial advisor and bond counsel will be in attendance at the June 17 meeting to present the information from the competitive bond sale and to answer any questions. The sale of the 2020A GO Refunding Bonds will close on July 9th, and proceeds will be used to pay the remaining principal on the 2010B series on September 1st when the principal payment is due.

A copy of the Preliminary Official Statement (POS) was distributed last week and can be accessed on the City's website. The City conducted a rating call with Standard & Poor's on June 4, 2020. A copy of the S&P Rating report which reaffirms the City's AA+ rating is included in the packet.

**CFAA CONSIDERATIONS/IMPACTS: N/A**

Related Statute/City Ordinance:	KSA 12-631r <i>et seq.</i>
Line Item Code/Description:	NA
Available Budget:	NA

**CITY OF MISSION, KANSAS**  
**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A**

- A. Excerpt of Minutes of Meeting approving sale, approving Ordinance/Bond Resolution
- B. Ordinance
- C. Summary Ordinance for Publication
- D. Bond Resolution

**EXCERPT OF MINUTES OF A MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF MISSION, KANSAS  
HELD ON JUNE 17, 2020**

The City Council (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 City Administrator reported that pursuant to the Notice of Bond Sale duly given, bids for the purchase of General Obligation Refunding Bonds, Series 2020A, dated July 9, 2020, of the City had been received. A tabulation of said bids is set forth as *EXHIBIT A* hereto.

The Governing Body reviewed and considered the bids and it was found and determined that the bid of Country Club Bank, Prairie Village, Kansas, was the best bid for the Bonds, a copy of which is attached hereto as *EXHIBIT B*.

Thereupon, there was presented an Ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A, OF THE CITY OF MISSION, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

Councilmember \_\_\_\_\_ moved that said Ordinance be passed. The motion was seconded by Councilmember \_\_\_\_\_. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body, the vote being as follows:

Yea: \_\_\_\_\_

Nay: \_\_\_\_\_

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. \_\_\_\_\_, was signed and approved by the Mayor and attested by the Clerk and the Ordinance or a summary thereof was directed to be published one time in the official newspaper of the City.

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A, OF THE CITY OF MISSION, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. \_\_\_\_\_ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Councilmember \_\_\_\_\_ moved that said Resolution be adopted. The motion was seconded by Councilmember \_\_\_\_\_. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the Governing Body, the vote being as follows:

Yea: \_\_\_\_\_

Nay: \_\_\_\_\_

The Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. \_\_\_\_\_ and was signed by the Mayor and attested by the Clerk.

\*\*\*\*\*

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Governing Body of Mission, 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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Audrey McClanahan, City Clerk

***EXHIBIT A***

**BID TABULATION**

**[See attached]**



***EXHIBIT B***

**BID OF PURCHASER**

**[See attached]**

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**ORDINANCE NO. \_\_\_\_\_**

**OF**

**THE CITY OF MISSION, KANSAS**

**PASSED**

**JUNE 17, 2020**

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**GENERAL OBLIGATION REFUNDING BONDS  
SERIES 2020A**

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A, OF THE CITY OF MISSION, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

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**WHEREAS**, the City of Mission, Kansas (the "City") is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

**WHEREAS**, the City has issued and has outstanding the Refunded Bonds and is authorized by K.S.A. 10-427 *et seq.* to issue general obligation refunding bonds of the City for the purpose of refunding the Refunded Bonds; and

**WHEREAS**, in order to achieve interest cost savings through early redemption of the Refunded Bonds and provide an orderly plan of finance for the City, it has become desirable and in the best interest of the City and its inhabitants to refund the Refunded Bonds; and

**WHEREAS**, the Governing Body has advertised the sale of the Bonds in accordance with the law and at a meeting held in the City on this date awarded the sale of such Bonds to the best bidder.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:**

**Section 1. Definitions of Words and Terms.** In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

**"Act"** means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, and K.S.A. 10-620 *et seq.*, all as amended and supplemented from time to time.

**"Bond and Interest Fund"** means the Bond and Interest Fund of the City for its general obligation bonds.

**"Bond Resolution"** means the resolution to be adopted by the Governing Body prescribing the terms and details of the Bonds and making covenants with respect thereto.

**"Bonds"** means the City's General Obligation Refunding Bonds, Series 2020A, dated July 9, 2020, authorized by this Ordinance.

**"City"** means the City of Mission, Kansas.

“**Clerk**” means the duly appointed and acting Clerk of the City or, in the Clerk’s absence, the duly appointed Deputy, Assistant or Acting Clerk.

“**Governing Body**” means the City Council of the City.

“**Mayor**” means the duly elected and acting Mayor of the City or, in the Mayor’s absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the City.

“**Ordinance**” means this Ordinance authorizing the issuance of the Bonds.

“**Refunded Bonds**” means the Series 2010B Bonds maturing in the years 2021 to 2029, inclusive, in the aggregate principal amount of \$6,250,000.

“**Series 2010B Bonds**” means the City’s General Obligation Refunding Bonds, Series 2010B, dated December 15, 2010.

“**State**” means the State of Kansas.

**Section 2. Authorization of the Bonds.** There shall be issued and hereby are authorized and directed to be issued the General Obligation Refunding Bonds, Series 2020A, of the City in the principal amount of \$6,020,000, for the purpose of providing funds to: (a) refund the Refunded Bonds and (b) pay costs of issuance of the Bonds.

**Section 3. Security for the Bonds.** The Bonds shall be general obligations of the City payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

**Section 4. Terms, Details and Conditions of the Bonds.** The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the Governing Body.

**Section 5. Levy and Collection of Annual Tax.** The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the City in the manner provided by law.

The taxes above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the paying agent for the Bonds. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the City Treasurer is hereby authorized and directed to pay said principal or interest out of the

general funds of the City and to reimburse said general funds for money so expended when said taxes are collected.

**Section 6. Further Authority.** The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 7. Governing Law.** This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

**Section 8. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of this Ordinance or a summary thereof in the official City newspaper.

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**PASSED** by the Governing Body on June 17, 2020 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

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Ronald E. Appletoft, Mayor

ATTEST:

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Audrey McClanahan, City Clerk

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[SUMMARY BOND ORDINANCE FOR PUBLICATION]

(PUBLISHED IN *THE LEGAL RECORD* ON JUNE 23, 2020)

SUMMARY OF ORDINANCE NO. \_\_\_\_\_

On June 17, 2020, the governing body of the City of Mission, Kansas passed an ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A, OF THE CITY OF MISSION, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

The Series 2020A Bonds approved by the Ordinance are being issued in the principal amount of \$6,020,000, to refund certain outstanding bonds of the City and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City, 6090 Woodson, Mission, Kansas. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at [www.missionks.org](http://www.missionks.org).

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: June 17, 2020.

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City Attorney

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**RESOLUTION NO. \_\_\_\_\_**

**OF THE**

**CITY OF MISSION, KANSAS**

**ADOPTED**

**JUNE 17, 2020**

**GENERAL OBLIGATION REFUNDING BONDS  
SERIES 2020A**

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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A, OF THE CITY OF MISSION, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. \_\_\_\_\_ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

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**WHEREAS**, the Issuer has passed the Ordinance authorizing the issuance of the Bonds; and

**WHEREAS**, the Ordinance authorized the City Council of the Issuer (the “Governing Body”) to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to the issuance of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:**

**ARTICLE I**

**DEFINITIONS**

**Section 101. Definitions of Words and Terms.** In addition to words and terms defined elsewhere herein, the following words and terms as used in this Bond Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“**Act**” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, and K.S.A. 10-620 *et seq.*, all as amended and supplemented from time to time.

“**Authorized Denomination**” means \$5,000 or any integral multiples thereof.

“**Beneficial Owner**” of the Bonds includes any Owner of the Bonds and any other Person who, directly or indirectly has the investment power with respect to such Bonds.

“**Bond and Interest Fund**” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“**Bond Counsel**” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“**Bond Payment Date**” means any date on which principal of or interest on any Bond is payable.

**“Bond Register”** means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

**“Bond Registrar”** means the State Treasurer, and any successors and assigns.

**“Bond Resolution”** means this resolution relating to the Bonds.

**“Bonds” or “Bond”** means the General Obligation Refunding Bonds, Series 2020A, authorized and issued by the Issuer pursuant to the Ordinance and this Bond Resolution.

**“Business Day”** means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

**“Cede & Co.”** means Cede & Co., as nominee of DTC and any successor nominee of DTC.

**“City”** means the City of Mission, Kansas.

**“Clerk”** means the duly appointed and/or elected Clerk or, in the Clerk’s absence, the duly appointed Deputy Clerk or Acting Clerk of the Issuer.

**“Code”** means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder by the United States Department of the Treasury.

**“Costs of Issuance”** means all costs of issuing the Bonds, including but not limited to all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code, all expenses incurred in connection with receiving ratings on the Bonds, and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

**“Costs of Issuance Account”** means the Costs of Issuance Account for General Obligation Refunding Bonds, Series 2020A, created pursuant to *Section 501* hereof.

**“Dated Date”** means July 9, 2020.

**“Debt Service Account”** means the Debt Service Account for General Obligation Refunding Bonds, Series 2020A created within the Bond and Interest Fund pursuant to *Section 501* hereof.

**“Debt Service Requirements”** means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Bonds for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

**“Defaulted Interest”** means interest on any Bond which is payable but not paid on any Interest Payment Date.

**“Defeasance Obligations”** means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) such obligations are rated in a rating category by Moody’s or Standard & Poor’s that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

**“Derivative”** means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

**“Disclosure Undertaking”** means the Continuing Disclosure Undertaking dated as of the Dated Date relating to certain obligations contained in the SEC Rule.

**“DTC”** means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

**“DTC Representation Letter”** means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

**“Event of Default”** means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise;

(b) Payment of any installment of interest on any of the Bonds shall not be made when the same shall become due; or

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Bond Resolution (other than the covenants relating to continuing disclosure requirements contained herein and in the Disclosure Undertaking) on the part of the Issuer to be performed, and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the Issuer by the Owner of any of the Bonds then Outstanding.

**“Federal Tax Certificate”** means the Issuer’s Federal Tax Certificate dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

**“Fiscal Year”** means the twelve month period ending on December 31.

**“Funds and Accounts”** means funds and accounts created pursuant to or referred to in *Section 501* hereof.

**“Governing Body”** means the City Council of the Issuer.

**“Independent Accountant”** means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Bond Resolution.

**“Interest Payment Date(s)”** means the Stated Maturity of an installment of interest on any Bond which shall be March 1 and September 1 of each year, commencing March 1, 2021.

**“Issue Date”** means the date when the Issuer delivers the Bonds to the Purchaser in exchange for the Purchase Price.

**“Issuer”** means the City and any successors or assigns.

**“Maturity”** when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

**“Mayor”** means the duly elected and acting Mayor, or in the Mayor’s absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the Issuer.

**“Moody’s”** means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody’s” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

**“Notice Address”** means with respect to the following entities:

(a) To the Issuer at:

6090 Woodson Road  
Mission, Kansas 66202  
Fax: (913)722-1415

(b) To the Paying Agent at:

State Treasurer of the State of Kansas  
Landon Office Building  
900 Southwest Jackson, Suite 201  
Topeka, Kansas 66612-1235  
Fax: (785) 296-6976

(c) To the Purchaser:

Country Club Bank  
9400 Mission Road  
Prairie Village, Kansas 66206

(d) To the Rating Agency:

S&P Global Ratings, a division of S&P Global Inc.  
55 Water Street, 38th Floor  
New York, New York 10004

or such other address as is furnished in writing to the other parties referenced herein.

**“Notice Representative”** means:

- (a) With respect to the Issuer, the Clerk.
- (b) With respect to the Bond Registrar and Paying Agent, the Director of Fiscal Services.
- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

**“Official Statement”** means Issuer’s Official Statement relating to the Bonds.

**“Ordinance”** means Ordinance No. \_\_\_\_\_ of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

**“Outstanding”** means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

- (a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of *Article VII* hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

**“Owner”** when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register. Whenever consent of the Owners is required pursuant to the terms of this Bond Resolution, and the Owner of the Bonds, as set forth on the Bond Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Bonds.

**“Participants”** means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

**“Paying Agent”** means the State Treasurer, and any successors and assigns.

**“Permitted Investments”** shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the Issuer’s temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody’s or Standard & Poor’s; (i) investments and shares or units of a money market fund or trust, the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the State as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f), all as may be further restricted or modified by amendments to applicable State law.

**“Person”** means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

**“Purchase Price”** means the principal amount of the Bonds plus accrued interest to the date of delivery, plus a premium of \$329,139.60, less an underwriting discount of \$25,900.83.

**“Purchaser”** means Country Club Bank, Prairie Village, Kansas, the original purchaser of the Bonds, and any successor and assigns.

**“Rating Agency”** means any company, agency or entity that provides, pursuant to request of the Issuer, financial ratings for the Bonds.



**“Rebate Fund”** means the Rebate Fund for General Obligation Refunding Bonds, Series 2020A created pursuant to *Section 501* hereof.

**“Record Dates”** for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

**“Redemption Date”** means, when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Bond Resolution.

**“Redemption Fund”** means the Redemption Fund for Refunded Bonds created pursuant to *Section 501* hereof.

**“Redemption Price”** means, when used with respect to any Bond to be redeemed, the price at which such Bond is to be redeemed pursuant to the terms of this Bond Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

**“Refunded Bonds”** means the Series 2010B Bonds maturing in the years 2021 to 2029, inclusive, in the aggregate principal amount of \$6,250,000.

**“Refunded Bonds Paying Agent”** means the paying agent for the Refunded Bonds as designated in the Refunded Bonds Resolution, and any successor or successors at the time acting as paying agent of the Refunded Bonds.

**“Refunded Bonds Redemption Date”** means September 1, 2020.

**“Refunded Bonds Resolution”** means the ordinance and resolution which authorized the Refunded Bonds.

**“Replacement Bonds”** means Bonds issued to the Beneficial Owners of the Bonds in accordance with *Section 210* hereof.

**“SEC Rule”** means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

**“Securities Depository”** means, initially, DTC, and its successors and assigns.

**“Series 2010B Bonds”** means the City’s General Obligation Refunding Bonds, Series 2010B, dated December 15, 2010.

**“Special Record Date”** means the date fixed by the Paying Agent pursuant to *Article II* hereof for the payment of Defaulted Interest.

**“Standard & Poor’s” or “S&P”** means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor’s shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

**“State”** means the state of Kansas.

“**State Treasurer**” means the duly elected Treasurer or, in the Treasurer’s absence, the duly appointed Deputy Treasurer or acting Treasurer of the State.

“**Stated Maturity**” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“**Treasurer**” means the duly appointed and/or elected Treasurer of the Issuer or, in the Treasurer’s absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“**United States Government Obligations**” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

## ARTICLE II

### AUTHORIZATION AND DETAILS OF THE BONDS

**Section 201. Authorization of the Bonds.** The Bonds have been authorized and directed to be issued pursuant to the Ordinance in the principal amount of \$6,020,000, for the purpose of providing funds to: (a) refund the Refunded Bonds and (b) pay Costs of Issuance.

**Section 202. Description of the Bonds.** The Bonds shall consist of fully registered bonds in an Authorized Denomination, and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated as of the Dated Date, shall become due in the amounts, on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in *Article III* hereof, and shall bear interest at the rates per annum as follows:

#### SERIAL BONDS

<b>Stated Maturity</b>	<b>Principal</b>	<b>Annual Rate</b>	<b>Stated Maturity</b>	<b>Principal</b>	<b>Annual Rate</b>
<b><u>September 1</u></b>	<b><u>Amount</u></b>	<b><u>of Interest</u></b>	<b><u>September 1</u></b>	<b><u>Amount</u></b>	<b><u>of Interest</u></b>
2021	\$1,105,000	2.000%	2026	\$640,000	2.000%
2022	1,145,000	2.000	2027	645,000	2.000
2023	435,000	2.000	2028	275,000	1.500
2024	440,000	2.000	2029	280,000	1.500
2025	1,055,000	2.000			

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid on the Interest Payment Dates in the manner set forth in *Section 204* hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as **EXHIBIT A** or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq.*

**Section 203. Designation of Paying Agent and Bond Registrar.** The State Treasurer is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Bond Registrar and Paying Agent for the Bonds.

The Issuer will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Bond Registrar by (a) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (b) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq.* and K.S.A. 10-620 *et seq.*, respectively.

**Section 204. Method and Place of Payment of the Bonds.** The principal of, or Redemption Price, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent

for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the Issuer.

**Section 205. Payments Due on Saturdays, Sundays and Holidays.** In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

**Section 206. Registration, Transfer and Exchange of Bonds.** The Issuer covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any Authorized Denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Bond Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Code § 3406, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The Issuer and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to *Article III* hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the Issuer of its

intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to this *Article II*.

The Issuer and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners (or a designated representative thereof) of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

**Section 207. Execution, Registration, Authentication and Delivery of Bonds.** Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the Issuer by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk, and the seal of the Issuer shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the Issuer affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds as herein specified, and when duly executed, to deliver the Bonds to the Bond Registrar for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form attached hereto as *EXHIBIT A* hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Bond Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Bond Registrar. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Bond Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the Issuer or its representative.

**Section 208. Mutilated, Lost, Stolen or Destroyed Bonds.** If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the Issuer and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu

of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the Issuer and the Paying Agent may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the Issuer, and shall be entitled to all the benefits of this Bond Resolution equally and ratably with all other Outstanding Bonds.

**Section 209. Cancellation and Destruction of Bonds Upon Payment.** All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the Issuer.

**Section 210. Book-Entry Bonds; Securities Depository.** The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in this Section. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the Beneficial Owners as described in the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds; or

(b) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in

the case of a determination under (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the Issuer, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the Issuer.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Issuer may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in an Authorized Denominations and form as provided herein.

**Section 211. Nonpresentment of Bonds.** If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Bond Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

**Section 212. Preliminary and Final Official Statement.** The Preliminary Official Statement dated on or about June 4, 2020, is hereby ratified and approved.

The Official Statement is hereby authorized to be prepared by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor and chief financial officer of the Issuer are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of the SEC Rule and Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 213. Sale of the Bonds.** The sale of the Bonds to the Purchaser is hereby ratified and confirmed. The Mayor and Clerk are hereby authorized to execute the official bid form submitted by the Purchaser. Delivery of the Bonds shall be made to the Purchaser on the Issue Date (which shall be as soon as practicable after the adoption of this Bond Resolution), upon payment of the Purchase Price.

## ARTICLE III

### REDEMPTION OF BONDS

#### **Section 301. Redemption by Issuer.**

**Optional Redemption.** At the option of the Issuer, Bonds maturing on September 1 in the years 2028 and thereafter, will be subject to redemption and payment prior to their Stated Maturity on September 1, 2027, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

**Section 302. Selection of Bonds to be Redeemed.** Bonds shall be redeemed only in an Authorized Denomination. When less than all of the Bonds are to be redeemed and paid prior to their Stated Maturity, such Bonds shall be redeemed in such manner as the Issuer shall determine. Bonds of less than a full Stated Maturity shall be selected by the Bond Registrar in a minimum Authorized Denomination of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption a minimum Authorized Denomination of face value shall be treated as though it were a separate Bond of the denomination of a minimum Authorized Denomination. If it is determined that one or more, but not all, of a minimum Authorized Denomination of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem a minimum Authorized Denomination, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of a minimum Authorized Denomination of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of a minimum Authorized Denomination of face value called for redemption (and to that extent only).

**Section 303. Notice and Effect of Call for Redemption.** In the event the Issuer desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Bond Registrar at least 45 days prior to the



Redemption Date of written instructions of the Issuer specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption.

Unless waived by any Owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the State Treasurer. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the Owners of said Bonds. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and
- (e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. Further notice may be given by the Issuer or the Bond Registrar on behalf of the Issuer as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed:

(a) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2) the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) Each further notice of redemption shall be sent at least one day before the mailing of notice to Owners by first class, registered or certified mail or overnight delivery, as determined by the Bond Registrar, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

The Paying Agent is also directed to comply with any mandatory standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

## ARTICLE IV

### SECURITY FOR BONDS

**Section 401. Security for the Bonds.** The Bonds shall be general obligations of the Issuer payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

**Section 402. Levy and Collection of Annual Tax; Transfer to Debt Service Account.** The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by, to the extent necessary, levying and collecting the necessary taxes upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be transferred to the Debt Service Account and shall be used solely for the payment of the

principal of and interest on the Bonds as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer and to reimburse said general funds for money so expended when said taxes are collected.

## **ARTICLE V**

### **ESTABLISHMENT OF FUNDS AND ACCOUNTS DEPOSIT AND APPLICATION OF BOND PROCEEDS**

**Section 501. Creation of Funds and Accounts.** Simultaneously with the issuance of the Bonds, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Redemption Fund for Refunded Bonds.
- (b) Costs of Issuance Account for General Obligation Refunding Bonds, Series 2020A.
- (c) Debt Service Account for General Obligation Refunding Bonds, Series 2020A (within the Bond and Interest Fund).
- (d) Rebate Fund for General Obligation Refunding Bonds, Series 2020A.

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Bond Resolution so long as the Bonds are Outstanding.

**Section 502. Deposit of Bond Proceeds.** The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

- (a) All accrued interest, if any, received from the sale of the Bonds shall be deposited in the Debt Service Account.
- (b) The sum of \$73,238.77 shall be deposited in the Costs of Issuance Account.
- (c) The remaining balance of the proceeds derived from the sale of the Bonds shall be deposited in the Redemption Fund.

**Section 503. Application of Moneys in the Redemption Fund.** Moneys in the Redemption Fund shall be paid and transferred to the Refunded Bonds Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Bonds on the Refunded Bonds Redemption Date. The Clerk is authorized and instructed to provide appropriate notice of redemption in accordance with the Refunded Bonds Resolution authorizing the issuance of such Refunded Bonds. Any moneys remaining in the Redemption Fund not needed to retire the Refunded Bonds shall be transferred to the Debt Service Account.

**Section 504. Application of Moneys in Debt Service Account.** All amounts paid and credited to the Debt Service Account shall be expended and used by the Issuer for the sole purpose of

paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the Bonds shall be transferred and paid into the Bond and Interest Fund.

**Section 505. Application of Moneys in the Rebate Fund.**

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Federal Tax Certificate), for payment to the United States of America, and neither the Issuer nor the Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Federal Tax Certificate.

(b) The Issuer shall periodically determine the arbitrage rebate, if any, under Code § 148(f) in accordance with the Federal Tax Certificate, and the Issuer shall make payments to the United States of America at the times and in the amounts determined under the Federal Tax Certificate. Any moneys remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor, shall be deposited into the Bond and Interest Fund.

(c) Notwithstanding any other provision of this Bond Resolution, including in particular *Article VII* hereof, the obligation to pay arbitrage rebate to the United States of America and to comply with all other requirements of this Section and the Federal Tax Certificate shall survive the defeasance or payment in full of the Bonds.

**Section 506. Deposits and Investment of Moneys.** Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer; or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account other than the Redemption Fund may be invested in accordance with this Bond Resolution and the Federal Tax Certificate in Permitted Investments; provided,

however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account.

**Section 507. Application of Moneys in the Costs of Issuance Account.** Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance. Any funds remaining in the Costs of Issuance Account, after payment of all Costs of Issuance, but not later than the later of 30 days prior to the first Stated Maturity of principal or one year after the date of issuance of the Bonds, shall be transferred to the Debt Service Account.

**Section 508. Redemption of Refunded Bonds.** The Refunded Bonds are hereby called for redemption and payment prior to maturity on the Refunded Bonds Redemption Date. Said Refunded Bonds shall be redeemed in accordance with the Refunded Bonds Resolution by the payment of the principal thereof, together with the redemption premium and accrued interest thereon to such Refunded Bonds Redemption Date. The Clerk is hereby directed to cause notice of the call for redemption and payment of said Refunded Bonds to be given in the manner provided in the Refunded Bonds Resolution. The officers of the Issuer and the Refunded Bonds Paying Agent are hereby authorized and directed to take such other action as may be necessary in order to effect the redemption and payment of said Refunded Bonds as herein provided.

## ARTICLE VI

### DEFAULT AND REMEDIES

**Section 601. Remedies.** The provisions of the Bond Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Bond Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the Issuer, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

**Section 602. Limitation on Rights of Owners.** The covenants and agreements of the Issuer contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Bond Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein

provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Outstanding Bonds.

**Section 603. Remedies Cumulative.** No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Bond Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the Issuer and the Owners of the Bonds shall, subject to any determination in such action or proceeding or applicable law of the State, be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

## ARTICLE VII

### DEFEASANCE

**Section 701. Defeasance.** When any or all of the Bonds, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Issuer's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Bond Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of or Redemption Price of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments. If the amount to be so deposited is based on the Redemption Price of any Bonds, no such satisfaction shall occur until (a) the Issuer has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the Issuer has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with *Article III* hereof. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the Issuer, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Bond Resolution.

## ARTICLE VIII

### TAX COVENANTS

**Section 801. General Covenants.** The Issuer covenants and agrees that it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor and Clerk are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

**Section 802. Survival of Covenants.** The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to *Article VII* hereof or any other provision of this Bond Resolution until such time as is set forth in the Federal Tax Certificate.

## ARTICLE IX

### CONTINUING DISCLOSURE REQUIREMENTS

**Section 901. Disclosure Requirements.** The Mayor and Clerk are hereby authorized and directed to execute the Disclosure Undertaking in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer hereby covenants with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking, the provisions of which are incorporated herein by reference. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

**Section 902. Failure to Comply with Continuing Disclosure Requirements.** In the event the Issuer fails to comply in a timely manner with its covenants contained in the preceding section, the Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy, as the Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section. Notwithstanding any other provision of this Bond Resolution, failure of the Issuer to comply with its covenants contained in the preceding section shall not be considered an Event of Default under this Bond Resolution.

## ARTICLE X

### MISCELLANEOUS PROVISIONS

**Section 1001. Annual Audit.** Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an

Independent Accountant. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any of the Bonds, or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner. As soon as possible after the completion of the annual audit, the Governing Body shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Bond Resolution, the Issuer shall promptly cure such deficiency.

**Section 1002. Amendments.** The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of this Bond Resolution, may be amended or modified at any time in any respect by ordinance or resolution of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal of or interest on any Bond;
- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Bond Resolution.

Any provision of the Bonds or of this Bond Resolution may, however, be amended or modified by ordinance or resolution duly adopted by the Governing Body at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to conform this Bond Resolution to the Code or future applicable federal law concerning tax-exempt obligations, or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Bond Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution or ordinance adopted by the Governing Body amending or supplementing the provisions of this Bond Resolution and shall be deemed to be a part of this Bond Resolution. A certified copy of every such amendatory or supplemental ordinance or resolution, if any, and a certified copy of this Bond Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Bond Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or resolution or of this Bond Resolution will be sent by the Clerk to any such Owner or prospective Owner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the ordinance or resolution of the Issuer hereinabove



provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The Issuer shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Bond Resolution which affects the duties or obligations of the Paying Agent under this Bond Resolution.

**Section 1003. Notices, Consents and Other Instruments by Owners.** Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Bond Resolution, and shall be conclusive in favor of the Issuer and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Bond Resolution, Bonds owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Bond Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the Issuer.

**Section 1004. Notices.** Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Bond Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

**Section 1005. Electronic Transactions.** The issuance of the Bonds and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means. All

closing documents, certificates, and related instruments may be executed by electronic transmission. 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 1006. Further Authority.** The officers and officials of the Issuer, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Bond Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 1007. Severability.** If any section or other part of this Bond Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Bond Resolution.

**Section 1008. Governing Law.** This Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

**Section 1009. Effective Date.** This Bond Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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**ADOPTED** by the Governing Body on June 17, 2020.

(SEAL)

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Ronald E. Appletoft, Mayor

ATTEST:

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Audrey McClanahan, City Clerk

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**EXHIBIT A**  
**(FORM OF BONDS)**

REGISTERED  
NUMBER \_\_

REGISTERED  
\$ \_\_\_\_\_

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation (“DTC”), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**UNITED STATES OF AMERICA**  
**STATE OF KANSAS**  
**COUNTY OF JOHNSON**  
**CITY OF MISSION**  
**GENERAL OBLIGATION REFUNDING BOND**  
**SERIES 2020A**

Interest  
Rate:

Maturity  
Date:

Dated  
Date: July 9, 2020

CUSIP:

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT:**

**KNOW ALL PERSONS BY THESE PRESENTS:** That the City of Mission, in the County of Johnson, State of Kansas (the “Issuer”), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, unless called for redemption prior to the Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable semiannually on March 1 and September 1 of each year, commencing March 1, 2021 (the “Interest Payment Dates”), until the Principal Amount has been paid.

**Method and Place of Payment.** The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The interest payable on this Bond on any Interest Payment Date shall be paid to the person in whose name this Bond is registered on the registration books maintained by the Bond Registrar at the close of business on

the Record Date(s) for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the Interest Payment Date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Bond Resolution.

**Definitions.** Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Bond Resolution.

**Authorization of Bonds.** This Bond is one of an authorized series of Bonds of the Issuer designated “General Obligation Refunding Bonds, Series 2020A,” aggregating the principal amount of \$6,020,000 (the “Bonds”) issued for the purposes set forth in the Ordinance of the Issuer authorizing the issuance of the Bonds and the Resolution of the Issuer prescribing the form and details of the Bonds (collectively, the “Bond Resolution”). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 10-427 *et seq.*, as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

**General Obligations.** The Bonds constitute general obligations of the Issuer payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

**Redemption Prior to Maturity.** The Bonds are subject to redemption prior to maturity, as set forth in the Bond Resolution.

**Book-Entry System.** The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Bond Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository’s participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The Issuer and the Bond Registrar will recognize the Securities Depository nominee, while the Registered Owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the

Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the Issuer, the Bond Registrar and the Securities Depository.

**Transfer and Exchange.** EXCEPT AS OTHERWISE PROVIDED IN THE BOND RESOLUTION, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY. This Bond may be transferred or exchanged, as provided in the Bond Resolution, only on the Bond Register kept for that purpose at the principal office of the Bond Registrar, upon surrender of this Bond, together with a written instrument of transfer or authorization for exchange satisfactory to the Bond Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Bond Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Bonds are issued in fully registered form in Authorized Denominations.

**Authentication.** This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Bond Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

**IT IS HEREBY DECLARED AND CERTIFIED** that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of the Issuer, including this series of bonds, does not exceed any constitutional or statutory limitation.



**CERTIFICATE OF AUTHENTICATION AND REGISTRATION**

This Bond is one of a series of General Obligation Refunding Bonds, Series 2020A, of the City of Mission, Kansas, described in the within-mentioned Bond Resolution.

Registration Date \_\_\_\_\_

Office of the State Treasurer,  
Topeka, Kansas,  
as Bond Registrar and Paying Agent

By \_\_\_\_\_

Registration Number \_\_\_\_\_

**CERTIFICATE OF CLERK**

STATE OF KANSAS            )  
  ) SS.  
COUNTY OF JOHNSON        )

The undersigned, Clerk of the City of Mission, Kansas, does hereby certify that the within Bond has been duly registered in my office according to law as of July 9, 2020.

WITNESS my hand and official seal.

(Facsimile Seal)

By: \_\_\_\_\_ (facsimile)  
  Clerk

**CERTIFICATE OF STATE TREASURER**

OFFICE OF THE TREASURER, STATE OF KANSAS

JAKE LATURNER, Treasurer of the State of Kansas, does hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in the office of the State Treasurer, and that this Bond was registered in such office according to law on \_\_\_\_\_.

WITNESS my hand and official seal.

(Seal)

By: \_\_\_\_\_  
  Treasurer of the State of Kansas



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**BOND ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

\_\_\_\_\_  
(Name and Address)

\_\_\_\_\_  
(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$\_\_\_\_\_, standing in the name of the undersigned on the books of the Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint \_\_\_\_\_ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Social Security or  
Taxpayer Identification No.

\_\_\_\_\_  
Signature (Sign here exactly as name(s)  
appear on the face of Certificate)

Signature guarantee:

By \_\_\_\_\_

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**LEGAL OPINION**

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Bonds:

**GILMORE & BELL, P.C.**

2405 Grand Boulevard  
Suite 1100  
Kansas City, Missouri 64108

(PRINTED LEGAL OPINION)

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## NOTICE OF BOND SALE

**\$6,250,000\***  
**CITY OF MISSION, KANSAS**  
**GENERAL OBLIGATION REFUNDING BONDS**  
**SERIES 2020A**

(GENERAL OBLIGATION BONDS PAYABLE  
FROM UNLIMITED AD VALOREM TAXES)

**Bids.** Bids for the purchase of the above-referenced bonds (the “Bonds”) of the City of Mission, Kansas (the “Issuer”) herein described will be received until 10:00 a.m., Central Time (the “Submittal Hour”), on

**JUNE 17, 2020**

(the “Sale Date”). Bids may only be submitted via **PARITY®** or via email to the Municipal Advisor at [bkimmel@ehlers-inc.com](mailto:bkimmel@ehlers-inc.com). Facsimile bids and hand-delivered written bids **will not** be accepted.

All bids will be publicly evaluated at said time and place and the award of the Bonds to the successful bidder (the “Successful Bidder”) will be acted upon by the City Council of the Issuer (the “Governing Body”) at its meeting to be held at 7:00 p.m. on the Sale Date. Alternatively, if the Governing Body does not meet on the Sale Date, the Mayor is authorized to award the sale of the Bonds under certain parameters, subject to Governing Body ratification at its next meeting. No oral or auction bids will be considered. Capitalized terms not otherwise defined herein shall have the meanings set forth in the hereinafter referenced Preliminary Official Statement relating to the Bonds.

**Terms of the Bonds.** The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof (the “Authorized Denomination”). The Bonds will be dated July 9, 2020 (the “Dated Date”), and will become due in principal installments on September 1 in the years as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2021	\$1,130,000	2026	\$670,000
2022	1,170,000	2027	670,000
2023	460,000	2028	295,000
2024	470,000	2029	300,000
2025	1,085,000		

The Bonds will bear interest from the Dated Date at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2021 (the “Interest Payment Dates”).

**Adjustment of Issue Size.** The Issuer reserves the right to increase or decrease the total principal amount of the Bonds or the schedule of principal payments described above, depending on the purchase price and interest rates bid, the required size of the refunding escrow created for the bonds to be refunded with proceeds of the Bonds (the “Refunded Bonds”) and the offering prices specified by the Successful Bidder. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any

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\* Preliminary; subject to change as provided herein.

changes made to the principal amount of the Bonds or the schedule of principal payments as described herein. If there is an increase or decrease in the final aggregate principal amount of the Bonds or the schedule of principal payments as described above, the Issuer will notify the Successful Bidder by means of telephone or email, subsequently confirmed in writing, no later than 2:00 p.m. applicable Central Time, on the Sale Date. The actual purchase price for the Bonds shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Bonds, as adjusted, plus accrued interest from the Dated Date to the Closing Date (as hereinafter defined).

**Place of Payment.** The principal of and interest on the Bonds will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The principal of each Bond will be payable at maturity or earlier redemption to the owner thereof whose name is on the registration books (the “Bond Register”) of the Bond Registrar (the “Registered Owner”) upon presentation and surrender at the principal office of the Paying Agent. Interest on each Bond will be payable to the Registered Owner of such Bond as of the fifteenth day (whether or not a business day) of the calendar month next preceding each Interest Payment Date (the “Record Date”) (a) mailed by the Paying Agent to the address of such Registered Owner as shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by wire transfer to such Registered Owner upon written notice given to the Paying Agent by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the wire transfer address to which such Registered Owner wishes to have such wire directed.

**Bond Registration.** The Bonds will be registered pursuant to a plan of registration approved by the Issuer and the Attorney General of the State of Kansas (the “State”). The Issuer will pay for the fees of the Bond Registrar for registration and transfer of the Bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, will be the responsibility of the Owners.

**Book-Entry-Only System.** The Depository Trust Company, New York, New York (“DTC”), will act as securities depository for the Bonds. The Bonds will initially be issued exclusively in “book entry” form and shall be initially registered in the name of Cede & Co., as the nominee of DTC and no beneficial owner will receive certificates representing their interests in the Bonds. During the term of the Bonds, so long as the book-entry-only system is continued, the Issuer will make payments of principal of, premium, if any, and interest on the Bonds to DTC or its nominee as the Registered Owner of the Bonds, DTC will make book-entry-only transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the Bonds to its participants who shall be responsible for transmitting payments to beneficial owners of the Bonds in accordance with agreements between such participants and the beneficial owners. The Issuer will not be responsible for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. In the event that: (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book-entry-only form of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book-entry-only form of registration with DTC. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will cause to be authenticated and delivered to the beneficial owners replacement Bonds in the form of fully registered certificates. Reference is made to the Official Statement for further information regarding the book-entry-only system of registration of the Bonds and DTC.

## **Redemption of Bonds Prior to Maturity.**

**General.** Whenever the Issuer is to select Bonds for the purpose of redemption, it will, in the case of Bonds in denominations greater than the minimum Authorized Denomination, if less than all of the Bonds then outstanding are to be called for redemption, treat each minimum Authorized Denomination of face value of each such fully registered Bond as though it were a separate Bond in the minimum Authorized Denomination.

**Optional Redemption.** At the option of the Issuer, Bonds maturing on September 1 in the years 2028, and thereafter, will be subject to redemption and payment prior to maturity on September 1, 2027, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the redemption price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

**Mandatory Redemption.** A bidder may elect to have all or a portion of the Bonds scheduled to mature in consecutive years issued as term bonds (the “Term Bonds”) scheduled to mature in the latest of said consecutive years and subject to mandatory redemption requirements consistent with the schedule of serial maturities set forth above, subject to the following conditions: (a) not less than all Bonds of the same serial maturity shall be converted to Term Bonds with mandatory redemption requirements; and (b) a bidder shall make such an election by completing the applicable paragraph on the Official Bid Form or completing the applicable information on PARITY®.

**Notice and Effect of Call for Redemption.** Unless waived by any owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and any provider of municipal bond insurance. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the registered owners of said Bonds. Each of said written notices shall be deposited in United States first class mail not less than 30 days prior to the Redemption Date. All notices of redemption shall state the Redemption Date, the redemption price, the Bonds to be redeemed, the place of surrender of Bonds so called for redemption and a statement of the effect of the redemption. The Issuer shall also give such additional notice as may be required by State law or regulation of the Securities and Exchange Commission in effect as of the date of such notice. If any Bond be called for redemption and payment as aforesaid, all interest on such Bond shall cease from and after the Redemption Date, provided funds are available for its payment at the price hereinbefore specified.

**Authority, Purpose and Security.** The Bonds are being issued pursuant to K.S.A. 10-427 *et seq.*, as amended, and an ordinance and a resolution adopted by the Governing Body (collectively, the “Bond Resolution”) for the purpose of refunding the Refunded Bonds. The Bonds shall be general obligations of the Issuer payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal and interest on the Bonds as the same become due.

**Submission of Bids.** Electronic bids via PARITY® must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice of Bond Sale. If provisions of this Notice of Bond Sale conflict with those of PARITY®, this Notice of Bond Sale shall control. Email bids may be submitted to bkimmel@ehlers-inc.com. Bids must be received prior to the Submittal Hour on the Sale Date accompanied by the Deposit (as hereinafter defined), which may be submitted separately. The Issuer and Municipal Advisor shall not be responsible for failure, misdirection, or error in the means of transmission by any bidder.

**PARITY®.** Information about the electronic bidding services of PARITY® may be obtained from i-Deal LLC at 1359 Broadway, 2nd Floor, New York, New York 10018, Phone No. (212) 849-5023.

**Conditions of Bids.** Proposals will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Bonds of the same maturity year; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by *THE BOND BUYER*, in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus 3%; (c) no supplemental interest payments will be considered; and (d) each interest rate specified shall be a multiple of 1/20 or 1/8 of 1%. No bid for less than **\$6,400,000** will be considered. **The rate of any maturity may not be more than 1.00% less than the rate for any preceding maturity. (For example, if a rate of 3.50% is proposed for the 2021 maturity, then the lowest rate that may be proposed for any later maturity is 2.50%.)** Each bid shall specify the total interest cost (expressed in dollars) during the term of the Bonds on the basis of such bid, the premium offered by the bidder, the net interest cost (expressed in dollars) on the basis of such bid, and an estimate of the TIC (as hereinafter defined) on the basis of such bid. Each bidder shall certify to the Issuer the correctness of the information contained on the Official Bid Form; the Issuer will be entitled to rely on such certification. Each bidder agrees that, if it is awarded the Bonds, it will provide the certification described under the caption “Establishment of Issue Price” in this Notice.

**Good Faith Deposit.** A good faith deposit (the “Deposit”) in the amount of \$125,000.00 payable to the order of the Issuer is required in order to secure the Issuer from any loss resulting from the failure of the bidder to comply with the terms of its bid. The Deposit may be submitted at the addresses hereinafter set forth in either of the following forms:

(a) *Certified or Cashier’s Check.* Certified or cashier’s check drawn on a bank located in the United States of America received by the Issuer or the Municipal Advisor **prior to the Submittal Hour**; or

(b) *Wire Transfer.* Wire transfer submitted by the Successful Bidder in Federal Reserve funds, immediately available for use by the Issuer **not later than 2:00 p.m. applicable Central Time on the Sale Date** (wire transfer information may be obtained from the Issuer or the Municipal Advisor at the addresses set forth below).

Contemporaneously with the submission of a wire transfer Deposit, such bidder shall send an email to the Municipal Advisor at the email address set forth below, including the following information: (a) notification that a wire transfer has been made; (b) the amount of the wire transfer; and (c) return wire transfer instructions in the event such bid is unsuccessful. Checks submitted for Deposits by unsuccessful bidders will be returned; wire transfer Deposits submitted by unsuccessful bidders will not be accepted or shall be returned in the same manner received on the next business day following the Sale Date. The Issuer reserves the right to withhold reasonable charges for any fees or expenses incurred in returning a wire transfer Deposit. No interest on the Deposit will be paid by the Issuer. If a bid is accepted, the Deposit, or the proceeds thereof, will be held by the Issuer until the Successful Bidder has complied with all of the terms and conditions of this Notice at which time the amount of said Deposit shall be returned to the Successful Bidder or deducted from the purchase price at the option of the Issuer. If a bid is accepted but the Issuer fails to deliver the Bonds to the Successful Bidder in accordance with the terms and conditions of this Notice, said Deposit, or the proceeds thereof, will be returned to the Successful Bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this Notice, the proceeds of such Deposit will be retained by the Issuer as and for liquidated damages.

**Basis of Award.** Subject to the timely receipt of the Deposit set forth above, the award of the Bonds will be made on the basis of the lowest true interest cost (“TIC”), which will be determined as follows: the

TIC is the discount rate (expressed as a per annum percentage rate) which, when used in computing the present value of all payments of principal and interest to be paid on the Bonds, from the payment dates to the Dated Date, produces an amount equal to the price bid, including any adjustments for premium. Present value will be computed on the basis of semiannual compounding and a 360-day year of twelve 30-day months. Bidders are requested to provide a calculation of the TIC for the Bonds on the Official Bid Form, computed as specified herein on the basis of their respective bids, which shall be considered as informative only and not binding on either the Issuer or the bidder. The Issuer or its Municipal Advisor will verify the TIC based on such bids. If there is any discrepancy between the TIC specified and the bid price and interest rates specified, the specified bid price and interest rates shall govern and the TIC specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest TIC are received, the Governing Body will determine which bid, if any, will be accepted, and its determination is final.

The Issuer reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any bid received after the Submittal Hour on the Sale Date will be returned to the bidder. Any disputes arising hereunder shall be governed by the laws of the State, and any party submitting a bid agrees to be subject to jurisdiction and venue of the federal and state courts within the State with regard to such dispute. The award of the Bonds is predicated upon the Issuer achieving a certain level of savings in conjunction with the Refunded Bonds, such amount to be solely determined by the Issuer.

The Issuer's acceptance, including electronic acceptance through PARITY®, of the Successful Bidder's proposal for the purchase of the Bonds in accordance with this Notice of Bond Sale shall constitute a bond purchase agreement between the Issuer and the Successful Bidder for purposes of the laws of the State and a contract between the Issuer and the Successful Bidder for the purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and Rule G-32 of the Municipal Securities Rulemaking Board ("Rule G-32"). The method of acceptance shall be determined solely by the Governing Body.

**Bond Ratings.** The outstanding general obligation bonds of the Issuer are rated "AA+" by S&P Global Ratings, a division of S&P Global Inc ("S&P"). The Issuer has applied to S&P for a rating on the Bonds herein offered for sale.

**Optional Bond Insurance.** The Issuer has **not** applied for any policy of municipal bond insurance with respect to the Bonds. If the Bonds qualify for municipal bond insurance, and any bidder desires to purchase such policy, such indication and the name of the desired insurer must be set forth on the bidder's Official Bid Form. The Issuer specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest TIC to the Issuer.

If the Successful Bidder elects to purchase the Bonds with municipal bond insurance, certain rating agencies will assign their ratings to the Bonds with the understanding that upon delivery of the Bonds, a policy insuring the payment when due of the principal of and interest on the Bonds will be issued by such bond insurer. All costs associated with the purchase and issuance of such municipal bond insurance policy and associated ratings and expenses (other than any independent rating requested by the Issuer) shall be paid by the Successful Bidder. Failure of the municipal bond insurer to issue the policy after the award of the Bonds shall not constitute cause for failure or refusal by the Successful Bidder to accept delivery of the Bonds.

**CUSIP Numbers.** CUSIP identification numbers will be assigned and printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of this Notice. The Municipal Advisor will apply for CUSIP numbers pursuant to Rule G-

34 implemented by the Municipal Securities Rulemaking Board. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid by the Issuer.

**Delivery and Payment.** The Issuer will pay for preparation of the Bonds and will deliver the Bonds properly prepared, executed and registered without cost on or about **JULY 9, 2020** (the “Closing Date”), to DTC for the account of the Successful Bidder. The Successful Bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement. Payment for the Bonds shall be made in federal reserve funds, immediately available for use by the Issuer. The Issuer will deliver one Bond of each maturity registered in the nominee name of DTC.

#### **Establishment of Issue Price.**

In order to provide the Issuer with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder (collectively, the “Code”), the Successful Bidder will be required to assist the Issuer in establishing the “issue price” of the Bonds and complete, execute and deliver to the Issuer prior to the Closing Date, a written certification in a form acceptable to the Successful Bidder, the Issuer and Bond Counsel (the “Issue Price Certificate”) containing the following for each maturity of the Bonds: (1) the interest rate; (2) the reasonably expected initial offering price to the “public” (as said term is used in Treasury Regulation Section 1.148-1(f) (the “Regulation”)) or the sale price; and (3) pricing wires or equivalent communications supporting such offering or sale price. However, such Issue Price Certificate may indicate that the Successful Bidder has purchased the Bonds for its own account in a capacity other than as an underwriter or wholesaler, and currently has no intent to reoffer the Bonds for sale to the public. Any action to be taken or documentation to be received by the Issuer pursuant hereto may be taken or received by the Municipal Advisor or Bond Counsel on behalf of the Issuer.

The Issuer intends that the sale of the Bonds pursuant to this Notice shall constitute a “competitive sale” as defined in the Regulation. In support thereof: (1) the Issuer shall cause this Notice to be disseminated to potential bidders in a manner reasonably designed to reach potential bidders; (2) all bidders shall have an equal opportunity to submit a bid; (3) the Issuer reasonably expects that it will receive bids from at least three bidders that have established industry reputations for underwriting municipal bonds such as the Bonds; and (4) the Issuer anticipates awarding the sale of the Bonds to the bidder that provides a bid with the lowest TIC in accordance with the section hereof entitled “Basis of Award.”

Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds as specified therein. The Successful Bidder shall constitute an “underwriter” as said term is defined in the Regulation. By submitting its bid, the Successful Bidder confirms that it shall require any agreement among underwriters, a selling group agreement or other agreement to which it is a party relating to the initial sale of the Bonds, to include provisions requiring compliance with provisions of the Code and the Regulation regarding the initial sale of the Bonds.

If all of the requirements of a “competitive sale” are not satisfied, the Issuer shall advise the Successful Bidder of such fact at the time of award of the sale of the Bonds to the Successful Bidder and the following provisions shall apply to the Bonds. ***In such event, any bid submitted will not be subject to cancellation or withdrawal.*** Within twenty-four (24) hours of the notice of award of the sale of the Bonds, the Successful Bidder shall advise the Issuer if a “substantial amount” (as defined in the Regulation (10%)) of any maturity of the Bonds has been sold to the public and the price at which such substantial amount was sold. The Issuer will treat such sale price as the “issue price” for such maturity, applied on a maturity-by-maturity basis. The Issuer will ***not*** require the Successful Bidder to comply with that portion of the



Regulation commonly described as the “hold-the-offering-price” requirement for the remaining maturities, but the Successful Bidder may elect such option. If the Successful Bidder exercises such option, the Issuer will apply the initial offering price to the public provided in the bid as the issue price for such maturities. If the Successful Bidder does not exercise that option, it shall thereafter promptly provide the Issuer the prices at which a substantial amount of such maturities are sold to the public. ***Any change in the issue price of any of the Bonds after the Submittal Hour will not affect the purchase price for the Bonds submitted in the bid of the Successful Bidder.***

This agreement by the Successful Bidder to provide such information will continue to apply after the Closing Time if: (a) the Issuer requests the information in connection with an audit or inquiry by the Internal Revenue Service (the “IRS”) or the Securities and Exchange Commission (the “SEC”) or (b) the information is required to be retained by the Issuer pursuant to future regulation or similar guidance from the IRS, the SEC or other federal or state regulatory authority.

**Preliminary Official Statement and Official Statement.** The Issuer has prepared a Preliminary Official Statement dated June 4, 2020, “deemed final” by the Issuer except for the omission of certain information as provided in the Rule, copies of which may be obtained from the Clerk or from the Municipal Advisor. Upon the sale of the Bonds, the Issuer will adopt the final Official Statement and will furnish the Successful Bidder, without cost, within seven business days of the acceptance of the Successful Bidder’s proposal, with a sufficient number of copies thereof, which may be in electronic format, in order for the Successful Bidder to comply with the requirements of the Rule and Rule G-32. Additional copies may be ordered by the Successful Bidder at its expense.

**Continuing Disclosure.** In the Bond Resolution, the Issuer has covenanted to provide annually certain financial information and operating data and other information necessary to comply with the Rule, and to transmit the same to the Municipal Securities Rulemaking Board. This covenant is for the benefit of and is enforceable by any Registered Owner of the Bonds. For further information, reference is made to the caption “CONTINUING DISCLOSURE” in the Preliminary Official Statement.

**Assessed Valuation and Indebtedness.** The total assessed valuation of the taxable tangible property within the Issuer for the year 2019 was \$174,321,716. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold but excluding the Refunded Bonds, is \$23,265,000.

**Legal Opinion.** The Bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, Bond Counsel to the Issuer, which opinion will be furnished and paid for by the Issuer, will be printed on the Bonds, if the Bonds are printed, and will be delivered to the Successful Bidder when the Bonds are delivered. Said opinion will also include the opinion of Bond Counsel relating to the interest on the Bonds being excludable from gross income for federal income tax purposes and exempt from income taxation by the State. Reference is made to the Preliminary Official Statement for further discussion of federal and State income tax matters relating to the interest on the Bonds.

**Electronic Transactions.** The transactions described herein may be conducted and related documents may be sent, received and stored by electronic means. All bid documents, closing documents, certificates, ordinances, resolutions and related instruments may be executed by electronic transmission.

**Additional Information.** Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor, at the addresses set forth below:

**DATED: June 4, 2020.**

**CITY OF MISSION, KANSAS**

By Laura Smith, City Administrator  
6090 Woodson Road  
Mission, Kansas 66202  
Phone No.: (913) 676-8350  
Fax No.: (913) 722-1415  
Email: [lsmith@missionks.org](mailto:lsmith@missionks.org)

***Municipal Advisor:***

Ehlers Inc.  
3060 Centre Pointe Dr.  
Roseville, Minnesota 55113  
Attn: Bruce Kimmel  
Phone No.: (651) 697-8572  
Email: [bkimmel@ehlers-inc.com](mailto:bkimmel@ehlers-inc.com)

**OFFICIAL BID FORM**  
**PROPOSAL FOR THE PURCHASE OF CITY OF MISSION, KANSAS**  
**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A**

TO: Laura Smith, City Administrator  
 City of Mission, Kansas

June 17, 2020

For \$6,250,000\* principal amount of General Obligation Refunding Bonds, Series 2020A, of the City of Mission, Kansas, to be dated July 9, 2020, as described in the Notice of Bond Sale dated June 4, 2020 (the "Notice"), said Bonds to bear interest as follows:

<u>Stated Maturity September 1</u>	<u>Principal Amount*</u>	<u>Annual Rate of Interest</u>	<u>Stated Maturity September 1</u>	<u>Principal Amount*</u>	<u>Annual Rate of Interest</u>
2021	\$1,130,000	_____ %	2026	\$670,000	_____ %
2022	1,170,000	_____ %	2027	670,000	_____ %
2023	460,000	_____ %	2028	295,000	_____ %
2024	470,000	_____ %	2029	300,000	_____ %
2025	1,085,000	_____ %			

\*subject to change; see the Notice.

the undersigned will pay the purchase price for the Bonds set forth below, plus accrued interest to the date of delivery.

Principal Amount ..... \$6,250,000.00\*  
 Plus Premium ..... \_\_\_\_\_  
 Total Purchase Price (must be at least \$6,400,000) ..... \$ \_\_\_\_\_  
 Total interest cost to maturity at the rates specified ..... \$ \_\_\_\_\_  
 Net interest cost (adjusted for Premium) ..... \$ \_\_\_\_\_  
 True Interest Cost ..... \_\_\_\_\_ %

- The Bidder elects to purchase Municipal Bond Insurance from: [Assured] [AGM] [BAM] [\_\_\_\_\_]. Circle one or complete blank.
- The Bidder elects to have the following Term Bonds:

<u>Maturity Date</u>	<u>Years</u>	<u>Amount*</u>
September 1, _____	_____ to _____	\$ _____
September 1, _____	_____ to _____	\$ _____

\*subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in the Notice, and if the undersigned is the Successful Bidder, the undersigned will comply with all of the provisions contained in the Notice. A cashier's or certified check or a wire transfer in the amount of \$125,000.00 payable to the order of the Issuer, submitted in the manner set forth in the Notice, accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer by execution below shall constitute a contract between the Issuer and the Successful Bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission and a bond purchase agreement for purposes of the laws of the State of Kansas.

Submitted by: \_\_\_\_\_

(LIST ACCOUNT MEMBERS ON REVERSE)

By: \_\_\_\_\_  
 Telephone No. (\_\_\_\_) \_\_\_\_\_

**ACCEPTANCE**

Pursuant to action duly taken by the Governing Body of the City of Mission, Kansas, the above proposal is hereby accepted on June 17, 2020.

Attest:

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**NOTE:** No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Email bids may be submitted with the Municipal Advisor at bkimmel@ehlers-inc.com or electronic bids may be submitted via **PARITY**®, at or prior to 10:00 a.m., Central Time, on June 17, 2020. Any bid received after such time will not be accepted or shall be returned to the bidder.

**APPENDIX B**

**FORM OF BOND COUNSEL OPINION**

**GILMORE & BELL, P.C.**  
**Attorneys at Law**

**2405 Grand Boulevard**  
**Suite 1100**  
**Kansas City, Missouri 64108-2521**

July 9, 2020

Governing Body  
City of Mission, Kansas

\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

Re:     \$[Principal Amount] General Obligation Refunding Bonds, Series 2020A, of the  
          City of Mission, Kansas, Dated July 9, 2020

We have acted as Bond Counsel in connection with the issuance by the City of Mission, Kansas (the “Issuer”), of the above-captioned bonds (the “Bonds”). In this capacity, we have examined the law and the certified proceedings, certifications and other documents that we deem necessary to render this opinion. Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in the resolution adopted by the governing body of the Issuer prescribing the details of the Bonds.

Regarding questions of fact material to our opinion, we have relied on the certified proceedings and other certifications of public officials and others furnished to us without undertaking to verify them by independent investigation.

Based upon the foregoing, we are of the opinion, under existing law, as follows:

**1.**     The Bonds have been duly authorized, executed and delivered by the Issuer and are valid and legally binding general obligations of the Issuer.

**2.**     The Bonds are payable as to both principal and interest from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The Issuer is required by law to include in its annual tax levy the principal and interest coming due on the Bonds to the extent that necessary funds are not provided from other sources.

3. The interest on the Bonds [(including any original issue discount properly allocable to an owner of a Bond)] is: (a) excludable from gross income for federal income tax purposes; and (b) not an item of tax preference for purposes of the federal alternative minimum tax. The opinions set forth in this paragraph are subject to the condition that the Issuer complies with all requirements of the Internal Revenue Code of 1986, as amended (the "Code") that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excludable from gross income for federal income tax purposes. The Issuer has covenanted to comply with all of these requirements. Failure to comply with certain of these requirements may cause interest on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The Bonds are "qualified tax-exempt obligations" within the meaning of Code § 265(b). We express no opinion regarding other federal tax consequences arising with respect to the Bonds.

4. The interest on the Bonds is exempt from income taxation by the State of Kansas.

We express no opinion regarding the accuracy, completeness or sufficiency of the Official Statement or other offering material relating to the Bonds (except to the extent, if any, stated in the Official Statement). Further, we express no opinion regarding tax consequences arising with respect to the Bonds other than as expressly set forth in this opinion.

The rights of the owners of the Bonds and the enforceability thereof may be limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights generally and by equitable principles, whether considered at law or in equity.

This opinion is given as of its date, and we assume no obligation to revise or supplement this opinion to reflect any facts or circumstances that may come to our attention or any changes in law that may occur after the date of this opinion.

**GILMORE & BELL, P.C.**

June 11, 2020

City of Mission  
6090 Woodson  
Mission, KS 66202  
Attention: Ms. Laura Smith, City Administrator

Re: ***US\$6,250,000 City of Mission, Kansas, General Obligation Refunding Bonds, Series 2020A, dated: July 09, 2020, due: September 01, 2029***

Dear Ms. Smith:

Pursuant to your request for an S&P Global Ratings rating on the above-referenced obligations, S&P Global Ratings has assigned a rating of "AA+" . S&P Global Ratings views the outlook for this rating as stable. A copy of the rationale supporting the rating is enclosed.

This letter constitutes S&P Global Ratings' permission for you to disseminate the above-assigned ratings to interested parties in accordance with applicable laws and regulations. However, permission for such dissemination (other than to professional advisors bound by appropriate confidentiality arrangements or to allow the Issuer to comply with its regulatory obligations) will become effective only after we have released the ratings on [standardandpoors.com](http://standardandpoors.com). Any dissemination on any Website by you or your agents shall include the full analysis for the rating, including any updates, where applicable. Any such dissemination shall not be done in a manner that would serve as a substitute for any products and services containing S&P Global Ratings' intellectual property for which a fee is charged.

To maintain the rating, S&P Global Ratings must receive all relevant financial and other information, including notice of material changes to financial and other information provided to us and in relevant documents, as soon as such information is available. Relevant financial and other information includes, but is not limited to, information about direct bank loans and debt and debt-like instruments issued to, or entered into with, financial institutions, insurance companies and/or other entities, whether or not disclosure of such information would be required under S.E.C. Rule 15c2-12. You understand that S&P Global Ratings relies on you and your agents and advisors for the accuracy, timeliness and completeness of the information submitted in connection with the rating and the continued flow of material information as part of the surveillance process. Please send all information via electronic delivery to: [pubfin\\_statelocalgovt@spglobal.com](mailto:pubfin_statelocalgovt@spglobal.com). If SEC rule 17g-5 is applicable, you may post such information on the appropriate website. For any information not available in electronic format or posted on the applicable website,

Please send hard copies to:  
S&P Global Ratings  
Public Finance Department  
55 Water Street  
New York, NY 10041-0003

The rating is subject to the Terms and Conditions, if any, attached to the Engagement Letter applicable to the rating. In the absence of such Engagement Letter and Terms and Conditions, the rating is subject to the attached Terms and Conditions. The applicable Terms and Conditions are incorporated herein by reference.

S&P Global Ratings is pleased to have the opportunity to provide its rating opinion. For more information please visit our website at [www.standardandpoors.com](http://www.standardandpoors.com). If you have any questions, please contact us. Thank you for choosing S&P Global Ratings.

Sincerely yours,

S&P Global Ratings  
a division of Standard & Poor's Financial Services LLC

SC

enclosures

cc: ***Ms. Jen Chapman, Senior Disclosure Coordinator  
Ehlers & Associates, Inc.***

**S&P Global Ratings**  
**Terms and Conditions Applicable To Public Finance Credit Ratings**

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No Third Party Beneficiaries. Nothing in any credit rating engagement, or a credit rating when issued, is intended or should be construed as creating any rights on behalf of any third parties, including, without limitation, any recipient of a credit rating. No person is intended as a third party beneficiary of any credit rating engagement or of a credit rating when issued.

# RatingsDirect®

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## Summary:

# Mission, Kansas; General Obligation

### Primary Credit Analyst:

Jim Tchou, New York (1) 212-438-3821; jim.tchou@spglobal.com

### Secondary Contact:

Bobbi Gajwani, Chicago (1) 312-233-7001; bobbi.gajwani@spglobal.com

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## Summary:

# Mission, Kansas; General Obligation

### Credit Profile

US\$6.25 mil GO rfdg bnds ser 2020A dtd 07/09/2020 due 09/01/2029

*Long Term Rating* AA+/Stable New

Mission GO

*Long Term Rating* AA+/Stable Affirmed

## Rating Action

S&P Global Ratings assigned its 'AA+' rating and stable outlook to Mission, Kan.'s roughly \$6.25 million series 2020A general obligation (GO) refunding bonds and affirmed its 'AA+' rating, with a stable outlook, on the city's existing GO debt.

The city's full-faith-credit-and-resources pledge secures the bonds, payable from unlimited ad valorem taxes on all taxable property within the city. Officials expect to pay series 2020A bond debt service from net stormwater system revenue.

We understand management will use series 2020A bond proceeds to refinance portions of series 2010B bonds for debt-service savings.

### Credit overview

We expect ongoing economic development will likely continue to support growing sales and property tax bases, Mission's two leading general revenue sources. In our opinion, Mission will benefit from its access to the broad and diverse Kansas City metropolitan statistical area (MSA), which we view as a positive credit factor because the city is near the center of the MSA. What we consider strong management, which has resulted in consistently strong operating performance, further supports credit quality. We also expect management will likely be a key factor in successfully navigating ongoing growth challenges. In addition, while we consider the debt profile weak due to somewhat elevated debt service carrying charges, we note this is primarily due to officials planning to retire almost all principal during 10 years, which we view as very rapid amortization and a positive credit factor. We think these fixed costs will likely remain manageable within the city's budget.

We imagine challenges associated with COVID-19 and the related recession could pressure Mission's budget, as it will most local governments, during the next one year to two years. (For further information, please see the article, titled "The COVID-19 Outbreak Weakens U.S. State And Local Government Credit Conditions," published April 2, 2020, on RatingsDirect). In-line with our view of the ongoing economic contraction, we expect sales tax revenue to lag historical performance. (For further information, please see the article, titled "An Already Historic U.S. Downturn Now Looks Even Worse," published April 16, 2020.) We, however, do not expect it to have an effect on Mission's ability to maintain strong finances during the next few fiscal years due to its very strong cash and reserves.

In addition, management has identified some expenditure savings for fiscal years 2020 and 2021. Management indicates it will continue to monitor budget-to-actual performance closely and make additional adjustments as necessary. We expect budgetary performance will likely remain stable. Therefore, we do not expect to change our rating during the next few years. Although our outlook is generally for two years, we recognize the potential for downside risk exists because of COVID-19 and the related recession during the next six months to 12 months.

The rating also reflects our opinion of the city's:

- Very strong economy, with access to a broad and diverse MSA;
- Strong financial management, with good financial policies and practices under our Financial Management Assessment (FMA) methodology;
- Adequate budgetary performance, with operating surpluses in the general fund and at the total governmental-fund level in fiscal 2019;
- Very strong budgetary flexibility, with available fund balance in fiscal 2019 at 46% of operating expenditures;
- Very strong liquidity, with total government available cash at 74.5% of total governmental-fund expenditures and 3.2x governmental debt service, and access to external liquidity we consider strong;
- Weak debt-and-contingent-liability position, with debt service carrying charges at 23.1% of expenditures and net direct debt that is 120.2% of total governmental-fund revenue, but rapid amortization, with 100% of debt scheduled to be retired within 10 years; and
- Strong institutional framework score.

### **Environmental, social, and governance (ESG) factors**

We have analyzed the city's environmental factors, including health-and-safety risks posed by COVID-19, coupled with social-and-governance risks relative to the economy; financial management; budgetary performance; and budgetary flexibility, as well as its debt-and-liability profile, and determined all are in-line with our view of the sector standard. Severe weather resulting in tornadoes, wind damage, flooding, or heavy snow and ice during the winter are the main environmental threats to Mission. We understand Mission's insurance will provide the replacement value for lost buildings and equipment, coupled with having multiple facilities it can operate from if it loses a site.

## **Stable Outlook**

### **Downside scenario**

We could lower the rating if Mission were to experience financial pressure, resulting in deteriorated budgetary performance and sustained reserve drawdowns below its policy level.

### **Upside scenario**

Assuming all other credit factors remain stable, we could raise the rating if economic metrics were to continue to grow, management were to implement and regularly update long-term financial forecasts, and debt-and-pension metrics were to improve.

## Credit Opinion

### Very strong economy

We consider Mission's economy very strong. The city, with a population estimate of 9,791, is in Johnson County in the Kansas City MSA, which we consider broad and diverse. The city has a projected per capita effective buying income at 145% of the national level and per capita market value of \$111,277. Overall, market value has grown by 1.9% during the past year to \$1.1 billion in fiscal 2020. County unemployment was 2.8% in 2019. In our view, county unemployment will likely weaken in 2020 due to the COVID-19-related recession.

Mission's tax base is relatively diverse with the 10 leading taxpayers making up 18% of total assessed value (AV). The tax base is mostly real estate and commercial entities. The city's employment base is also diverse. Leading employers include:

- ScriptPro LLC (660 employees), pharmaceutical automation and robotics;
- VinSolutions (560), automotive software solutions;
- Hy-Vee (300), a grocery store;
- Compu Master (250), computer training and consultants; and
- Packaging Products Corp. (250), packaging and labeling services.

AV grew by 30% between fiscal years 2014 and 2018, or about a 6% average annually. Based on preliminary conversations with the county appraiser, Mission estimates an 8.4% AV increase for tax year 2020, supported by the appeal of relative home affordability; good schools; and access to downtown Kansas City. Current developments include a 200-unit luxury-apartment complex, known as The Locale, which is nearing completion. In addition, The Gateway is a proposed mixed-use development that will encompass about 600,000 square feet on 17 acres when complete. The project, valued at more than \$244 million, includes:

- A 169-unit apartment complex;
- The 209-room Element by Marriott hotel;
- A 90,000-square-foot cinema-and-entertainment complex;
- A 75,000-square-foot office building;
- A 52,000-square-foot small, in-line retail space; and
- A 42,000-square-foot food hall.

### Strong management

We view the city's financial management as strong, with good financial policies and practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Management evaluates historical data and trends when developing revenue and expenditure estimates for budgeting,

and it incorporates upcoming nonrecurring items when possible. Management can amend the budget, as needed, throughout the fiscal year; it provides monthly reports on budget-to-actual results to the city council. Mission develops and annually updates a comprehensive five-year capital improvement plan that includes detailed project descriptions and costs and identifies funding. It does not have an independent long-term financial plan that includes multiyear revenue and expense projections.

Management follows state investment guidelines and reports interest earnings to the council monthly. A formal reserve policy requires maintaining sufficient available fund balance to cover, at least, 25% of general fund expenditures. The city's formal debt-management policy outlines allowable debt types and structures, coupled with a goal of retiring, at least, 75% of GO principal during 10 years, which it currently meets; the policy also requires maintaining, at least, 3% present-value savings for refundings. Mission publishes these financial policies and a capital improvement plan as part of the annual budget document.

### **Adequate budgetary performance**

Mission's budgetary performance is adequate, in our opinion. The city had operating surpluses at 1.8% of expenditures in the general fund and 6.9% across all governmental funds in fiscal 2019.

In assessing budgetary performance, management adjusted operating results for recurring transfers into the capital-improvement and solid-waste funds from the general fund, coupled with debt-financed capital projects.

Mission, which budgets on a calendar year, has a history of solid budgetary performance due partially to conservative management and ending the year with operating surpluses. Our forward-looking opinion of adequate budgetary performance reflects uncertainty concerning the effect of COVID-19 and the related recession, as well as their duration, on the city.

Management attributes the fiscal 2019 strong performance to a number of factors, including its:

- Increased property-and-sales-tax revenue,
- Salary savings through vacant positions that were difficult to fill, and
- Funds it has not yet expended or encumbered for budgeted capital projects.

Property-and-sales-tax revenue came in higher than budgeted due primarily to conservative estimates. AV has increased significantly during the past couple of fiscal years due to northeast Johnson County's strong housing market. In addition, management primarily attributes higher-than-expected sales tax revenue to one company making significant technology investments. In fiscal 2019, sales taxes generated 59% of general fund revenue and property taxes generated 26%.

For fiscal 2020, management is closely watching revenue and expenses as it navigates through various COVID-19 recovery phases; its goal is to end fiscal 2020 as close to the originally adopted fiscal 2020 budget as possible, which had forecast expenditures exceeding revenue by only \$99,000. To offset lost revenue, officials are considering not filling currently vacant positions and postponing planned capital projects or other one-time expenditures that have not yet begun. Officials expect to adopt a balanced fiscal 2021 budget.

### **Very strong budgetary flexibility**

Mission's budgetary flexibility is very strong, in our view, with available fund balance in fiscal 2019 at 46% of operating expenditures, or \$5.8 million.

Management has consistently maintained, what we consider, very strong reserves during each of the past three fiscal years. Due to multiyear surplus operating results, available fund balance grew to \$5.8 million, or 46% of general fund expenditures, in fiscal 2019 from \$3.5 million, or 32%, in fiscal 2016. With Mission having a formal reserve policy of maintaining, at least, 25% of expenditures in reserve, the council indicates it would like to gradually draw down current fund balance closer to minimum reserves and use some excess reserves on capital projects. Officials, however, are waiting to see what potential effect COVID-19 will have on the budget before committing to capital spending.

We expect budgetary flexibility will likely remain very strong throughout the two-year outlook, supported by a formal reserve policy.

### **Very strong liquidity**

In our opinion, Mission's liquidity is very strong, with total government available cash at 74.5% of total governmental-fund expenditures and 3.2x governmental debt service in fiscal 2019. In our view, the city has strong access to external liquidity if necessary.

Mission has demonstrated its strong access to external liquidity through its GO debt issuance during the past 20 years. Investments are relatively liquid, and it holds investments in demand deposits and the Kansas municipal investment pool. These investments meet state guidelines, and we do not consider them aggressive.

Mission does not have any privately placed debt we could potentially consider a contingent-liquidity risk. Therefore, we expect liquidity will likely remain very strong throughout the two-year outlook.

### **Weak debt-and-contingent-liability profile**

In our view, Mission's debt-and-contingent-liability profile is weak. Total governmental-fund debt service is 23.1% of total governmental-fund expenditures, and net direct debt is 120.2% of total governmental-fund revenue. Officials plan to retire almost all direct debt during 10 years, which is, in our view, a positive credit factor.

Total direct debt is roughly \$23.8 million. Overall net debt equals 4.2% of market value. We understand that while officials do not currently plan to issue additional GO debt, they are considering a variety of larger stormwater and street reconstruction projects during the next several years. We also understand officials currently plan to issue \$45 million of revenue bonds within the next 12 months for The Gateway project, which it intends to repay with revenue from a 1% community-improvement-district sales tax, incremental property taxes, and 55% of the 1% general sales tax from sales occurring during development. We expect the debt-and-contingent-liability profile will likely remain weak during the next two years.

### **Pension and other postemployment benefits (OPEB)**

- We do not view pension and OPEB liabilities as an immediate credit pressure because required contributions currently make up a small portion of total governmental expenditures.
- If required material contributions were to increase unexpectedly during the next few fiscal years, we do not think this would have an effect on fiscal stability due to the sizable reserves officials could use for contingencies, if

needed.

At June 30, 2019, the latest measurement date, Mission participates in:

- Kansas Public Employees' Retirement System (KPERs), which is 69.9% funded with a net pension liability equal to \$5.1 million; and
- Kansas Police & Firemen's Retirement System (KP&F), as a subset of KPERs.

Kansas actuarially determines KPERs' and KP&F's contributions, and Mission has historically funded annual required costs for both in full.

The combined required pension and actual OPEB contribution totaled 3.7% of total governmental-fund expenditures in fiscal 2019. The city made its full annual required pension contribution in fiscal 2019.

Actuarial assumptions include a 7.75% discount rate, which we view as aggressive, representing market risk and resulting in contribution volatility if KPERs fails to meet assumed investment targets. In addition, contributions are likely to grow due to level-payroll funding rather than level-dollar contributions, which would result in consistent payments.

Mission also provides health, dental, and vision insurance to retired employees through a city-administered, single-employer, defined-benefit OPEB health-care plan. Mission funds OPEB through pay-as-you-go financing. Mission provides medical benefits to eligible early retirees and their spouses. State statute requires all local governmental entities that provide a group health-care plan to make participation available to all retirees and dependents until the retiree reaches 65 years old. The city's plan contribution was \$37,000 in fiscal 2019.

Mission has established the Mission money-purchase plan, administered by Principal Financial Group. The plan is available to employees other than KP&F participants. The council established, and amends, benefit provisions. Employees 21 or older are eligible to participate after completing 1,000 or more hours of service. City contributions for each employee are 60% vested after five years of service, and they vest an additional 20% for each of the next two years with full vestment after seven years. Mission makes annual contributions to the plan equal to 2% of covered employees' wages. Employees can contribute up to 10% of their wages to the plan; employee contributions are 100% vested from day one.

### **Strong institutional framework**

The institutional framework score for Kansas municipalities with more than \$275,000 in annual gross receipts and more than \$275,000 in GO or revenue bonds outstanding is strong.

## **Related Research**

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019
- Through The ESG Lens 2.0: A Deeper Dive Into U.S. Public Finance Credit Factors, April 28, 2020



- 2019 Update Of Institutional Framework For U.S. Local Governments

Ratings Detail (As Of June 11, 2020)		
Mission GO		
<i>Long Term Rating</i>	AA+/Stable	Affirmed
Mission GO sales tax bnds ser 2013B dtd 07/11/2013 due 09/01/2014-2023		
<i>Long Term Rating</i>	AA+/Stable	Affirmed

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at [www.standardandpoors.com](http://www.standardandpoors.com) for further information. Complete ratings information is available to subscribers of RatingsDirect at [www.capitaliq.com](http://www.capitaliq.com). All ratings affected by this rating action can be found on S&P Global Ratings' public website at [www.standardandpoors.com](http://www.standardandpoors.com). Use the Ratings search box located in the left column.

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June 17, 2020

## Sale Day Report for

City of Mission, Kansas

\$6,020,000 General Obligation Refunding Bonds,  
Series 2020A



**Prepared by:**

Bruce Kimmel, CIPMA  
Senior Municipal Advisor

Chris Mickelson, CIPMA  
Municipal Advisor

Nick Anhut, CIPMA  
Senior Municipal Advisor

# Sale Day Report – June 17, 2020

City of Mission, Kansas

\$6,020,000 General Obligation Refunding Bonds, Series 2020A

**Purpose:** To current refund the City's Series 2010B Bonds for interest cost savings.

**Rating:** S&P Global Ratings "AA+"

**Number of Bids:** 10

**Low Bidder:** Country Club Bank, Prairie Village, Missouri

Comparison from Lowest to Highest Bid: (TIC as bid)	Low Bid	High Bid	Interest Difference
	0.7028%	1.0566%	\$104,944.30

Summary of Sale Results:	
Principal Amount*:	\$6,020,000
Underwriter's Discount:	\$25,900
Reoffering Premium:	\$329,139
True Interest Cost:	0.7009%
Costs of Issuance:	\$68,605
Yield:	0.25% - 0.90%
Future Value Savings:	\$828,193
Present Value Savings:	\$805,213
Savings Percentage:	12.883%
Total Net P&I	\$6,504,956

**Notes:** \*Issue size was decreased by \$230,000 due to receipt of a premium bid.

**Closing Date:** July 9, 2020

**City Council Action:** Adopt a resolution awarding the sale of \$6,020,000 General Obligation Refunding Bonds, Series 2020A.

**Attachments:**

- Bid Tabulation
- Sources and Uses of Funds
- Final Debt Service Schedule
- Refunding Savings Analysis
- S&P Rating Report



## BID TABULATION

**\$6,250,000\* General Obligation Refunding Bonds, Series 2020A**

**City of Mission, Kansas**

**SALE:** June 17, 2020

**AWARD:** COUNTRY CLUB BANK

**Rating:** S&P Global Ratings "AA+"

Tax Exempt - Bank Qualified

NAME OF BIDDER	MATURITY (September 1)	RATE	REOFFERING YIELD	PRICE	NET INTEREST COST	TRUE INTEREST RATE
COUNTRY CLUB BANK Prairie Village, Missouri	2021	2.000%	0.250%	\$6,565,625.00	\$195,200.83	0.7028%
	2022	2.000%	0.300%			
	2023	2.000%	0.350%			
	2024	2.000%	0.400%			
	2025	2.000%	0.500%			
	2026	2.000%	0.600%			
	2027	2.000%	0.750%			
	2028	1.500%	0.850%			
	2029	1.500%	0.900%			

\* Subsequent to bid opening the issue size was decreased to \$6,020,000.  
 Adjusted Price - \$6,323,238.77      Adjusted Net Interest Cost - \$186,351.51      Adjusted TIC - 0.7009%

<b>NAME OF BIDDER</b>	<b>MATURITY (September 1)</b>	<b>RATE</b>	<b>REOFFERING YIELD</b>	<b>PRICE</b>	<b>NET INTEREST COST</b>	<b>TRUE INTEREST RATE</b>
COMMERCE BANK, N.A. Kansas City, Missouri				\$6,792,732.05	\$210,641.84	0.7405%
UMB BANK, N.A. Kansas City, Missouri				\$6,580,190.50	\$206,365.06	0.7407%
BAIRD Milwaukee, Wisconsin				\$6,785,199.70	\$218,174.19	0.7676%
PIPER SANDLER & CO. Minneapolis, Minnesota				\$6,775,141.55	\$228,232.34	0.8039%
D.A. DAVIDSON Denver, Colorado				\$6,764,662.50	\$238,711.39	0.8417%
BOK FINANCIAL SECURITIES, INC. Milwaukee, Wisconsin				\$6,748,237.35	\$255,136.54	0.9012%
INTL FCSTONE FINANCIAL INC. Mobile, Alabama				\$6,765,509.80	\$261,890.20	0.9224%
RAYMOND JAMES & ASSOCIATES, INC. Memphis, Tennessee				\$6,737,506.80	\$265,867.09	0.9402%
BNY MELLON CAPITAL MANAGEMENT Pittsburgh, Pennsylvania				\$6,754,688.20	\$300,145.13	1.0566%

# City of Mission, Kansas

\$6,020,000 General Obligation Refunding Bonds, Series 2020A  
Current Refunding of Series 2010B

## Sources & Uses

Dated 07/09/2020 | Delivered 07/09/2020

### Sources Of Funds

Par Amount of Bonds	\$6,020,000.00
Reoffering Premium	329,139.60
<b>Total Sources</b>	<b>\$6,349,139.60</b>

### Uses Of Funds

Total Underwriter's Discount (0.430%)	25,900.83
Costs of Issuance	68,605.00
Deposit to Current Refunding Fund	6,250,000.00
Rounding Amount	4,633.77
<b>Total Uses</b>	<b>\$6,349,139.60</b>

# City of Mission, Kansas

\$6,020,000 General Obligation Refunding Bonds, Series 2020A

Current Refunding of Series 2010B

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
07/09/2020	-	-	-	-	-
03/01/2021	-	-	75,802.78	75,802.78	-
09/01/2021	1,105,000.00	2.000%	58,812.50	1,163,812.50	1,239,615.28
03/01/2022	-	-	47,762.50	47,762.50	-
09/01/2022	1,145,000.00	2.000%	47,762.50	1,192,762.50	1,240,525.00
03/01/2023	-	-	36,312.50	36,312.50	-
09/01/2023	435,000.00	2.000%	36,312.50	471,312.50	507,625.00
03/01/2024	-	-	31,962.50	31,962.50	-
09/01/2024	440,000.00	2.000%	31,962.50	471,962.50	503,925.00
03/01/2025	-	-	27,562.50	27,562.50	-
09/01/2025	1,055,000.00	2.000%	27,562.50	1,082,562.50	1,110,125.00
03/01/2026	-	-	17,012.50	17,012.50	-
09/01/2026	640,000.00	2.000%	17,012.50	657,012.50	674,025.00
03/01/2027	-	-	10,612.50	10,612.50	-
09/01/2027	645,000.00	2.000%	10,612.50	655,612.50	666,225.00
03/01/2028	-	-	4,162.50	4,162.50	-
09/01/2028	275,000.00	1.500%	4,162.50	279,162.50	283,325.00
03/01/2029	-	-	2,100.00	2,100.00	-
09/01/2029	280,000.00	1.500%	2,100.00	282,100.00	284,200.00
<b>Total</b>	<b>\$6,020,000.00</b>	<b>-</b>	<b>\$489,590.28</b>	<b>\$6,509,590.28</b>	<b>-</b>

## Yield Statistics

Bond Year Dollars	\$25,679.56
Average Life	4.266 Years
Average Coupon	1.9065372%
Net Interest Cost (NIC)	0.7256804%
True Interest Cost (TIC)	0.7009271%
Bond Yield for Arbitrage Purposes	0.5735481%
All Inclusive Cost (AIC)	0.9666333%

## IRS Form 8038

Net Interest Cost	0.5869693%
Weighted Average Maturity	4.305 Years



# City of Mission, Kansas

\$6,020,000 General Obligation Refunding Bonds, Series 2020A  
Current Refunding of Series 2010B

## Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
09/01/2020	-	(4,633.77)	-	4,633.77
09/01/2021	1,239,615.28	1,239,615.28	1,331,331.26	91,715.98
09/01/2022	1,240,525.00	1,240,525.00	1,333,131.26	92,606.26
09/01/2023	507,625.00	507,625.00	598,131.26	90,506.26
09/01/2024	503,925.00	503,925.00	595,731.26	91,806.26
09/01/2025	1,110,125.00	1,110,125.00	1,202,731.26	92,606.26
09/01/2026	674,025.00	674,025.00	764,731.26	90,706.26
09/01/2027	666,225.00	666,225.00	757,531.26	91,306.26
09/01/2028	283,325.00	283,325.00	374,531.26	91,206.26
09/01/2029	284,200.00	284,200.00	375,300.00	91,100.00
<b>Total</b>	<b>\$6,509,590.28</b>	<b>\$6,504,956.51</b>	<b>\$7,333,150.08</b>	<b>\$828,193.57</b>

## PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	800,579.34
Net PV Cashflow Savings @ 0.574%(Bond Yield).....	800,579.34
Contingency or Rounding Amount.....	4,633.77
Net Present Value Benefit	\$805,213.11
Net PV Benefit / \$7,157,098.69 PV Refunded Debt Service	11.251%
Net PV Benefit / \$6,250,000 Refunded Principal...	12.883%
Net PV Benefit / \$6,020,000 Refunding Principal..	13.376%

## Refunding Bond Information

Refunding Dated Date	7/09/2020
Refunding Delivery Date	7/09/2020

# RatingsDirect®

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## Summary:

# Mission, Kansas; General Obligation

### Primary Credit Analyst:

Jim Tchou, New York (1) 212-438-3821; jim.tchou@spglobal.com

### Secondary Contact:

Bobbi Gajwani, Chicago (1) 312-233-7001; bobbi.gajwani@spglobal.com

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## Summary:

# Mission, Kansas; General Obligation

### Credit Profile

US\$6.25 mil GO rfdg bnds ser 2020A dtd 07/09/2020 due 09/01/2029

<i>Long Term Rating</i>	AA+/Stable	New
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Mission GO

<i>Long Term Rating</i>	AA+/Stable	Affirmed
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## Rating Action

S&P Global Ratings assigned its 'AA+' rating and stable outlook to Mission, Kan.'s roughly \$6.25 million series 2020A general obligation (GO) refunding bonds and affirmed its 'AA+' rating, with a stable outlook, on the city's existing GO debt.

The city's full-faith-credit-and-resources pledge secures the bonds, payable from unlimited ad valorem taxes on all taxable property within the city. Officials expect to pay series 2020A bond debt service from net stormwater system revenue.

We understand management will use series 2020A bond proceeds to refinance portions of series 2010B bonds for debt-service savings.

### Credit overview

We expect ongoing economic development will likely continue to support growing sales and property tax bases, Mission's two leading general revenue sources. In our opinion, Mission will benefit from its access to the broad and diverse Kansas City metropolitan statistical area (MSA), which we view as a positive credit factor because the city is near the center of the MSA. What we consider strong management, which has resulted in consistently strong operating performance, further supports credit quality. We also expect management will likely be a key factor in successfully navigating ongoing growth challenges. In addition, while we consider the debt profile weak due to somewhat elevated debt service carrying charges, we note this is primarily due to officials planning to retire almost all principal during 10 years, which we view as very rapid amortization and a positive credit factor. We think these fixed costs will likely remain manageable within the city's budget.

We imagine challenges associated with COVID-19 and the related recession could pressure Mission's budget, as it will most local governments, during the next one year to two years. (For further information, please see the article, titled "The COVID-19 Outbreak Weakens U.S. State And Local Government Credit Conditions," published April 2, 2020, on RatingsDirect). In-line with our view of the ongoing economic contraction, we expect sales tax revenue to lag historical performance. (For further information, please see the article, titled "An Already Historic U.S. Downturn Now Looks Even Worse," published April 16, 2020.) We, however, do not expect it to have an effect on Mission's ability to maintain strong finances during the next few fiscal years due to its very strong cash and reserves.

In addition, management has identified some expenditure savings for fiscal years 2020 and 2021. Management indicates it will continue to monitor budget-to-actual performance closely and make additional adjustments as necessary. We expect budgetary performance will likely remain stable. Therefore, we do not expect to change our rating during the next few years. Although our outlook is generally for two years, we recognize the potential for downside risk exists because of COVID-19 and the related recession during the next six months to 12 months.

The rating also reflects our opinion of the city's:

- Very strong economy, with access to a broad and diverse MSA;
- Strong financial management, with good financial policies and practices under our Financial Management Assessment (FMA) methodology;
- Adequate budgetary performance, with operating surpluses in the general fund and at the total governmental-fund level in fiscal 2019;
- Very strong budgetary flexibility, with available fund balance in fiscal 2019 at 46% of operating expenditures;
- Very strong liquidity, with total government available cash at 74.5% of total governmental-fund expenditures and 3.2x governmental debt service, and access to external liquidity we consider strong;
- Weak debt-and-contingent-liability position, with debt service carrying charges at 23.1% of expenditures and net direct debt that is 120.2% of total governmental-fund revenue, but rapid amortization, with 100% of debt scheduled to be retired within 10 years; and
- Strong institutional framework score.

### **Environmental, social, and governance (ESG) factors**

We have analyzed the city's environmental factors, including health-and-safety risks posed by COVID-19, coupled with social-and-governance risks relative to the economy; financial management; budgetary performance; and budgetary flexibility, as well as its debt-and-liability profile, and determined all are in-line with our view of the sector standard. Severe weather resulting in tornadoes, wind damage, flooding, or heavy snow and ice during the winter are the main environmental threats to Mission. We understand Mission's insurance will provide the replacement value for lost buildings and equipment, coupled with having multiple facilities it can operate from if it loses a site.

## **Stable Outlook**

### **Downside scenario**

We could lower the rating if Mission were to experience financial pressure, resulting in deteriorated budgetary performance and sustained reserve drawdowns below its policy level.

### **Upside scenario**

Assuming all other credit factors remain stable, we could raise the rating if economic metrics were to continue to grow, management were to implement and regularly update long-term financial forecasts, and debt-and-pension metrics were to improve.

## Credit Opinion

### Very strong economy

We consider Mission's economy very strong. The city, with a population estimate of 9,791, is in Johnson County in the Kansas City MSA, which we consider broad and diverse. The city has a projected per capita effective buying income at 145% of the national level and per capita market value of \$111,277. Overall, market value has grown by 1.9% during the past year to \$1.1 billion in fiscal 2020. County unemployment was 2.8% in 2019. In our view, county unemployment will likely weaken in 2020 due to the COVID-19-related recession.

Mission's tax base is relatively diverse with the 10 leading taxpayers making up 18% of total assessed value (AV). The tax base is mostly real estate and commercial entities. The city's employment base is also diverse. Leading employers include:

- ScriptPro LLC (660 employees), pharmaceutical automation and robotics;
- VinSolutions (560), automotive software solutions;
- Hy-Vee (300), a grocery store;
- Compu Master (250), computer training and consultants; and
- Packaging Products Corp. (250), packaging and labeling services.

AV grew by 30% between fiscal years 2014 and 2018, or about a 6% average annually. Based on preliminary conversations with the county appraiser, Mission estimates an 8.4% AV increase for tax year 2020, supported by the appeal of relative home affordability; good schools; and access to downtown Kansas City. Current developments include a 200-unit luxury-apartment complex, known as The Locale, which is nearing completion. In addition, The Gateway is a proposed mixed-use development that will encompass about 600,000 square feet on 17 acres when complete. The project, valued at more than \$244 million, includes:

- A 169-unit apartment complex;
- The 209-room Element by Marriott hotel;
- A 90,000-square-foot cinema-and-entertainment complex;
- A 75,000-square-foot office building;
- A 52,000-square-foot small, in-line retail space; and
- A 42,000-square-foot food hall.

### Strong management

We view the city's financial management as strong, with good financial policies and practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Management evaluates historical data and trends when developing revenue and expenditure estimates for budgeting,

and it incorporates upcoming nonrecurring items when possible. Management can amend the budget, as needed, throughout the fiscal year; it provides monthly reports on budget-to-actual results to the city council. Mission develops and annually updates a comprehensive five-year capital improvement plan that includes detailed project descriptions and costs and identifies funding. It does not have an independent long-term financial plan that includes multiyear revenue and expense projections.

Management follows state investment guidelines and reports interest earnings to the council monthly. A formal reserve policy requires maintaining sufficient available fund balance to cover, at least, 25% of general fund expenditures. The city's formal debt-management policy outlines allowable debt types and structures, coupled with a goal of retiring, at least, 75% of GO principal during 10 years, which it currently meets; the policy also requires maintaining, at least, 3% present-value savings for refundings. Mission publishes these financial policies and a capital improvement plan as part of the annual budget document.

### **Adequate budgetary performance**

Mission's budgetary performance is adequate, in our opinion. The city had operating surpluses at 1.8% of expenditures in the general fund and 6.9% across all governmental funds in fiscal 2019.

In assessing budgetary performance, management adjusted operating results for recurring transfers into the capital-improvement and solid-waste funds from the general fund, coupled with debt-financed capital projects.

Mission, which budgets on a calendar year, has a history of solid budgetary performance due partially to conservative management and ending the year with operating surpluses. Our forward-looking opinion of adequate budgetary performance reflects uncertainty concerning the effect of COVID-19 and the related recession, as well as their duration, on the city.

Management attributes the fiscal 2019 strong performance to a number of factors, including its:

- Increased property-and-sales-tax revenue,
- Salary savings through vacant positions that were difficult to fill, and
- Funds it has not yet expended or encumbered for budgeted capital projects.

Property-and-sales-tax revenue came in higher than budgeted due primarily to conservative estimates. AV has increased significantly during the past couple of fiscal years due to northeast Johnson County's strong housing market. In addition, management primarily attributes higher-than-expected sales tax revenue to one company making significant technology investments. In fiscal 2019, sales taxes generated 59% of general fund revenue and property taxes generated 26%.

For fiscal 2020, management is closely watching revenue and expenses as it navigates through various COVID-19 recovery phases; its goal is to end fiscal 2020 as close to the originally adopted fiscal 2020 budget as possible, which had forecast expenditures exceeding revenue by only \$99,000. To offset lost revenue, officials are considering not filling currently vacant positions and postponing planned capital projects or other one-time expenditures that have not yet begun. Officials expect to adopt a balanced fiscal 2021 budget.

### **Very strong budgetary flexibility**

Mission's budgetary flexibility is very strong, in our view, with available fund balance in fiscal 2019 at 46% of operating expenditures, or \$5.8 million.

Management has consistently maintained, what we consider, very strong reserves during each of the past three fiscal years. Due to multiyear surplus operating results, available fund balance grew to \$5.8 million, or 46% of general fund expenditures, in fiscal 2019 from \$3.5 million, or 32%, in fiscal 2016. With Mission having a formal reserve policy of maintaining, at least, 25% of expenditures in reserve, the council indicates it would like to gradually draw down current fund balance closer to minimum reserves and use some excess reserves on capital projects. Officials, however, are waiting to see what potential effect COVID-19 will have on the budget before committing to capital spending.

We expect budgetary flexibility will likely remain very strong throughout the two-year outlook, supported by a formal reserve policy.

### **Very strong liquidity**

In our opinion, Mission's liquidity is very strong, with total government available cash at 74.5% of total governmental-fund expenditures and 3.2x governmental debt service in fiscal 2019. In our view, the city has strong access to external liquidity if necessary.

Mission has demonstrated its strong access to external liquidity through its GO debt issuance during the past 20 years. Investments are relatively liquid, and it holds investments in demand deposits and the Kansas municipal investment pool. These investments meet state guidelines, and we do not consider them aggressive.

Mission does not have any privately placed debt we could potentially consider a contingent-liquidity risk. Therefore, we expect liquidity will likely remain very strong throughout the two-year outlook.

### **Weak debt-and-contingent-liability profile**

In our view, Mission's debt-and-contingent-liability profile is weak. Total governmental-fund debt service is 23.1% of total governmental-fund expenditures, and net direct debt is 120.2% of total governmental-fund revenue. Officials plan to retire almost all direct debt during 10 years, which is, in our view, a positive credit factor.

Total direct debt is roughly \$23.8 million. Overall net debt equals 4.2% of market value. We understand that while officials do not currently plan to issue additional GO debt, they are considering a variety of larger stormwater and street reconstruction projects during the next several years. We also understand officials currently plan to issue \$45 million of revenue bonds within the next 12 months for The Gateway project, which it intends to repay with revenue from a 1% community-improvement-district sales tax, incremental property taxes, and 55% of the 1% general sales tax from sales occurring during development. We expect the debt-and-contingent-liability profile will likely remain weak during the next two years.

### **Pension and other postemployment benefits (OPEB)**

- We do not view pension and OPEB liabilities as an immediate credit pressure because required contributions currently make up a small portion of total governmental expenditures.
- If required material contributions were to increase unexpectedly during the next few fiscal years, we do not think this would have an effect on fiscal stability due to the sizable reserves officials could use for contingencies, if

needed.

At June 30, 2019, the latest measurement date, Mission participates in:

- Kansas Public Employees' Retirement System (KPERS), which is 69.9% funded with a net pension liability equal to \$5.1 million; and
- Kansas Police & Firemen's Retirement System (KP&F), as a subset of KPERS.

Kansas actuarially determines KPERS' and KP&F's contributions, and Mission has historically funded annual required costs for both in full.

The combined required pension and actual OPEB contribution totaled 3.7% of total governmental-fund expenditures in fiscal 2019. The city made its full annual required pension contribution in fiscal 2019.

Actuarial assumptions include a 7.75% discount rate, which we view as aggressive, representing market risk and resulting in contribution volatility if KPERS fails to meet assumed investment targets. In addition, contributions are likely to grow due to level-payroll funding rather than level-dollar contributions, which would result in consistent payments.

Mission also provides health, dental, and vision insurance to retired employees through a city-administered, single-employer, defined-benefit OPEB health-care plan. Mission funds OPEB through pay-as-you-go financing. Mission provides medical benefits to eligible early retirees and their spouses. State statute requires all local governmental entities that provide a group health-care plan to make participation available to all retirees and dependents until the retiree reaches 65 years old. The city's plan contribution was \$37,000 in fiscal 2019.

Mission has established the Mission money-purchase plan, administered by Principal Financial Group. The plan is available to employees other than KP&F participants. The council established, and amends, benefit provisions. Employees 21 or older are eligible to participate after completing 1,000 or more hours of service. City contributions for each employee are 60% vested after five years of service, and they vest an additional 20% for each of the next two years with full vestment after seven years. Mission makes annual contributions to the plan equal to 2% of covered employees' wages. Employees can contribute up to 10% of their wages to the plan; employee contributions are 100% vested from day one.

### **Strong institutional framework**

The institutional framework score for Kansas municipalities with more than \$275,000 in annual gross receipts and more than \$275,000 in GO or revenue bonds outstanding is strong.

## **Related Research**

- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019
- Through The ESG Lens 2.0: A Deeper Dive Into U.S. Public Finance Credit Factors, April 28, 2020



- 2019 Update Of Institutional Framework For U.S. Local Governments

**Ratings Detail (As Of June 11, 2020)**

Mission GO

<i>Long Term Rating</i>	AA+/Stable	Affirmed
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Mission GO sales tax bnds ser 2013B dtd 07/11/2013 due 09/01/2014-2023

<i>Long Term Rating</i>	AA+/Stable	Affirmed
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Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at [www.standardandpoors.com](http://www.standardandpoors.com) for further information. Complete ratings information is available to subscribers of RatingsDirect at [www.capitaliq.com](http://www.capitaliq.com). All ratings affected by this rating action can be found on S&P Global Ratings' public website at [www.standardandpoors.com](http://www.standardandpoors.com). Use the Ratings search box located in the left column.

<b>City of Mission</b>	Item Number:	7a.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Administration</b>	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

**RE:** Voter Engagement Strategy Resolution

**RECOMMENDATION:** Approve the Resolution communicating the objectives of Mission's Governing Body to encourage and support increased voter engagement and turnout.

**DETAILS:** During the May 6, 2020 Finance & Administration Committee meeting Councilmember Boultinghouse presented information from a workshop he attended at NLC earlier this year entitled "Cities Vote: Building Voter Engagement to Permanently Strengthen Democracy" that talked about effective strategies to increase civic engagement and voter participation. He felt the workshop was extremely beneficial and thought it would be important to discuss with the full Council Committee.

During the Committee meeting, several ideas were discussed including:

1. Providing voter registration information, registration deadlines, and election calendars (when appropriate) in all city mailers and communication materials.
2. Passing a resolution making increased voter turnout a goal of the City Council.
3. Conducting a city-wide campaign to encourage residents to take advantage of the county's vote-by-mail option.

Following the Committee discussion, the Council asked for a draft resolution to be advanced to the June 3, 2020 Committee meeting for action. A sample Resolution has been included in the packet.

**CFAA IMPACTS/CONSIDERATIONS:** Increasing participation in the election process helps to ensure that the interests and concerns of Mission residents are appropriately represented in policy decisions at all levels of government.

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

CITY OF MISSION  
RESOLUTION NO. \_\_\_\_\_

WHEREAS, the right to vote is one of the most important rights of citizenship in a democratic country; and

WHEREAS, all Americans should have the ability to vote independently and privately, through local election practices and policies which support that ideal; and

WHEREAS, our democracy works best when all perspectives are included and all eligible voters cast ballots; and

WHEREAS, there is a deepening demand from residents to feel included and empowered in the democratic process at every level, including the most local; and

WHEREAS, local government leaders are uniquely positioned to consider ways to promote and encourage voter registration and voter participation;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF MISSION, KANSAS:

- Section 1. The Governing Body will actively encourage and facilitate voter education and voter registration for our residents, with special emphasis on areas of the City with the lowest levels of voter registration or voter turnout.
- Section 2. The Governing Body will consider joining the “Cities Vote” initiative spearheaded by the National League of Cities to improve and enhance voter engagement and participation, including the development of an action plan for the City of Mission.
- Section 3. The Governing Body may explore other ways to infuse creativity and fun into the voting process to assist in making voting more accessible, more convenient and more meaningful.

**THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 17th DAY OF JUNE 2020.**

**THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 17th DAY OF JUNE 2020.**

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Ronald E. Appletoft, Mayor

ATTEST:

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Audrey M. McClanahan, City Clerk



Democracy thrives when...

# Cities Vote

MUNICIPAL ACTION GUIDE

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### About the National League of Cities

The National League of Cities (NLC) is the voice of America’s cities, towns and villages, representing more than 200 million people. NLC works to strengthen local leadership, influence federal policy and drive innovative solutions.

NLC’s Center for City Solutions provides research and analysis on key topics and trends important to cities and creative solutions to improve the quality of life in communities.

### About NLC’s Local Democracy Initiative

NLC’s Center for City Solutions provides research and analysis on key topics and trends important to cities and creative solutions to improve the quality of life in communities.

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### Acknowledgments:

“Tennessee Mayors Growing Civic Engagement; How Local Leaders Can Leverage Their Office to Engage Voters”, ThinkTennessee

“Deepening Our Democracy; How Localities Can Expand Voting Rights”, The Center for Popular Democracy

*With Special Thanks to Insights from:*

- Athens, TN
- Carlisle, PA
- Chattanooga, TN
- Columbia, TN
- Crestwood, MO
- Dodge City, KS
- Framingham, MA
- Franklin, TN
- Hertford, NC
- Jackson, TN
- Los Angeles, CA
- Milwaukee, WI
- Palm Springs, FL
- Springville, AL
- Stockton, CA
- Torrance, CA

**Cities Vote** is a network of mayors and their staff who are committed to taking action to grow voter engagement—they are aware that there is a deepening demand from residents to feel included and empowered in the democratic process at every level, including the most local. They are also aware that both community-based organizations and civic engagement leaders have been laying the groundwork to grow voter turnout for years. As the most trusted level of government, city leaders are ready to lead as powerful local conveners that can increase participation rates nationwide—starting locally.

### You’re committed to making every vote count in every election. But where do you start?

The Local Democracy Initiative is developing a high-impact and concise Civic Cities municipal action guide for mayors ready to embrace the challenges of achieving 100% democratic participation in their cities. We will both support mayors in committing to and executing high quality voter engagement plans and facilitate learning between municipal leaders, steering cities towards strengthened local democracy. Examples of interventions we will develop mayors to execute:

- Making voting accessible**  
Reducing barriers to voter registration, strengthening partnerships with state and local partners
- Making voting more convenient**  
Improving the voting experience, working with local elections officials to reduce friction of participation
- Making voting more meaningful**  
Reducing voter apathy, elevating schools, community groups and local influencers who can deliver education about meaningful democracy

## Here is a list of twenty interventions that can have high impact in increasing voter turnout in your city; pick and choose from them like a menu and list them in your Cities Vote Action Plan!

### 1 Set a city-wide goal for voter participation and implement an action plan!

- You've already taken the first step! Joining Cities Vote prepares your city to understand where it's at, and how to set goals to increase voter participation. Setting a city-wide goal using our "voter engagement plan" template will help you and your team stay on track and see real results in voter turnout.
- Issue a press release! Show other cities what leadership on voter turnout looks like.
- Have your city participate in a nation-wide competition, like When We All Vote's Civic Cities Challenge, and be eligible to win prizes for your successes around voter engagement!

### 2 Make participation a celebration!

- Throw a party! Organize a city-wide, community-driven festival on early vote day or election day to celebrate voting with food and music provided by local organizations, institutions and companies.
  - Consider non-partisan community-driven election day celebrations through [#VoteTogether](#), an initiative that focuses on transforming the culture of voting

- Recognize civic leaders who are making a difference in your community. Do you know a volunteer who is registering all of the people on her block? Give her a shout out on social media! Do you work with a resident who models how to live a fully civic life; invite them to an event where they can be celebrated. Informally celebrate a day in their honor. Some cities have gone so far as to award mini "civic life grants" or "super organizer" grants to stellar citizens or organizations—awarding them a \$500 grant to continue the work they are doing can go a long way! Honoring individuals can motivate and inspire others to get involved too.

### 3 Adopt a local ordinance requiring landlords to provide new residents voter registration forms.

### 4 Embed voter registration throughout city services.

- What if you didn't have to go any further than your own local city agencies to drastically increase your voter registration rates? Where city agencies administer public services and benefits, they can also actively register people to vote. Agencies that administer health services, housing voucher programs, and SNAP benefits work with low-income communities who are less likely to benefit from standard voter registration efforts.
- Where county agencies offer social services to your residents, join or build a coalition of other city leaders in your area to advocate to the county that they do the same.

### 5 Use your megaphone.

- Residents are excited to hear directly from their mayors or councilmembers. Identify venues that would welcome insights from city leaders, like your city's Chambers of Commerce or service communities like local [Rotary Clubs](#).
- Plug into your community's milestone moments: speak at high school graduations about the importance of voting or use the 4th of July as a time to remind residents to get engaged as election judges, voter registration guides and as voters themselves.
- Issue a city-wide challenge; if focusing on schools, talk to your board of education to create a competition between local high schools around civic service or volunteerism around voter registration.
- You're a local celebrity! Radio stations and local television are interested in hearing directly from you. Issue a press release about your participation in Cities Vote. Or create a PSA on voter engagement. You can work with organizations like [Hometown Project to contact celebrities from your city to get involved on voter engagement locally](#).
- Engage with your contacts in local media to increase public awareness around voting deadlines and events.

### 6 Be online.

- Use your city's website as a central hub of voter information; include voter registration deadlines, election dates and even publish your commitment to making voting more accessible and more meaningful for your residents!
- Create a flash site where city leaders can talk about their experiences as first-time voters; create a space where residents themselves can commit to voting.
- Build a social media strategy: it should be fun and inspiring but also function as a reminder for folks on key dates such as the close of registration and the opening of early voting. Share links to help people find the address of their polling location during early vote or on election day. Consider tapping someone in your office that focuses on Youth Engagement; they may be best equipped to help your city become more comfortable online.

### 7 Advocate to election commissions on behalf of your residents.

- Ask election commissions to explore creating convenient voting centers or satellite voting locations. Vote centers allow residents to cast their ballots at any of the vote centers in their community, as opposed to the assigned neighborhood precinct which might be out of the way or have long lines.

**8** **Make a phone call to your local College or University President and encourage them to work with student voter programs like the All-In Challenge and Campus Vote Project. Lift up colleges and universities that are already participating. Don't forget to reach out to junior colleges and community colleges in your city, who are amazing local partners.**

- [All-In Campus Democracy Challenge](#)
- [Campus Vote Project](#)

**9** **Deputize trusted messengers in your community.**

**Faith Leaders**

- Work with your Inter-Faith Council or host a Faith Leaders Breakfast where you encourage religious leaders like pastors, priests, rabbis and other clergy leaders to speak with their congregations about the importance of voting. Give them talking points and information about activating their congregation. Encourage them to hold weekly voter registration drives. Provide resources for them to have snacks and drinks for congregants who participate in voter registration.
  - What was successful in your Census preparation and outreach? Many faith leaders were activated to support Get Out The Count efforts around Census...in what ways can they replicate creating sermons about Democracy? In some communities, faith leaders all agreed to host a "Census Worship" Sunday, where they all talked about the Census in their services. Ask faith leaders to consider having a "Holy Day of Democracy" together.

- Find faith-based communities that are already activated to help Get Out The Vote! Souls to the Polls is just one example of how faith leaders are supporting voter turnout. How else are your community's faith leaders building democracy? Lift up those initiatives and show your support. Shout them out on social media or attend one of their events.

**Small Businesses**

- Small businesses such as bookstores or coffee shops can train staff to do voter registration
- Develop "train the trainer" programs with small businesses that have close, ongoing relationships with their customers, like barbershops and beauty parlors.
- Work with nontraditional businesses in your community that are not typically identified as "community centers" but which people frequent; like casinos, grocery stores, liquor stores or even big chain stores in your community.

**Non-Profits**

- Non-profits do the amazing work of connecting with your residents every day. Non-profits are often explicitly non-partisan, which make them excellent communicators about the importance of voting. For non-profits like the League of Women Voters, the YMCA, fraternities and sororities (which hold non-partisan, nonprofit status as c3s), civic engagement is already part of their annual work and budgets. Lift them up and support the work they are doing on the ground.
- Many non-profits don't know yet how to get civically engaged. Nominate them to participate in a [Nonprofit VOTE](#) training, which will teach their staff how to start doing voter engagement work.

**10** **Remove transportation barriers.**

- Offer free public transportation on election day or reduced fares during early vote periods. Be aware of what micromobility companies are doing in your community—maybe Lime, Bird or other e-scooter companies have made rides free. Shout that out on your social media. The same goes for bike share companies. Check to see what deals Lyft and Uber have come up with to reduce transportation costs on election day.

**11** **Commit to a "[Your city's name] Votes! Week of Action"**

- This can be the time you host your #VoteTogether parties, civic kids days or voter registration days. Be creative about connecting to your community!

**12** **Congratulations, High School Graduate! Stepping into a new generation of voters.**

- Create a goal of registering every eligible high school senior while they are still in school.
- Partner with your local school district to commit to having voter registration forms distributed, completed, collected and processed for every high school senior.

**13** **Build "voter" into young people's identities.**

- Pre-register 16 and 17 year olds. This will automatically add them to voter rolls when they turn 18. Simple changes to the current voter registration database would allow for "pre-registered" students to maintain a "pending" status until they turn 18. This is a LOW COST, HIGH IMPACT option.
- Allow college students to use student IDs to vote.
- Work with amazing organizations like [My School Votes](#) to start building voter engagement work into middle schools and high schools.

**14** **Democracy is about celebration! Why not transform it...into a holiday!**

- If your city has early voting, celebrate "[Vote Early Day!](#)" on October 24th. Vote Early Day helps all eligible voters learn about their early voting options and celebrate the act of voting early. It's not a coalition, it's a holiday. This collaborative, open-source model - similar to Giving Tuesday and National Voter Registration Day - will ensure that millions more Americans take advantage of their early voting options this fall.
- Make "National Voter Registration Day" on September 24th a local holiday!



**15** Commit to voter education in schools.

- This is a larger commitment. Support school districts committing to civics education. We know this is a complex issue with many stakeholders and often outside the city's purview, but as city leaders you can lift up the voices that are already doing this work. If you can, work with the DOE to upgrade civics education within the school curriculum. Locate those local educators who are already enhancing voter education and civic engagement and feature and celebrate them. Create a Youth Commission on Voting. Look for opportunities to support after school and summer programs that focus on civics education. Work with local supplemental education and summer camps, YMCA or other civic-minded organizations to sponsor summer civic engagement days.
- Lean on digital resources like [iCivics](#) and share this resource with teachers in your community.

**16** Don't be afraid to pursue innovative partnerships!

- Create a goal of registering every 1. Follow the Filer Voter model; conduct voter registration drives at sites providing free income tax preparation assistance.
- Work with local utility companies or phone service providers to include nudges and reminders about voter registration and election day on sewer bill mailings or phone and cable bills.
- Work with groups like VotER to engage with hospitals to provided voter registration platforms for patients while they wait to be seen.

**17** Provide ballot information and voter information in several languages.

**18** And now for some fun!

- Find organizations like [Get In The Game who register voters at sports games and educate voters about the elections process.](#)
- Work with local artists to design media and posters inspired by voting and democracy to share within your community. For examples of some amazing young people and their democracy-inspired art, visit [Voting Vanguard](#)s.

**We know voter engagement is a permanent commitment for city leaders.** While there are many interventions that can change the culture around voting, some are multi-year efforts that require significant buy-in from your community. Here are some examples of democracy-strengthening interventions that can move the needle on voter engagement long-term.

- Fortify your city's IT departments to support the elections process. Offer incentives to technically trained city staff to volunteer as elections judges and on technical election support teams.
- Increasing municipal authority.
  - In your community, election administration may be held by the county, the state or the federal government rather than municipal city leaders. Thus decisions for your residents may be in the hands of organizations and individuals who don't have the level of local knowledge that you and your city staff and local partners have. This often results in inaccessible voting structures, barriers to voter registration and ultimately voter apathy. Talk to your state representatives and argue for reducing any barriers that create stickiness or obstacles to voting. If you have specific talking points or policies to share work with your grassroots community leaders to engage state representatives. Engage on social media with your federal representatives, challenging them to make voting easier for everyone especially with your residents. If structural change is beyond the city's reach, consider what you can do locally to eliminate friction to voting. In New York City for example the city created a Civic Engagement Commission charged with increasing language accessibility for all.
- Municipal leaders have a unique ability to advocate for their residents as the most local level of government to decision-makers that have no knowledge of your residents. To learn more about local authority and the ways to manage it, check out our [Local Authority and Preemption Guide](#).
- Election security is a huge concern for cities and voters. You can work to advocate to federal government that you need support for elections security. For some insight into how different states are handling these issues, check out this Brennan Center for Justice report on [Defending Elections](#).

**Building strong partnerships with the organizations on the ground who have been connected to civic engagement for years is a strong strategy for success.** We've identified voter engagement organizations who have a national footprint and are committed to helping increase voter participation. Program Experts we encourage you to work with include:

■ **When We All Vote**

<https://www.whenweallvote.org/about-us/>

When We All Vote is a non-profit, nonpartisan organization that is on a mission to increase participation in every election and close the race and age voting gap by changing the culture around voting, harnessing grassroots energy, and through strategic partnerships to reach every American.

■ **#VoteTogether**

<https://votetogetherusa.org/faqs/>

#VoteTogether is a national campaign to increase voter participation by making voting fun and celebratory. At thousands of nonpartisan events hosted at and near polling places across the country, #VoteTogether partners will bring together families, friends and neighbors in a celebration of civic engagement and the act of voting.

#VoteTogether events—including block parties, BBQs, and parades—will take place during early voting and on Election Day. The program is launching in partnership with 150 state and local organizations, several corporate partners, and with 500 confirmed events.

■ **ALL IN Campus Democracy Challenge**

<https://www.allinchallenge.org/>

The All IN Campus Democracy Challenge is a national awards program. By recognizing colleges and universities for their commitment to increasing student voting rates, the Challenge encourages higher education institutions to help students form the habits of active and informed citizenship, make democratic participation a core value on their campus, and cultivate generations of engaged citizens who are essential to a healthy democracy.

■ **Campus Vote Project**

<https://www.campusvoteproject.org/>

Campus Vote Project works with universities, community colleges, faculty, students and election officials to reduce barriers to student voting. Our goal is to help campuses institutionalize reforms that empower students with the information they need to register and vote. Campus vote project works with over 2 million students across 150 universities in 30 states.

■ **Early Vote Day**

<https://www.voteearlyday.org/>

■ **Filer Voter Project**

<https://www.brookings.edu/research/the-filer-voter-experiment-how-effective-is-voter-registration-at-tax-time/>

Voter registration at tax time has the potential to not only increase the voter pool, but to make the voting population more closely mirror the citizenry as a whole. Tax time may be an especially effective time to encourage lower-income citizens to register.

■ **Get In the Game**

<http://www.gitg-vote.com/>

Get In the Game is a nonpartisan voter development initiative. This project is designed to encourage all sports fans to register to vote and participate in the electoral process. This year our focus is on Major League Baseball and volunteers will be visiting ballparks nationwide in an effort to educate all Americans about voting. Furthermore, we will be registering them at the stadiums and teaching them to engage family and friends in the political process. In future years, we plan to expand our efforts to include other sports.

■ **iCivics**

<https://www.icivics.org/search-results?keywords=voting>

Founded by retired Supreme Court Justice Sandra Day O'Connor iCivics works to ensure every student in America receives a quality and engaging civic education and graduates from high school well prepared and enthusiastic for citizenship. ICivics has multiple learning modules on voting.

■ **League of Conservation Voters**

<https://www.lcv.org/>

The League of Conservation Voters (LCV) works to turn environmental values into national, state and local priorities. LCV, as part of the Conservation Voter Movement along with our state LCV partners, advocates for sound environmental laws and policies, holds elected officials accountable for their votes and actions, and elects pro-environment candidates who will champion our priority issues

■ **League of Women Voters**

<https://www.lwv.org/elections>  
<https://www.lwv.org/voting-rights>

The League of Women Voters of the United States (LWVUS) encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women Voters Education Fund (LWVEF) works to register voters, provide voters with election information through voter guides as well as candidate forums and debates.

### National Voter Registration Day

<https://nationalvoterregistrationday.org>

National Voter Registration Day is a national holiday celebrating our democracy. It was first observed in 2012 and has been growing in popularity every year since. Held on the fourth Tuesday of September, National Voter Registration Day will take place on September 22, 2020. The holiday has been endorsed by the National Association of Secretaries of State (NASS). It is further supported by the National Association of State Election Directors (NASED), the U.S. Election Assistance Commission (EAC), and the National Association of Election Officials (The Election Center).

### Non Profit Vote

<https://www.nonprofitvote.org/>

Nonprofit VOTE partners with America's nonprofits to help the people they serve participate and vote. We are the largest source of nonpartisan resources to help nonprofits integrate voter engagement into their ongoing activities and services.

### Souls to the Polls/The Equity Alliance/Interdenominational Ministers Fellowship

<https://theequityalliance.org/soulstothevotes/>

Faith-based community organizing has been a tried-and-true strategy to reach black voters since the Civil Rights Movement. In an effort to get Souls to the Polls, The Equity Alliance partners with the Interdenominational Ministers Fellowship (IMF) to conduct voter registration drives at African-American churches in Nashville. Our goal is to have 100% of eligible church membership registered to vote. Volunteers are deployed to church services on Sundays to engage and register voters. We host various GOTV activities, including block parties, rallies, phone banking, and rides to the polls.

### Rejoice the Vote

<http://www.rejoicethevote.org/>

Is America possible without a free fully democratic process equally accessible to all citizens? Rejoice The Vote's three-pronged approach is geared to honor the past, celebrate the present, and challenge the future. It is aimed at changing the culture of voting from a chore to a joyful celebration.

### VotER

<https://vot-er.org/>

VotER works with Hospitals across the country to provide convenient nonpartisan voter registration platforms for patients while they wait.

➔ We are asking all Civic Cities participants to commit to between one and three of the interventions above in their voter engagement plans which they will then share online. Critical to the success of each mayor's voter engagement plan in their city is their ability to promote successes and navigate challenges with peer cities in real time. City leaders are uniquely positioned to understand and address local challenges even in the context of cities that are not their own. The Civic Cities peer to peer learning network will have access to one another for meaningful peer-to-peer service and problem-solving dialogue.

Democratic participation has historically been seen through the lens of being a national challenge, but cities, towns and villages have the unique opportunity to be their residents' strongest advocates in increasing civic participation. Civic participation has a direct, correlative impact on the long-term strength and resilience of local communities. The Civic Cities program will help cities inspire their residents to invest in their leaders and in one another, and to get out and vote.

## THE CLOCK IS TICKING; SOME AMAZING STRATEGIES TO TACKLE TODAY!

- [All-In Campus Democracy Challenge!](#)
- Follow the Filer Voter model; conduct voter registration drives at sites providing free income tax preparation assistance.
- Find organizations like Get In The Game who register voters at baseball games and educate voters about the elections process.
- Have your city participate in a nation-wide competition, like When We All Vote's Civic Cities Challenge, and be eligible to win prizes for your successes around voter engagement!

For more information on how to get these partnerships started, [join the Cities Vote cohort](#) and get real-time assistance in setting up your voter engagement plan!

## Notes

**NLC** NATIONAL  
LEAGUE  
OF CITIES

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CENTER FOR CITY SOLUTIONS

<b>City of Mission</b>	Item Number:	7b.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

**6RE:** Resolution Approving 2021-2025 CARS Project List

**RECOMMENDATION:** Approve the Resolution adopting the Five Year City/County Street Improvement Program for the City of Mission for 2021-2025.

**DETAILS:** Through a combination of state gas tax dollars and County General Fund revenues, the CARS program provides funds to cities to construct and maintain eligible streets. Each year, cities submit a 5-year road improvement plan to the County from which projects are selected for funding (up to 50% of the project's construction and construction inspection costs). Cities are responsible for design, right-of-way, and utility relocation costs. Mission's CARS-eligible streets include:

- Lamar (Foxridge to 67th)
- 51st (Lamar east to City Limit)
- Foxridge (56th to Lamar)
- Johnson Drive (Metcalf to Roe)
- Roe (Johnson Drive to 63rd)
- Nall (Johnson Drive to 67th)
- Martway (Metcalf to Roeland)
- Roeland Dr (Johnson Drive to SMP)
- Broadmoor (Johnson Drive to Martway)

Each City is required to pass a resolution adopting a 5-year plan based on their own unique goals and objectives, and CARS projects are ultimately adopted as part of the County's annual budget process. The final commitment of funds occurs through the approval of specific interlocal agreements for each project.

Staff recommends the following CARS projects be included in the 2021-2025 planning cycle:

2021	2022	2023	2024	2025
None	Johnson Drive UBAS (Lamar Ave. to Roe Ave.)	Foxridge Phase II (51st St. to Lamar Ave)	Roe Avenue UBAS (Johnson Dr. to 59th St.)	Nall Avenue UBAD (Martway St. to 63rd St.)

**2021** - No projects are proposed for 2021. The Foxridge Phase II project previously

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A



<b>City of Mission</b>	Item Number:	7b.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

shown in 2021 is proposed to be moved to 2023 based on available City funding.

**2022 - Johnson Drive (Lamar Ave to Roe Ave):** Proposed improvements include UBAS surface treatment, spot curb, sidewalk and ADA ramp repairs and new pavement markings. Approximately \$73,370 of project costs will be reimbursed by the City of Roeland Park. Total estimated project cost: \$678,000.

**2023 - Foxridge Phase II:** Foxridge Drive (51st Street to Lamar Avenue) is a two lane, 32 ft. wide, minor collector serving multi-family, residential, commercial and industrial traffic. Due to the street's location at the bottom of a hill, there is a significant amount of water damage to the surface of the pavement, subgrade, and curb and gutter. This section of Foxridge Drive lacks sidewalks, leaving pedestrians to walk in the street. Proposed improvements include full depth pavement replacement, replacement of curb and gutter, sidewalk, streetlights, and new stormwater infrastructure. An underdrain system will be installed to better handle runoff and pedestrian improvements will be made. The KCP&L traffic signal at the Foxridge Dr. to Lamar Ave. intersection may also be replaced and relocated since trucks have difficulty making southbound right turns resulting in damaged guardrail. Total estimated project cost: \$6,070,000

**2024 - Roe Avenue (Johnson Drive to 59th Street):** The proposed project includes mill and overlay with 2-inch asphalt concrete surface and pavement markings. Spot replacement of curb and sidewalks and full depth pavement replacement where necessary. This work will be performed in conjunction with Fairway. Total estimated project cost: \$464,000

**2025 - Nall Avenue (Martway St. to 63rd St.):** Proposed improvements include UBAS surface treatment, spot curb and sidewalk repair, and new pavement markings. This work will be performed in conjunction with Prairie Village. Total estimated project cost: \$267,000

The proposed 2021-2025 CARS program differs from last year's with the move of the Foxridge Phase II project to 2023 resulting in the Johnson Drive, Metcalf Ave. to Lamar Ave. project moving out of the 5-year CARS program. The Nall Avenue (Martway to 63rd St.) is a new joint project with Prairie Village proposed in 2025. Additionally, project costs have been increased to account for inflation and are based on current cost estimates provided by the City's on-call engineer.

Approval of the attached resolution does not specifically commit the City to any

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

<b>City of Mission</b>	Item Number:	7b.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

expenditure of funds and its purpose is to communicate to the County the CARS eligible projects the City is considering over the 2021-2025 planning horizon.

**CFAA CONSIDERATIONS/IMPACTS:** These projects support a number of items in the Transportation and Mobility category, including ADA compliance and sidewalk connectivity to provide pedestrian modes of transportation, and street light upgrades.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A



**CITY OF MISSION  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A FIVE-YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM.**

**WHEREAS**, The City of Mission desires to obtain County funds for certain street improvement projects within the City; and

**WHEREAS**, in order to have projects considered for the CARS Program by the Johnson County Board of Commissioners, the Governing Body must submit a written five-year road improvement program request; and

**WHEREAS**, all requests must be accompanied by a resolution which provides that included projects have been reviewed and approved by the Governing Body; and

**WHEREAS**, the 2021-2025 CARS Program is an important budgeting and planning document for both the City of Mission and Johnson County; and

**WHEREAS**, submission of the 2021-2025 CARS program does not specifically commit any expenditures on behalf of the City of Mission.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:**

SECTION 1. That the attached Five-Year City/County Street Improvement Program has been reviewed and approved for submittal to the Johnson County Board of Commissioners as the City's 2021-2025 CARS Program request.

**THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 17th DAY OF JUNE 2020.**

**THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 17th DAY OF JUNE 2020.**

\_\_\_\_\_  
Ronald E. Appletoft, Mayor

ATTEST: (Seal)

\_\_\_\_\_  
Audrey M. McClanahan, City Clerk

**County Assistance Road System**

**2021-2025 Five Year Program**

**Participating City: Mission**

Priority	Project Location	Proposed Start/ Finish	Project Description	CARS Route Classification		CARS Program Funding Request	CARS Participation Eligible		Comprehensive Project Budget Total	Mission Total
				Major	Minor		Yes	No		
2021	None									
2022	Johnson Drive (Lamar to Roe)	3/21-10/22	The project includes a UBAS surface treatment, spot curb/gutter and ADA ramp repairs and new pavement markings	X		\$319,000	\$638,000	\$40,000	\$678,000	\$285,630
2023	Foxridge Phase II (51st to Lamar Ave)	3/23-12/23	Full reconstruction, including new curb/gutter, catch basins, storm sewer, sidewalks, ADA ramps, pavement markings, street signs, installation of a 1,000-1,500 ft. under-drain to catch downhill runoff, and relocation and replacement of the existing signal at Foxridge and Lamar intersection		X	\$2,617,500	\$5,235,000	\$835,000	\$6,070,000	\$3,452,500
2024	Roe Ave (Johnson Drive to 59th Street)	4/24-10/24	The project includes mill and overlay with 2-inch asphalt concrete surface and pavement markings. Spot replacement of curb and sidewalks and full depth asphalt replacement where necessary.	X		\$212,000	\$424,000	\$40,000	\$464,000	\$252,000
2025	Nall Avenue (Martway to 63rd St.)	5/25-10/25	The project includes a UBAS surface treatment, pavement repairs, spot curb, sidewalk, ADA ramp repairs, and new pavement markings	X		\$123,500	\$247,000	\$20,000	\$247,000	\$123,500
TOTALS:						\$3,272,000	\$6,544,000	\$935,000	\$7,459,000	\$4,113,630

<b>City of Mission</b>	Item Number:	9a.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

**RE:** Resolution ratifying the emergency expenditure of funds to repair the Rock Creek Channel retaining wall.

**RECOMMENDATION:** Approve the Resolution ratifying the emergency expenditure not to exceed \$109,499.99 with Kissick Construction Company for repair of the northern streambank of Rock Creek along the Rock Creek Trail.

**DETAILS:** on May 28, 2020 the Kansas City Metropolitan area received substantial rainfall with reports of up to eight inches of rainfall in a 14-hour period, during this storm, a segment of retaining wall that served as bank protection for the northern streambank of Rock Creek along the the Rock Creek Trail collapsed.

The City's Engineer Olsson, assessed the situation and submitted a report on May 29, 2020 which determined that the highest priority was for the City to remove the failed concrete and fencing from the channel as soon as possible to avoid allowing it to break up and wash down the creek and damage the Reeds Road culvert or any other structure/utilities. Quotes were secured from two contractors with the lowest and most responsive bid being submitted by Kissick Construction Company in the amount not to exceed \$109,499.99.

In accordance with Section 120.140 (5) of the Mission Municipal Code the City Administrator authorized the emergency repair of the retaining wall on May 29, 2020 and now is seeking ratification of that emergency expenditure by the City Council.

**CFAA CONSIDERATIONS/IMPACTS:** N/A

Related Statute/City Ordinance:	120.140 (5)
Line Item Code/Description:	Stormwater Utility Fund
Available Budget:	\$109,499.99

**CITY OF MISSION  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MISSION, KANSAS RATIFYING THE EMERGENCY EXPENDITURE OF FUNDS TO COMPLETE REPAIRS TO THE ROCK CREEK CHANNEL RETAINING WALL FAILURE.**

WHEREAS, on May 28, 2020 the Kansas City Metropolitan area received substantial rainfall with reports of up to eight inches of rainfall in a 14-hour period; and

WHEREAS, during this storm, a segment of retaining wall that served as bank protection for the northern streambank of Rock Creek along the the Rock Creek Trail collapsed; and

WHEREAS, the City's Engineer Olsson, assessed the situation and submitted a report on May 29, 2020 included as Exhibit A; and

WHEREAS, Olsson determined that the highest priority was for the City to remove the failed concrete and fencing from the channel as soon as possible to avoid allowing it to break up and wash down the creek and damage the Reeds Road culvert or any other structure/utilities; and

WHEREAS, quotes were secured from two contractors with the lowest and most responsive bid being submitted by Kissick Construction Company in the amount not to exceed \$109,499.99 which is included as Exhibit B; and

WHEREAS, in accordance with Section 120.140 (5) of the Mission Municipal Code the City Administrator authorized the emergency repair of the retaining wall on May 29, 2020.

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

**Section 1.** That the emergency expenditure with Kissick Construction Company for repair of the northern streambank of Rock Creek along the Rock Creek Trail in an amount not to exceed \$109,499.99 is hereby ratified.

**PASSED AND APPROVED BY THE CITY COUNCIL** this 17th day of June 2020.

**APPROVED BY THE MAYOR** this 17th day of June 2020.

\_\_\_\_\_  
Ronald E. Appletoft, Mayor

ATTEST:

---

Audrey M. McClanahan, City Clerk



May 28, 2020

City of Mission  
Public Works Department  
Attn: Brent Morton  
4775 Lamar Ave.  
Mission, KS 66202

Re: Rock Creek Retaining Wall Failure located at Johnson Drive and Reeds Road

Dear Mr. Morton,

On May 28, 2020, the Kansas City Metropolitan area received substantial rainfall, with preliminary news reports indicating some areas of the city having received up to 8 inches of rain in approximately a 14-hour period. During this storm, a segment of retaining wall that served as bank protection for the northern streambank of Rock Creek along the Rock Creek Trail collapsed. This section of wall is located immediately southwest of the intersection of Johnson Drive and Reeds Road.

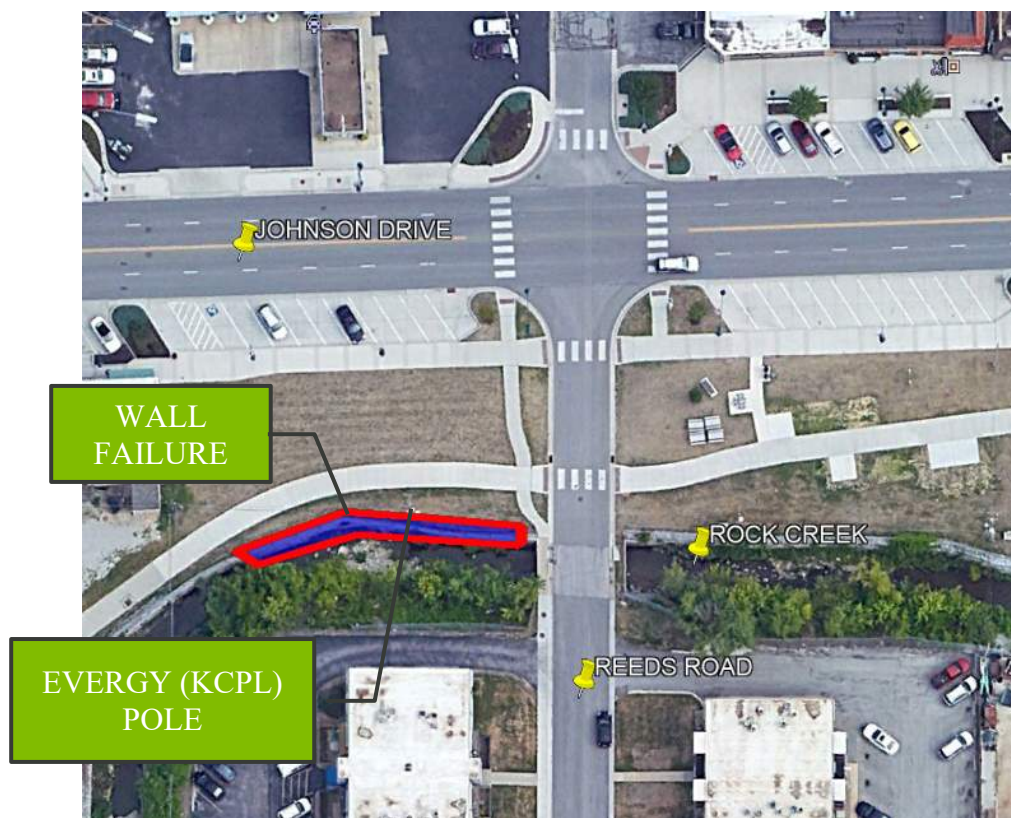


Figure 1: Location Map.

Incident and Extent of Damage: The incident was reported to Public Works staff members by Mission Police Department at approximately 3:00PM near the end of the rainfall event, which

began in the early AM of May 28th. The extent of the damage observed at 5:00PM by Olsson and City Staff Members consisted of a failure of approximately 75 feet of chain link fence, ~75 feet of the fence's concrete footing and associated concrete retaining wall, and loss of a few feet of soil backfill for the length of the wall.

Evergy, formerly known as KCPL, has a power pole located approximately 50 feet west of Reeds Road that was behind the wall. As can be seen in the following photos, the pole laid over substantially when the wall and soil collapsed. This photo was taken after Evergy's field technicians attached their boom truck to it and righted it. No injuries or any other private property damage were reported.



Figure 2: Looking west at failed retaining wall and creek (looking upstream of flow).

#### Emergency Response and Utility Stabilization:

Public Works staff members, Mission Police, and Evergy field technicians worked to secure the perimeter of the site, close and fence off the trail to protect pedestrians, and brace the affected power pole. Evergy staff members contacted Spectrum's field office to notify them that they also have a fiber optic communications line that is attached to the affected pole and drops to an underground conduit within the failed embankment that will also need to be moved. City staff members contacted Olsson to send out an engineer to assess the site and assist the City with developing a bank stabilization solution.

WaterOne was contacted and came to the site to mark their facilities. There did not appear to be any water lines near the collapse.

City and Olsson staff identified the location of a sanitary sewer line, a 15" diameter VCP, located a few feet behind the retaining wall and at a depth of approximately 12 feet from observing nearby manholes and evaluating survey data from the previous Johnson Drive streetscape



project. It appears that this sewer line is located just beyond the limits of the wall and embankment failure, and it is likely near the same elevation as the flowline of the creek and a few feet outside the direct footprint of the collapse.

Evergy stabilized the affected pole with bracing and a guy wire and intend to return on 5/29 to install a new pole away from the failed embankment to secure their facilities. They intend to move their pole, transformers, and equipment approximately 30 feet west between a section of retaining wall that still remains and the sanitary sewer and remove the affected pole. The new pole's depth will be 6-7 feet and appears to be well above and horizontally clear of the sanitary sewer.

Prior Condition:

Olsson assisted the City with the design of a repair project to the lid of the box culvert carrying Reeds Road immediately downstream of this segment of wall in April of 2019. While doing the inspection for the box culvert repair project, Olsson's inspector happened to take a photo looking upstream at this portion of wall which could serve as a useful "before" condition. As can be seen in Figure 3, this section of wall has been modified several times over the years and appears to have been substantially damaged from prior storm events, degradation from age and vegetation, and exhibited large voids.



Figure 3: Looking west at prior channel lining/retaining wall and upstream of creek.



Assessment and Recommendations:

This section of retaining wall appears to have failed through a combination of factors. The wall was in very poor condition with large voids and cracks present. This condition allowed water from this relatively substantial storm event, where the channel was likely full and moving at high velocities, to find a pathway behind and possibly underneath the wall which compromised its stability.

*The highest priority at this time is for the City to remove the failed concrete and fencing from the channel as soon as possible to avoid allowing it to break up and wash down the creek and damage the Reeds Road Culvert or any other structures/utilities.*

Olsson has previously evaluated the hydraulic performance of Rock Creek while conducting the design of the storm sewer interceptor as part of the Johnson Drive Streetscape project. This section of the creek is undersized for currently accepted design-level storm events. Due to this undersizing and geometry of the stream (the western part of the failed wall is located in a cut bank), it is recommended that the embankment be temporarily armored to protect the trail and Reeds Road from further erosion or being bypassed in a subsequent storm event until a permanent solution can be designed and installed.

In order to temporarily stabilize the embankment, it is recommended to lay back the streambank while maintaining 2 feet of horizontal separation to the trail, and line the embankment with rip-rap (a 30" thick mat of 18"-24" stone with geotextile fabric underneath). The new slope of the streambank would be approximately a 1.5:1 (horizontal:vertical). The toe of the slope should extend 2 feet below the channel or on rock and be founded in line with the original wall. The contractor should wrap the slope transition back into the vertical portion of retaining walls that still remains upstream and at the box culvert at Reeds Road to maximize the amount of fill. This is particularly important at the downstream end to avoid excavating into the existing 60" RCP and further compromising the roadway fill behind the northern wall of the box culvert. The contractor should observe best practices of protecting water quality by preventing additional soil from leaving the site by installation of erosion control measures at the toe of the slope.

It is also recommended that a video camera inspection be completed to verify the integrity of the sanitary sewer.

Note: Due to the inability to see the bottom of the channel at the time of the inspection, an assessment of possible channel contraction scour could not be made. Olsson staff will be on-site on 5/29 to attempt evaluate this further with City Staff should flows subside and the channel bottom become visible again.



Sincerely,

*Grant Luckenbill*

Grant Luckenbill, PE

Appendix A: Photo Log



Figure A1: Looking west at failed retaining wall and Evergy pole that is being braced.



Figure A2: Looking east at failed retaining wall and Evergy pole.





Figure A3: Looking west at western edge of failure.



Figure A4: Looking west at eastern edge of failure.





Figure A5: Looking east at failed wall with SS marked and new pole location staked.



Figure A6: Closeup of western end of wall failure.





Figure A7: No debris present immediately downstream of Reeds Road.



Figure A8: Looking west from Reeds Road.

# KISSICK

CONSTRUCTION COMPANY

May 29, 2020

Brent Morton  
City of Mission, KS  
6090 Woodson Rd.  
Mission, KS 66202

Re: Johnson Drive and Reeds Rd.  
Emergency Slope Repair

Kissick Construction Company, Inc. submits for your review our budgetary proposal for the above referenced project.

1. Remove existing headwall and damaged chain link fence.
2. Repair slope and armor with 18"-24" Riprap at 30" in depth.
3. Replace and damaged sidewalk.
4. Place sod in damaged grass areas. Maintenance will be done by the City of Mission.
5. CCTV sanitary sewer and existing 36" CMP.
6. Install new plug in 60" RCP.

Our Proposal:

**\$109,449.99**

Clarifications:

- The above pricing will be completed on a T&M basis. We understand that we are not to exceed the amount above unless we are authorized by the City of Mission, KS.
- Survey is included for our work only. We have not included any survey for any other scopes of work.
- No bonds, permits or fees have been included. If a bond is required, please add 1% to our proposal.
- Traffic Control is included in this proposal.
- We exclude anything that has not been specifically called out in our proposal summary.

If you have any questions or need any further information, please contact me.

Sincerely,

KISSICK CONSTRUCTION COMPANY

David Kissick  
Vice President



8131 Indiana Ave., Kansas City, MO 64132  
Telephone (816) 363-5530 FAX (816) 523-1557



*Smith 5/29/2020*

<b>City of Mission</b>	Item Number:	9b.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Emily Randel

Action items require a vote to recommend the item to full City Council for further action.

**RE:** Mission Municipal Court COVID-19 Reopening Plan and Operational Controls

**RECOMMENDATION:** Review and approve a reopening plan for Mission Municipal Court.

**DETAILS:** In response to the COVID-19 pandemic the City of Mission has made adjustments to the operation of facilities and services in order to ensure the health and safety of our employees and the public accessing our services. Various recovery and reopening plans have been reviewed and approved by the Governing Body.

Mission's Municipal Court operations have been suspended since March 13, 2020. In previous meetings, the Governing Body approved a reinstatement of in person court no sooner than July 1, 2020 subject to their review and approval. The following details the reopening plan and recommendations for Mission's Municipal Court.

The Court staff have been making many adjustments throughout the COVID-19 pandemic to reduce the need for in-person interactions. Several steps have been taken to resolve cases before ever needing an in-person court appearance. Among those steps:

- Providing encouragement in all written correspondence for court patrons to contact the court clerks to discuss options to resolve the case outside of court.
- Empowering the Court Clerks to amend tickets in some cases.
- Allowing for the prosecutors to spend more time on-site, with access to court files, to process cases outside of when court is in session.
- Switching from requiring a court appearance for payment installments to setting an extended but firm payment date.

The standing Municipal Court dockets are detailed in the table below. By moving some of the dockets to phone and video call, and processing many more cases during regular office hours, the number of cases remaining to be seen in person has been greatly reduced.

Docket Type	Frequency/Day/Time	Method and Date to Resume
1st Appearance (Traffic)	Every Tuesday 6 p.m.	In-Person, July 7
Pro Se Plea	1st Thursdays, 8 a.m.	Phone or Zoom, Soonest August
Attorney Plea	2nd & 4th Tuesdays, 8 a.m.	Phone, Video or Email, July 14
Non-Traffic Arraignment	3rd Thursdays, 8 a.m.	Phone, July 16
Trial Dockets	2nd & 4th Thursdays, 7 p.m.	In-Person or Video, Likely August

Related Statute/City Ordinance:	
Line Item Code/Description:	N/A
Available Budget:	N/A



<b>City of Mission</b>	Item Number:	9b.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Emily Randel

Action items require a vote to recommend the item to full City Council for further action.

As in-person court resumes with much smaller dockets, the following modifications will be made:

- All court staff will be required to wear a mask.
- All court visitors will be required to wear a mask. A single-use mask will be provided to those who do not have one upon arrival.
- Hand sanitizer will be made available upon arrival.
- Laminated numbers will be replaced with single-use paper numbers.
- Additional staff will be positioned at the main entrance on Woodson St. to control the number of people in the lobby at one time.
- The existing cloth covered lobby chairs will be replaced with plastic chairs for more effective sanitizing after each court date.
- The number of chairs available will be based on social distancing and capacity guidelines.
- Both court clerks will be stationed at a window, behind protective glass.
- The prosecutor will be positioned as usual in the doorway more than 6 feet from the court clerk, but with a removable plexiglass shield hanging in the doorway, still allowing for the transfer of papers back and forth.

Staff looks forward to the review, discussion and approval of the COVID-19 reopening plan for Municipal Court.

**CFAA CONSIDERATIONS/IMPACTS:** The procedures described above have been recommended with the health and safety of our court patrons in mind. Considerable effort has been placed in balancing swift resolution of court cases with the health risks of COVID-19, especially for at-risk populations.

Related Statute/City Ordinance:	
Line Item Code/Description:	N/A
Available Budget:	N/A



<b>City of Mission</b>	Item Number:	9c.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

**RE:** Resolution affirming that Black Lives Matter, recognizing that fighting against racial inequity and social injustice must be a high priority, and committing to a comprehensive and on-going review of policies, practices and sustained dialogue to ensure that all members of our community are protected equally.

**RECOMMENDATION:** Review and approve the Resolution affirming that Black Lives Matter, recognizing that fighting against racial inequity and social injustice must be a high priority, and committing to a comprehensive and on-going review of policies, practices and sustained dialogue to ensure that all members of our community are protected equally.

**DETAILS:** The recent tragic and unnecessary death of George Floyd has been a painful reminder that fighting against racial inequity and social injustice in our communities must continually be a high priority. As local government leaders and public safety professionals, we have a responsibility to the people in our city, not only to keep them safe, but also to keep the lines of communication open so that concerns and issues can be addressed in ways where all voices are heard and understood.

Councilmembers Flora and Thomas have drafted a Resolution for Council review and consideration as we begin the conversations around these important topics. It has been presented for consideration under “New Business” on the June 17, 2020 City Council agenda in order to timely provide the Council the opportunity to publicly communicate their goals, objectives and action plans around our conversations in the weeks and months ahead.

In order to help frame the issues and the plan of action, a brief work session has been scheduled in advance of the Council meeting so that we can review the Resolution and begin to share information on police policies and a plan of action for advancing our discussions. We recognize that there are/will be a lot of questions as we move forward. The worksession is just the beginning.

There have been extensive discussions with the Chief of Police and the command staff in recent weeks, including a review of the Resolution prior to its distribution in the Work Session Agenda Packet. The Chief and Captain’s Lane, Self and Madden will be participating in the meeting on Wednesday night. Engaging the members of our Department in the conversation is a critical component of our success.

We know you are receiving many questions and inquiries surrounding these issues, and we look forward to opening up the dialogue around these critical topics. The events in Minneapolis underscore that the unconscionable actions of a few can reflect loudly on an entire profession. They also emphasize that it is incumbent upon us to actively maintain an open dialogue within Mission to combat racism and the threats it poses.

Related Statute/City Ordinance:	
Line Item Code/Description:	N/A
Available Budget:	N/A

<b>City of Mission</b>	Item Number:	9c.
<b>ACTION ITEM SUMMARY</b>	Date:	June 17, 2020
<b>Administration</b>	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

**CFAA CONSIDERATIONS/IMPACTS:** The Communities for All Ages framework strives for cities to understand the diversity within their community, and engage with those of all ages, cultures and abilities. Holding thoughtful conversations around issues of racial inequity and social injustice can inform those understandings and help Mission engage more effectively with all our residents and visitors.

Related Statute/City Ordinance:	
Line Item Code/Description:	N/A
Available Budget:	N/A

**CITY OF MISSION  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF MISSION, KANSAS AFFIRMING THAT BLACK LIVES MATTER, RECOGNIZING THAT FIGHTING AGAINST RACIAL INEQUITY AND SOCIAL INJUSTICE MUST BE A HIGH PRIORITY, AND COMMITTING TO A COMPREHENSIVE AND ONGOING REVIEW OF POLICIES, PRACTICES, AND SUSTAINED DIALOGUE TO ENSURE THAT ALL MEMBERS OF OUR COMMUNITY ARE PROTECTED EQUALLY.**

WHEREAS, the recent protests and outcry in response to the senseless and unnecessary death of George Floyd have highlighted the ongoing need for dialogue and action surrounding issues of race and inequity in our communities; and

WHEREAS, systemic racism remains an entrenched problem across the United States, including, but by no means limited to, in policing; and

WHEREAS, the Mission City Council, Mission City Staff, and the Mission Police Department are not immune from implicit bias; and

WHEREAS, the painful reality is that Black and Brown people in the United States are assaulted and killed by the police at higher rates than their White peers; and

WHEREAS, as local elected leaders, it is incumbent upon the Mission City Council to stand with those demanding accountability, equity, and respect, including from law enforcement; and

WHEREAS, as public servants, it is the responsibility of the Mission City Council to ensure that our Mission City Staff is respectful of and responsive to all members of our community and further that our Mission Police Department protects and serves all members of our community; and

WHEREAS, we recognize the humanity and dignity of every person; and

WHEREAS, we state unequivocally that Black Lives Matter.

**NOW, THEREFORE, BE IT RESOLVED THAT THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:**

- Section 1. Joins Mayor Ron Appletoft and Police Chief Ben Hadley in condemning the unjustified murder of George Floyd by Minneapolis police.
- Section 2. Further condemns all acts of racial profiling, use of excessive force, and other means of racial violence, wherever and whenever they occur.
- Section 3. Affirms the principles of racial justice, equity, and inclusion, understanding that this requires an inward look at our own actions as City Councilmembers and how we govern on an ongoing basis.

- Section 4. Commits to working with our Mission Police Department to complete a prompt review of its policies relating to use of force and transparency (e.g., right to film), its training requirements related to implicit bias and de-escalation, and its budget priorities.
- Section 5. Commits to working with our Mission Police Department to complete an examination of its practices relating to the collection and use of data to examine any inequities based on race with respect to stops, arrests, and incidents involving the use of force.
- Section 6. Commits to listen and maintain an ongoing and open dialogue with the residents of Mission relating to systemic racism, including to hold a community-wide forum on race and policing, in order to build relationships of trust with communities of color and other minority communities in Mission.
- Section 7. Supports meaningful and transparent investigations into any alleged instances of racial profiling, police brutality, or excessive use of force, and affirms that officers should be held accountable for any misconduct.
- Section 8. Encourages the Mission Police Department to participate in the Johnson County NAACP's planned virtual meetings relating to the examination of departmental policies.
- Section 9. Supports the Mission Police Department in its ongoing efforts to build a more diverse police force.
- Section 10. Supports the Mission Police Department in its ongoing commitment to recruit, support and train officers in alignment with the Department's pledged values of respect, integrity, and professionalism.
- Section 11. Desires to partner with the Mission Police Department to further cultivate and support a departmental culture of peer accountability and to continue the ongoing work of ensuring fair and impartial policing policies by all of its officers across all of its operations.

PASSED AND APPROVED BY THE CITY COUNCIL this 17th day of June 2020.

APPROVED BY THE MAYOR this 17th day of June 2020.

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Ronald E. Appletoft, Mayor

ATTEST:

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Audrey M. McClanahan, City Clerk