

CITY OF MISSION, KANSAS
FINANCE & ADMINISTRATION COMMITTEE

WEDNESDAY, JUNE 3, 2020

7:30 P.M.

(or immediately following 6:30 p.m. Community Development Committee)

Meeting Held Virtually Via Zoom

In consideration of the COVID-19 social distancing recommendations, this meeting will be held virtually via Zoom (<https://zoom.us/join>). The public may participate with comments by using the "chat" feature, please note all statements are made visible to the group. Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>. Please contact the Administrative Offices, 913-676-8350, with any questions or concerns.

PUBLIC HEARINGS / PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

1. Crux Research Presentation - Emily Randel/Crux KC ([page 3](#))

Crux KC will make a presentation on their research and audit activities.

ACTION ITEMS

2. Acceptance of the May 6, 2020 Finance & Administration Committee Minutes - Audrey McClanahan ([page 36](#))

Draft minutes of the May 6, 2020 Finance and Administration Committee meeting are included for review and acceptance.

3. Sale of General Obligation Refunding Bonds Series 2020A - Brian Scott ([page 45](#))

Following an annual review of the City's existing debt, it was determined it would be advantageous to the City to refund Series 2010B stormwater bonds to realize an estimated \$603,000 in interest. Wishing to capitalize on this benefit, Council recently authorized staff to proceed with preparing to issue the Series 2020A bonds which includes preparation of an Official Statement, a bond rating call with Standard & Poors and the preparation of other documents in advance of the anticipated bond sale on June 17.

4. Ordinance Regarding Vehicle Tows - Ben Hadley ([page 122](#))

Substantial revisions are being proposed to Chapters 325 and 330 of the Mission Municipal Code which regulate towing and impound services for Mission. These revisions update the Code to provide consistency with current state law and provide some degree of uniformity in Mission's Ordinances relating to tow and impound services with those of other northeast Johnson County municipalities.

5. Voter Engagement Strategy Resolution - Laura Smith ([page 139](#))

At the May 6, 2020 Finance & Administration Committee meeting, the Council discussed ways to increase voter registration, engagement and turn-out. Several information/educational reminders will be incorporated in the Mission Magazine and other periodic publications/social media platforms, and a Resolution promoting this idea has been prepared for Council consideration.

DISCUSSION ITEMS

OTHER

6. Department Updates - Laura Smith

Debbie Kring, Chairperson
Hillary Parker Thomas, Vice-Chairperson
Mission City Hall, 6090 Woodson St
913-676-8350

CITY OF MISSION

KANSAS

research presentation

June 3, 2020

Engagement Goals

- Define and develop an elevated brand for the City and its departments
- Identify communication strategies to drive revenue at the Community Center
- Develop updated, more relevant communication materials
- Evaluate current communication efforts to determine where change is necessary
- Balance the goals of residents, businesses, Council and staff in determining how, what and when we communicate
- Develop better message consistency
- Decentralize responsibility for communication throughout the organization

research

Our Process



Step 1: Listening tour

Step 2: Competitive and marketing audits

Step 3: Data analysis and interpretation

Step 4: Brand concepts and messaging

Step 5: Communication plan

What does success look like?

- Consistent brand and messaging
- Standardized processes across departments
- Fresh look, including a new logo
- New website
- Multi-channel communication strategies to reach all demographics
- Robust, engaging, relatable content
- Streamlined social media accounts

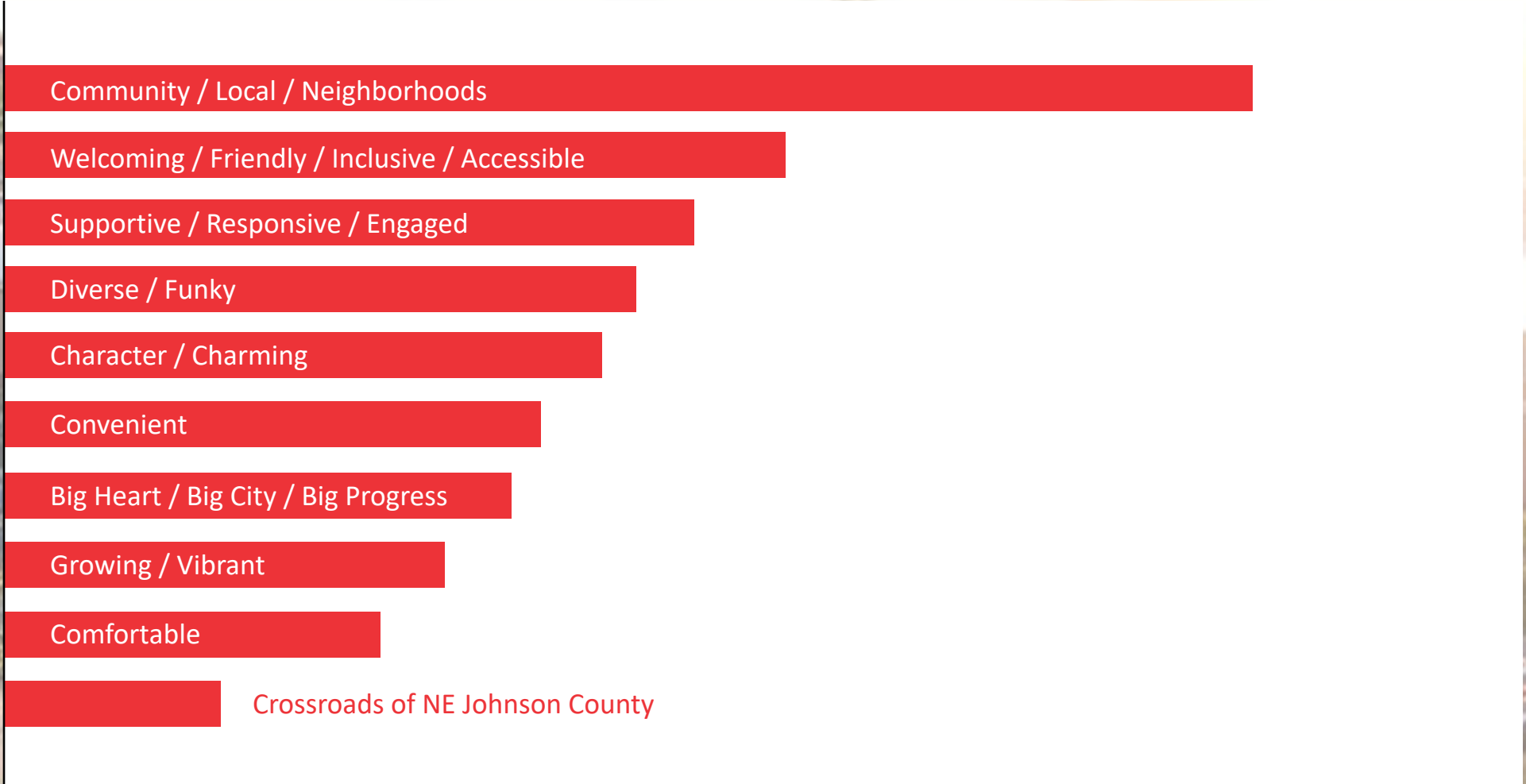
Research Brand perceptions

CITY OF MISSION
KANSAS



crux.

Research Brand perceptions



Research Brand perceptions

Most frequently cited negative perceptions:

1. Blends in / no distinct identity, boundaries or signage
2. Gateway delays
3. “Driveway tax”
4. Speed traps
5. Empty storefronts
6. Boring / lacks entertainment, restaurants
7. Fast-food capital of Kansas
8. Small
9. Stodgy / outdated
10. Old / retiree community

Research Why Mission?

- A good heart
- Location
- Diversity
- Walkability
- Safety
- Small-town feel in the middle of KC
- Evolution
- Community Center
- Plenty of parks and green space
- Vibrant downtown
- Great small businesses
- Something here for everyone
- Everything you need is right here

Research Communication



General Feedback:

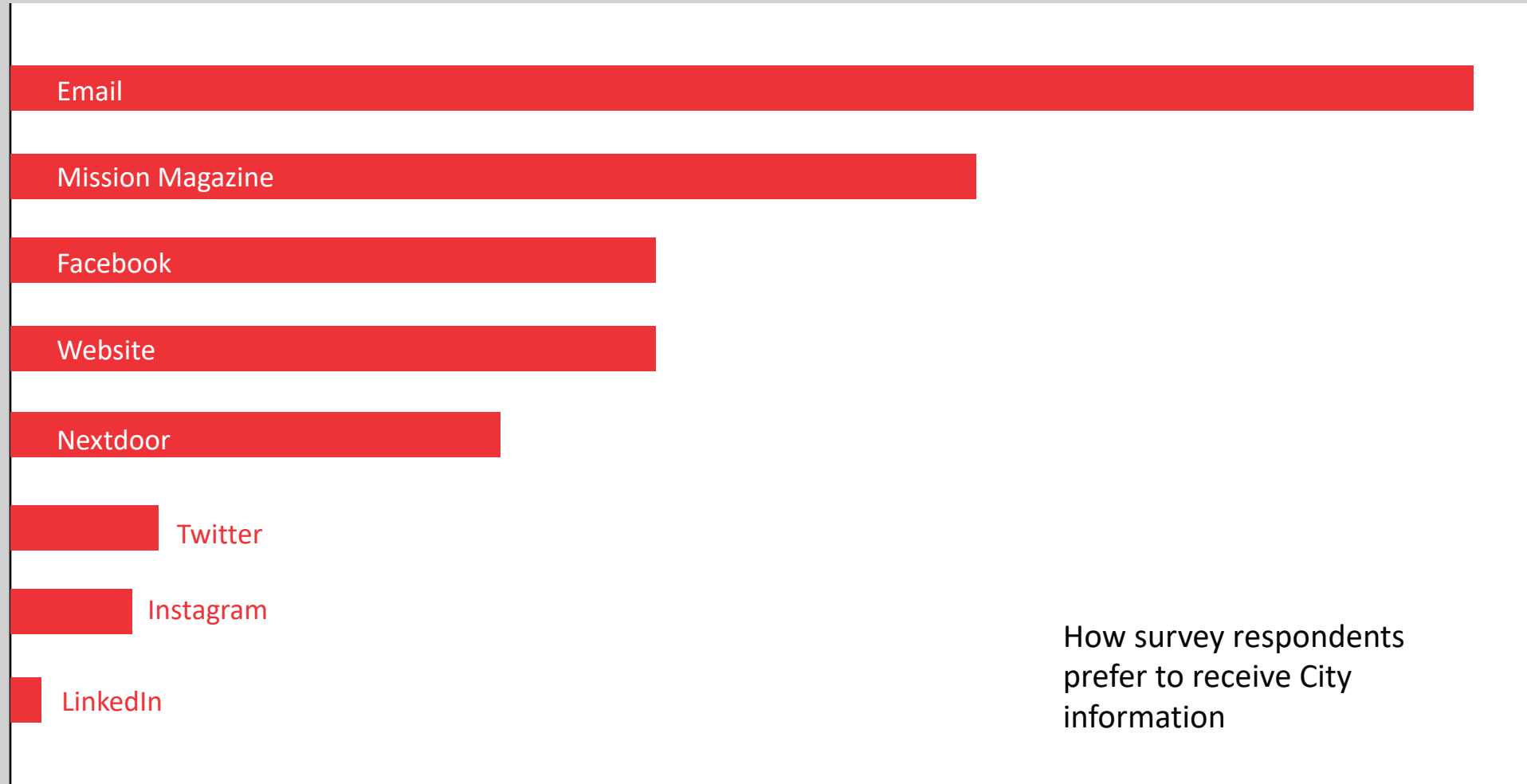
- Sincere intent to keep people informed
- Communicating the essentials well
- Staff time and resources are barriers
- Disjointed
- Lack of awareness of various communication avenues



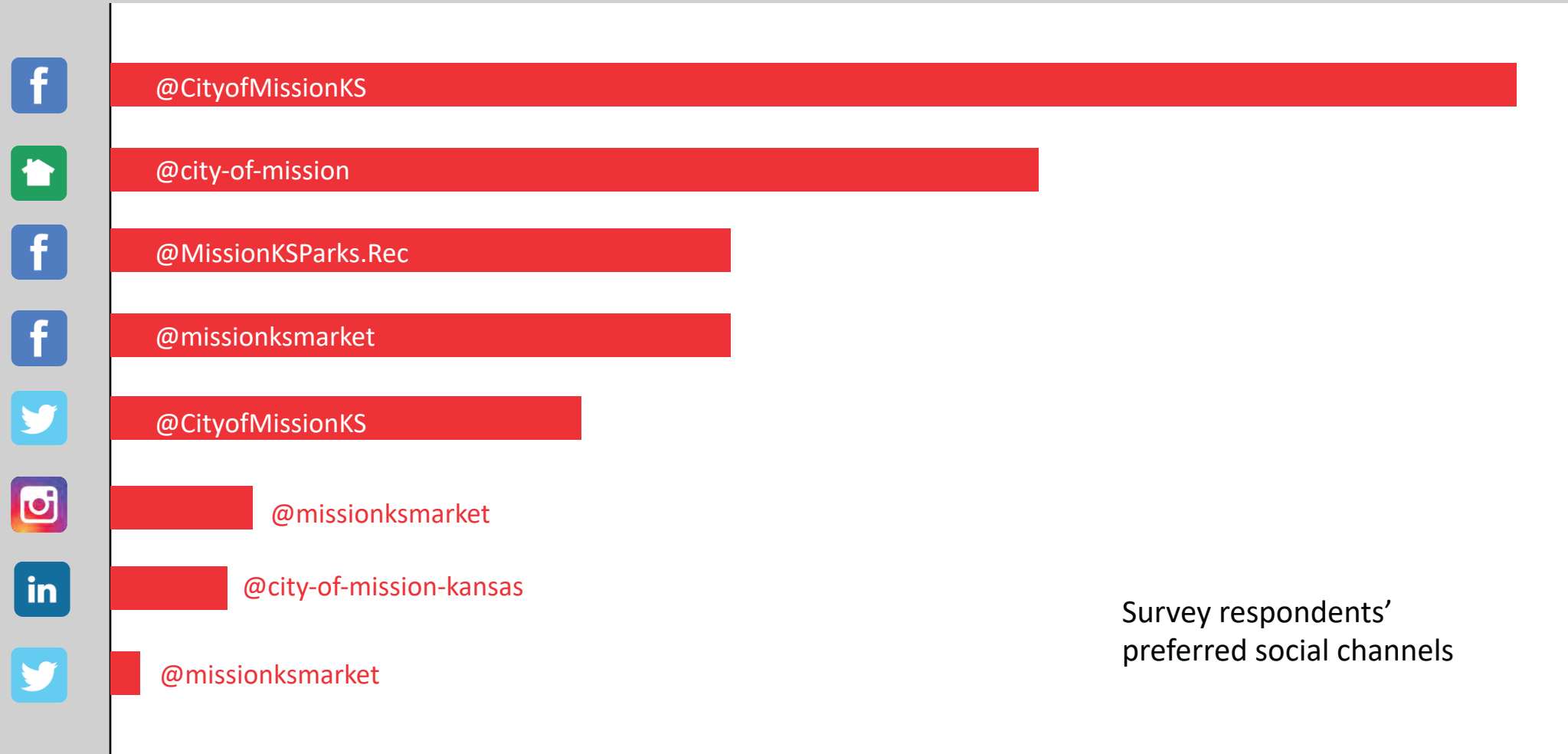
Wish List:

- Consistent brand, style, processes
- New website
- Highlight City staff and “wins”
- Help people understand role of City government
- More signage

Research Preferences



Research Preferences



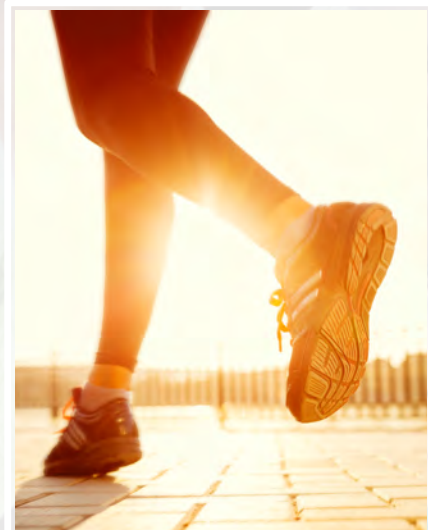
Survey respondents'
preferred social channels

Research Audience

CITY OF MISSION
KANSAS



Millennials, first-time home buyers, new professionals



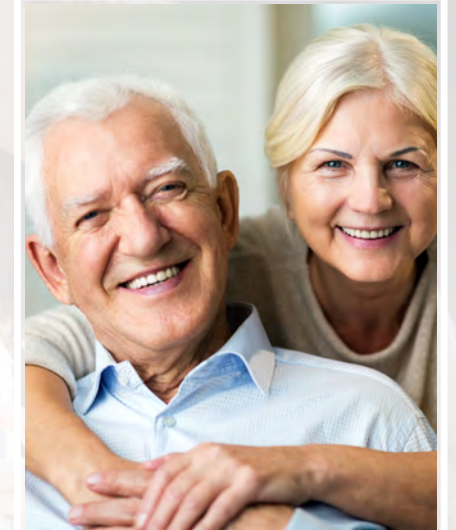
People who enjoy the outdoors



Entrepreneurs



Families



Older people, empty-nesters

crux.

Research Audience

CITY OF MISSION
KANSAS

- People who want personal service at small, unique shops vs. chain retail
- Businesses that want urban/suburban feel but can't afford Crossroads or Downtown OP

Basically, *EVERYONE*

crux.

competitive audit



PRAIRIE
VILLAGE
Star of Kansas



CITY OF SHAWNEE
KANSAS
1856



MERRIAM
just right.

MERRIAM
just right.



ROELAND
PARK
CITY OF KANSAS



The City Of **Prairie Village, Kansas**
The Star of Kansas

Jobs | E-Notification | Transparent PV | Contact Us

SEARCH

Discover Prairie Village | Resident Resources | Doing Business | Leisure and Lifestyle | City Government | How do I?

COVID-19 INFORMATION

Court Pay Online | Police Department | Streaming Videos | City Council

COVID-19
Learn more about local efforts to mitigate the spread of the coronavirus disease [READ MORE >>](#)





PRAIRIE VILLAGE, KANSAS

Meetings & Events | **Breaking News** | **Latest Tweets**

MAY 04 City Council Meeting

Arbor Day Honoree
Gavin Jeter is 2020 Arbor Day Honoree
The Prairie Village Tree Board has announced the 2020 Arbor

Social Media Engagement

	Prairie Village	Shawnee	Merriam	Roeland Park	City of Mission
	2,324	13,369	3,146	1,162	2,797
	1,088	3,734	495	65	-
	4,330	9,244	5,589	1,807	5,056
	816	201	355	-	208

Followers per social channel

marketing audit

Audit Brand Identity

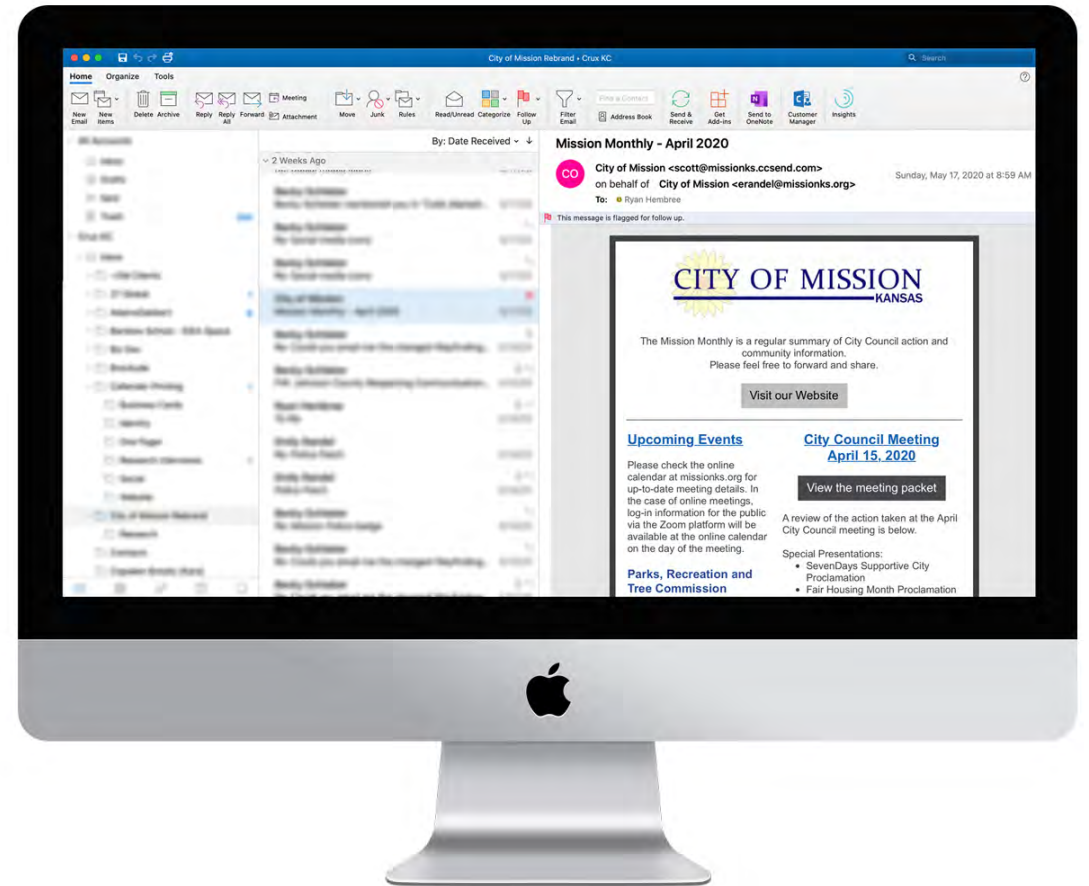
CITY OF MISSION
KANSAS



crux.

Audit Website + Email

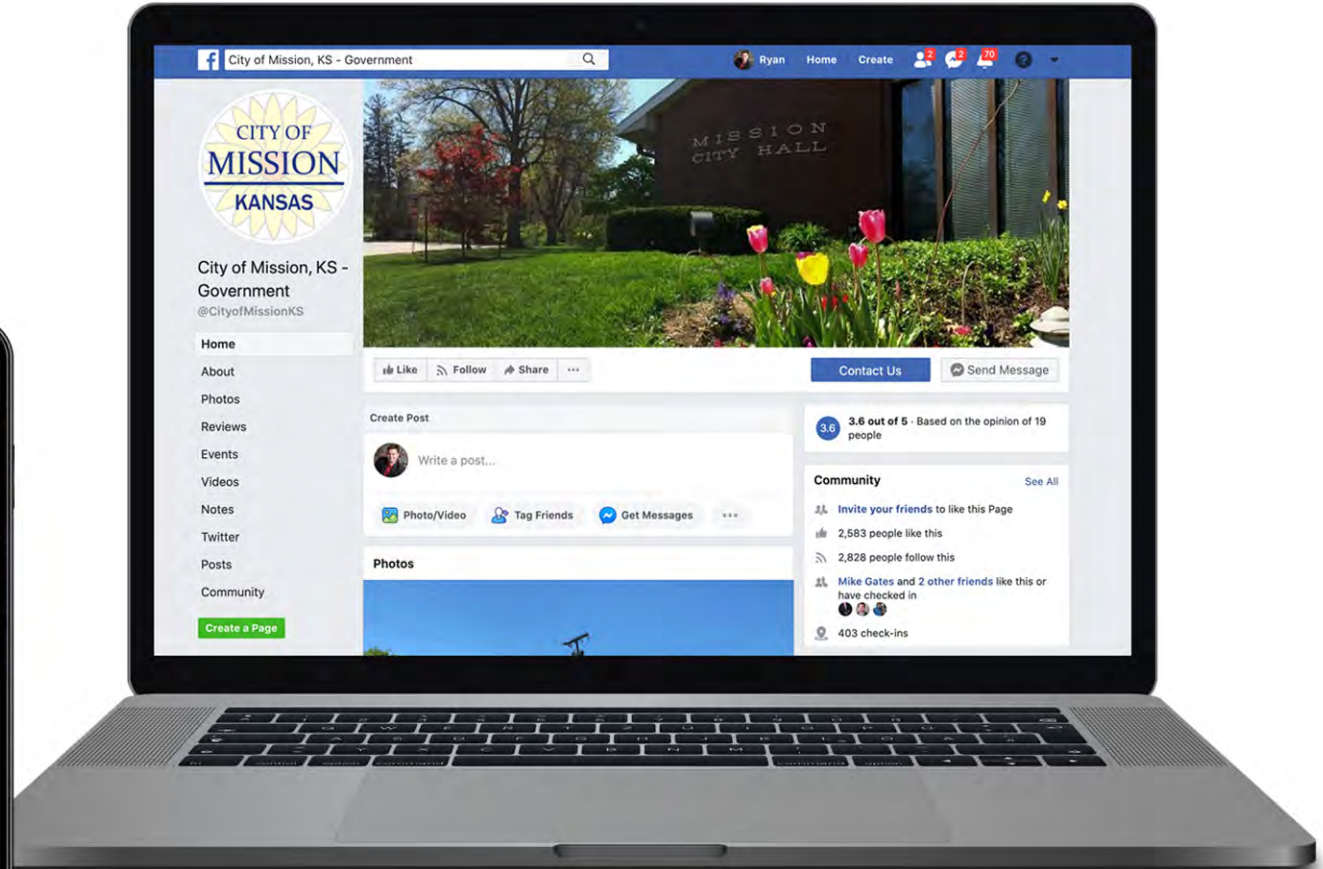
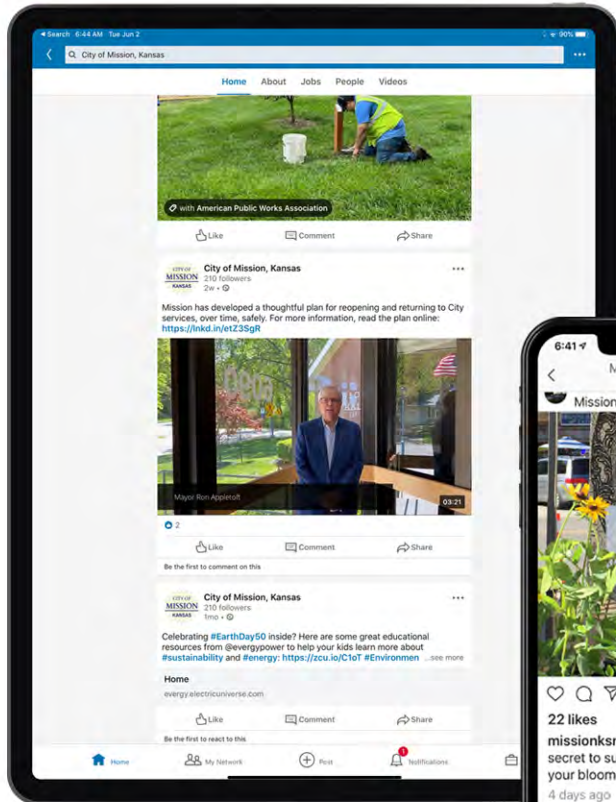
CITY OF MISSION
KANSAS



CRUX.

Audit Social Media

CITY OF MISSION
KANSAS



crux.

Audit Collateral

CITY OF MISSION KANSAS

CITY OF MISSION KANSAS

Neighborhood Grant Program

The City of Mission is committed to the preservation of the Neighborhood Grant Program provides up to \$500 for programs and activities that improve Mission residents' quality of life.

Program Information

- Grants are awarded on a first-come, first-served basis.
- All applications must be submitted before December 31st of the application year.
- All approved grant funds must be expended within 12 months of the application year.
- Groups hosting one event in the application year.
- Groups hosting two or more events in an application year.
- In some cases, those groups hosting only one event may be eligible for a grant if the grant amount is up to \$500. This determination will be made on a case-by-case basis.

Eligibility

1. Applicants must be representatives of an existing association, or a group of individuals who are organizing a neighborhood group that is eligible for the grant program. Each application must have a minimum of three members, fraternal or religious groups, university students, or other groups.
2. Projects must be initiated by residents living within the neighborhood boundaries.
3. Projects must be aimed at improving the condition of the neighborhood, or improving physical conditions of the neighborhood.
4. Neighborhood grants must be used for activities defined by neighborhood boundaries. Grant funds can be used for a variety of projects.
5. Neighborhood Services staff will attend neighborhood meetings to provide information and answer questions.
6. Please refer to the list below for example of eligible projects.

City of Mission
6090 Vandoren S
(TEL) 913-676-83

Updated: 2/11/20

2020 Community Rebate Program

The Community Rebate Program helps alleviate the tax burden on income-qualified Mission residents by returning a portion of collected fees and taxes each year. The program is funded annually by the City Council from the general fund. This year, \$20,000 in rebate assistance is available to the community.

- In 2020 homeowner rebates are available up to the amounts listed below.
- 60% of the Mission Solid Waste Utility Fee, and
 - 100% of Mission Property tax (excluding special assessments), and
 - 100% of Utility Franchise Fees.

Refunds are issued per household. Residents who rent in Mission are eligible for a rebate of utility franchise fees only.

Applications are due at City Hall by April 3rd, 2020 at 6 pm. Neighborhood Services staff will review all applications after this time. Rebates will be distributed as funds allow and all applicant checks will be mailed out after April 17th, 2020.

Eligibility

- You must be a current resident of Mission, Kansas
- You must be current on payment of your property tax
- You must meet the following income requirements

Income Requirements for Assisted Housing

Household Size	Maximum Total Household Income
1	\$26,550
2	\$33,150
3	\$37,250
4	\$41,350
5	\$44,700
6	\$48,050
7	\$51,350
8+	\$54,600

Application Instructions

- To apply for the program, submit the following to Neighborhood Services via email or fax:
- Completely fill out and sign the following application form
 - Submit proof of last year's income for all household members
 - Submit proof of last year's property tax
 - Submit copies or originals of your monthly bill for electric, gas, and water
 - If you include originals, we will make copies and return them to you
 - No documentation is needed for the Solid Waste Utility Fee

Questions? Contact Neighborhood Services
Mission City Hall, 6090 Vandoren S
(TEL) 913-676-8360, (FAX) 913-676-8361

CITY OF MISSION KANSAS

Mission Possible

Program Information

The Mission Possible Program was developed in 2006 to help eligible residents attain code compliance, improve the safety and appearance of their properties, and to begin the process of rehabilitating the City's aging housing stock. Financial assistance is provided to eligible homeowners as described below, based on maximum annual gross income (total income from whatever source before deductions or allowances-NOT net income).

People in Household	Tier 1 Max Gross Income	Tier 2 Max Gross Income	Tier 3 Max Gross Income
1	\$46,350	\$50,950	\$56,050
2	\$52,950	\$58,200	\$64,000
3	\$59,550	\$65,500	\$72,500
4	\$66,150	\$72,750	\$80,650
5	\$71,450	\$78,800	\$86,450
6	\$76,750	\$84,400	\$92,850
7	\$82,050	\$90,200	\$99,250
8	\$87,350	\$96,000	\$105,650

Instructions & Process

1. Homeowners must submit the following to Neighborhood Services Division in person, by email@missionks.org, or fax: (913)722-1415

- A completed application form
- A copy of all income sources for 2019 (see the attached sheet for details)
- A copy of your homeowner's insurance policy

2. Services staff will review your application to ensure that all the information has been completely filled out, received, and have met the requirements of the Mission Possible Grant. A staff member will notify you of your score and the status of your project to make sure it meets the program guidelines. Upon confirmation of the acceptance of your application and project, upon completion of the project, a check will be issued to the homeowner.

CITY OF MISSION KANSAS

2020 Stormwater Best Management Practices Program Requirements

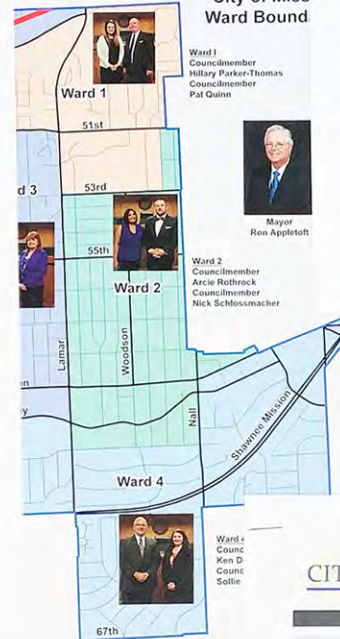
The City encourages individual homeowners and businesses to incorporate Stormwater Best Management Practices (BMPs) on their property to aid in the improvement of local and regional water quality. The program will reimburse applicants, up to 50% of eligible expenses, not to exceed a project reimbursement cap for the proper installation of the following best management practices:

Project Type	Project Reimbursement Cap
• Rain barrel	\$75.00 per barrel, up to two
• Native tree planting	\$150.00 per tree, up to two
• Rain garden	\$1,000
• Native planting stream buffer/swale	\$1,000

Program Applicant Conditions

1. The applicant shall be responsible for all project costs. The City of Mission will provide reimbursement after the costs have been incurred and receipts have been submitted to the City of Mission.
2. Funds will be distributed on a first come first served basis until all annual grant funds have been allocated.

City of Mission Ward Bound



Notice of Public Meeting

The City of Mission Finance and Administration Committee will consider a draft non-discrimination ordinance at their meeting on **November 14, 2018 at 6:30 p.m.** at Mission City Hall. The ordinance would provide uniform legal protection within the City of Mission prohibiting discrimination in employment, housing, and public accommodations on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. In addition, an ordinance would provide for the City to provide a formal action. The Committee will discuss whether to move on a formal action. The Committee will hear public comment and meeting materials (including the draft ordinance) meeting when the ordinance was initially discussed. Feedback online as well.

The City is providing mailed notice to Mission business owners, please feel free to contact us at 913-676-8350 | hsmith@missionks.org

Public Meeting Notice

The City of Mission is providing a venue for public feedback about the proposal to remove the planters on Hodges Drive at 61st Terrace, 62nd Street and 62nd Terrace. One of the planters was damaged during a police pursuit this year. Staff presented a recommendation to remove the planters at the September Community Development Committee meeting. This public meeting is available for public feedback to the recommendation. All are welcome.

Thursday, November 29, 2018 - 6:30 p.m.
Sylvester Powell, Jr. Community Center
6700 Mattway Street Mission, KS 66202

You may also submit feedback via phone or email to
Laura Smith, City Administrator
913-676-8352 | hsmith@missionks.org

What does Mission's 2016 budget mean for you and your family?

Paying for Street Improvements

The City will not be increasing the Transportation Utility Fee in 2016. Instead, the same amount of total money will be generated through a 7 mill property tax. This will allow the City to continue repairing and replacing residential streets throughout Mission. The effect of this change will vary for each individual homeowner depending on the value of their home, but most will pay slightly more.

Paying for Stormwater Improvements

The 2016 budget includes a \$5 per month increase in the City's stormwater utility, which pays for infrastructure that prevents flood damage to buildings throughout the City.

For a single-family home worth \$150,000, the monthly property tax changes...

- \$6 (no transportation utility fee)
- + \$10 (new street property tax)
- + \$5 (stormwater utility fee increase)

+ \$9 total increase each month

In 2016, this home will pay a total of \$68 each month, or \$2.25 each day to the City for all of the services listed below.

When a Mission family looks at a dollar of their property taxes, here is how it is divided among all of the services the City provides:



crux.

Audit Collateral

CITY OF MISSION KANSAS



Audit Mission Magazine

CITY OF MISSION
KANSAS



crux.

Audit Marketing Collateral



Audit Signage + Wayfinding



next steps

Next Steps Year 1 Goals

- Launch refreshed brand
- Create + streamline internal communication processes
- Increase engagement across web, email, social media
- Increase Parks & Recreation registrations

Next Steps

- Define Crux + City staff roles and responsibilities
- Develop communication + creative strategy
- Work with City staff to implement the plan
- Measure results
- Present 30-60-90-day plan – *Week of June 22, 2020*
- Present brand concepts – *Week of June 29, 2020*
- Maintain ongoing communication

questions?

CITY OF MISSION

KANSAS

Thank you!

City of Mission	Item Number:	2.
ACTION ITEM SUMMARY	Date:	June 3, 2020
Administration	From:	Audrey McClanahan

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

RE: May 6, 2020 Finance & Administration Committee Minutes.

RECOMMENDATION: Review and accept the May 6, 2020 minutes of the Finance & Administration Committee.

DETAILS: Minutes of the May 6, 2020 Finance & Administration Committee meeting are presented for review and acceptance. At the committee meeting, if there are no objections or recommended corrections, the minutes will be considered accepted as presented.

Draft minutes are linked to the City Council agenda packet so that the public may review the discussion from the committee meeting in advance of the Council action on any particular item.

CFAA CONSIDERATIONS/IMPACTS: N/A

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

MINUTES OF THE MISSION FINANCE & ADMINISTRATION COMMITTEE

May 6, 2020

The Mission Finance & Administration Committee met virtually via ZOOM on Wednesday, May 6, 2020 at 6:30 p.m. The following committee members were present: Hillary Thomas, Trent Boultinghouse, Arcie Rothrock, Nick Schlossmacher, Debbie Kring, Kristin Inman, Sollie Flora and Ken Davis. Mayor Appletoft was also in attendance. Councilmember Flora called the meeting to order at 6:30 p.m.

Also present were City Administrator Laura Smith, Assistant City Administrator Brian Scott, City Clerk Audrey McClanahan, Assistant to the City Administrator Emily Randel, Public Works Director Celia Duran, Public Works Superintendent Brent Morton, Parks & Recreation Director Penn Almoney, Neighborhood Services Officer Rebecca Brown and Municipal Court Clerk Amberley Bard.

Public Comments

There were no public comments.

Public Presentations

There were no public presentations.

Presentation and Approval of 2019 Audit

Mr. Scott presented the financial audit for the year ending on December 31st, 2019 for approval from the Committee. This audit was performed by Berberich Trahan & Company, P.A., Certified Accountants (BT&Co.). Mr. Scott thanked Accounting Manager Debbie Long for her assistance with the audit as well as her hard work on the City's yearly financial transactions. Stacey Hammond, Audit Director, and Emily Sheldon, Audit Manager, for BT&Co joined to present the report.

Ms. Hammond began by sharing their responsibilities as auditors to follow the generally accepted auditing standards accepted in the United States of America, the Kansas Municipal Audit and Accounting Guide. Those standards require the auditors to perform procedures in order to obtain reasonable assurance about whether the financial statements of the City are free from material misstatement. Hammond informed that their procedures included examining evidence supporting the amounts and disclosures in the financial statements. They also reviewed the City's accounting principles and significant estimates made by management as well as evaluated the overall financial presentation. She was pleased to announce that the financial statements of the City are presented fairly and in accordance with generally accepted accounting principles.

BT&Co issued a “clean” or unqualified audit opinion for the period ending December 31, 2019, which is the best opinion the City can receive. The audit team also highlighted two new accounting standards which were implemented in connection with the 2019 audit:

1. The City adopted the provisions of Governmental Accounting Standards Board Statement No. 84: Fiduciary Activities. This resulted in new guidance for identifying fiduciary activities for accounting and financial reporting purposes that resulted in the name change of certain funds from agency funds to custodial funds.
2. The City adopted the provisions of Governmental Accounting Standards Board Statement No. 88: Certain Disclosures Related to Debt, Including Direct Borrowings and Direct Placements. This resulted in a clear labeling of direct borrowings disclosed in the notes to the financial statements.

The audit concluded that the City’s significant accounting estimates, for the year, were reasonable. There were no disagreements with management and BT&Co did not encounter any difficulties during the auditing process. Hammond noted the City was very cooperative and transparent. Hammond thanked Brian Scott and staff for the hard work and preparation for the audit.

Councilmember Davis recommended the audited financial statements for the year ending December 31, 2019 be forwarded to Council for approval. Ms. Smith recommended it be presented as a regular agenda item to highlight the strong financial position of the City. All on the Committee agreed this will be a non-consent agenda item.

**Acceptance of the April 8, 2020
Finance and Administration Committee Minutes**

Minutes of the April 8, 2020 Finance and Committee Meetings were provided to the committee. There being no objections or corrections, the minutes were accepted as presented.

GO Refunding Bonds, Series 2020A

Mr. Scott presented on the General Obligation (GO) Refunding Bonds - Series 2020A recommending that staff be authorized to proceed with preparing an offering for sale of general obligation refunding bonds in the amount of \$6,395,000.

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. In coordination with debt service on the City’s Series 2010A Bonds, the Series 2010B Bonds are structured in such a manner that the City pays interest only for the first nine years, then pays interest and principal in years 2020 through 2029. The interest rate on the bonds varies between 4% and 4.25%. The Series 2010B Bonds have a prepayment option that can be exercised by the City in September of 2020 whereby the City can refinance \$6,250,000 of the principal. This amount reflects the balance after the first principal payment of \$695,000 is made on September 1st.

The municipal bond market has been in a very favorable environment for the past year with the market for high quality municipal bonds becoming even more favorable in light of the current economic situation resulting from the coronavirus pandemic. Given this situation, it would be advantageous for the City to exercise the prepayment option on its Series 2010B Bonds by issuing Series 2020A GO Refunding Bonds in the amount of \$6,395,000 with the same maturity date of 2029. Ehlers, Inc. estimates that the new issue would have a true interest cost of approximately 1.52%, which would reduce the City's net interest cost over the remaining nine year life of the bonds (2020-2029) by approximately \$603,000.

The City will also engage in a review of its AA+ credit rating with Standard & Poors, and the City will solicit bids from the market for the sale of the bonds. Because the actual date for the recall of the 2010B GO Refunding Bonds is September 1st, the placement of the proceeds for payment of the recall must occur within 90 days of September 1. The actual sale of the bonds would be approved by the Council at the June 17, 2020 regular meeting with closing of the sale occurring on July 9.

Bruce Kimmel with Ehlers, Inc. and Kevin Wempe with Gilmore Bell, P.C. participated virtually to present further on this matter.

Bruce Kimmel addressed the bond report with the following information:

- Most of the 2010 B bonds' principal has been deferred while paying on other stormwater debt
- Can refinance at a lower rate because the coupons on the bonds are at 4-4.25%, which is higher than the current market rates
- There might be a possibility to have this deemed bank qualified, this might prove beneficial because if you have multiple banks bidding then they more than likely will provide a better interest rate
- The City's credit rating is excellent at a AA+ with no anticipated changes
- June 17th, City Council meeting, would award the bid to the winner

Councilmember Kring thanked Kimmel for bringing continuity to the project and is glad to have him on board.

Councilmember Boultinghouse thanked Kimmel as well and asked whether it was common for bonds to not have the principal being paid on in the first ten years and if there was a particular reason behind this practice. Ms. Smith responded generally the City seeks to structure debt over no more than a 10-year term with level debt service. However, there was a period of time from 2007-2010 that the City was creative in structuring stormwater debt, primarily because of the amount being financed. The debt was extended for a longer period of time, which is not uncommon for stormwater infrastructure which has a longer life, and level debt service was achieved over a number of separate issues rather than in each individual issue, to have a consistent, predictable debt payment while avoiding peaks and valleys.

Councilmember Davis recommended the proposed resolution authorizing staff to proceed with preparing an offering for sale of general obligation refunding bonds in the amount of \$6,395,000

(Series 2020A) be forward to Council for approval. All on the Committee agreed, this will be a non-consent agenda item.

Purchase of Municipal Court Software

Mr. Scott presented on the purchase of new software for the City's Municipal Court. For nearly 20 years, the City has used a Microsoft Access database to manage court cases. This program was created by a computer science professor at Johnson County Community College for several municipal courts in the late 1990s and early 2000s. This individual has helped in maintaining the program over the years, but recently retired and moved out of the area. No one is readily available to step in and maintain the program going forward. In addition, the program has become plagued with functional issues over the years. The amount of data in the system causes the software to crash frequently. While the City has been able to do some updates, it has not been a solution to the problems. The database software and all desktop computers were upgraded a few years ago. The upgrade helped to alleviate some of the functional problems, but others still persist. This system is not a reliable long-term option for the Municipal Court.

Staff began researching new court case management software programs over a year ago and participated in site observations to garner an initial understanding of the features of various software programs that are available. Following the request for proposals, an internal selection committee including the Municipal Court Clerk, the City Clerk, the Accounting Manager and the Assistant City Administrator evaluated the three firms selected. They assessed the programs by looking at the visual layout and ease of moving through the software, ability to access data, functionality, ability to set-up and customize specific operations, etc.

The selection committee recommends Tyler Technologies for the City's Municipal Court case management software system for a one-time set-up and implementation fee of \$69,753. Although Tyler is more expensive than the other vendors, the selection committee believes there is more added value within Tyler Technologies' program. Some of these benefits include on-line capabilities for defendants, paperless environment through the court process, ability for a defendant to check court cases/status updates online and send payments. They also have the opportunity of a possible virtual court platform and phone in to meet the Judge. Tyler is being utilized in many other cities in Kansas which provides easy access to training and support.

Tyler's initial set-up cost for their software is quoted at \$69,753 or \$34,753 over the current project budget of \$35,000. Staff is proposing to utilize \$20,000 from the court's Alcohol and Drug Safety Fund (ADSAP Fund) to cover the majority of the additional expense. This program is no longer active and the fund is dormant, but the funds may only be spent on court-related expenses. The balance of \$14,753 is recommended to come from the General Fund through anticipated savings in the Municipal Court budget. In addition, to the initial set-up fee, there will be a reoccurring maintenance fee of approximately \$8,500. This fee covers updates to the software, technical support, and general maintenance. There is \$10,000 currently budgeted for computer maintenance in the Municipal Court budget that will cover this ongoing cost.

Councilmember Schlossmacher asked why the City is not going with a cloud based solution and was concerned about not having an IT department to maintain the servers. Mr. Scott explained

that the cloud based option upfront looked cheaper, however, the ongoing maintenance fees over the course of 4-5 years would exceed the on-server solution. He added that the servers are part of the contract we have for maintenance and upgrade with Johnson County Department of Technology and Innovation (DTI).

Councilmember Flora had concerns about the City's court population and the online platform. Mr. Scott affirmed that the online platform will be something the City evolves into overtime and didn't anticipate it being completely an electronic environment.

Councilmember Flora also questioned about the fees associated with the online platform. Mr. Scott confirmed that if a defendant uses the online system to pay a fine then there would be a convenience fee with that transaction. Also, Tyler has the option, through an automated application, to contact a defendant regarding upcoming court dates with the applicable service charge.

Councilmember Davis thanked the staff for all their work researching and determining the right Municipal Court software and recommended the purchase of a municipal court case management software program from Tyler Technologies for a one-time set-up fee of \$69,753 be forward to Council for approval. All on the Committee agreed, this will be on the consent item agenda.

Gateway Redevelopment Agreement Amendment #3

Ms. Smith presented on the Third Amendment to the Third Amended and Restated Redevelopment Agreement for the Mission Gateway Project. In October 2017, the City approved the Third Amended and Restated Redevelopment Agreement for the Mission Gateway Project. In October 2019, as a result of the project's evolution, the City Council approved a First Amendment to the 2017 Redevelopment Agreement.

The First Amendment served a crucial role in reconciling the current project to the 2017 Agreement, and was required before the City could consider proceeding with any other actions concerning the issuance of Special Obligation Bonds for the project. The Amendment also required the Developer to commit a substantial portion of construction costs from private funding before the release of any bond proceeds.

Following adoption of the First Amendment, progress toward a special obligation bond issue continued. It was originally anticipated that the bonds could be marketed prior to the end of 2019, but ultimately the holidays and year-end forced a decision to delay issuance and marketing until after the first of the year.

The First Amendment (2019) specifically named two lenders for the project's financing, Bank OZK and The Carlyle Group. In January 2020, the Developer made a decision to move away from The Carlyle Group and finalized a term sheet with Cottonwood Capital. This decision necessitated a Second Amendment to the Redevelopment Agreement to reflect the change in lender, and that amendment was approved at the March 18, 2020 City Council meeting.

In reviewing the Second Amendment upon execution, the Developer's attorney discovered an

error in the amount/order of contributions between the two private lenders, and a Third Amendment is now required to correct the documents. Similar to the Second Amendment, this Third Amendment does not impact any of the project components or timelines and once the loans are finalized and the Bonds issued, the Developer will have all funds necessary to complete the entire project. The Third Amendment will be complete with the approval of the Resolution.

Councilmember Davis recommended the Third Amendment to Third Amended and Restated Redevelopment Agreement for the Mission Gateway Project be forward to Council for approval. He stated that this should be a consent item since this mainly entails editing and correcting the document. All on the Committee agreed, this will be on the consent item agenda.

Discussion Items

Voter Engagement Strategies

Ms. Smith stated that Councilmember Boultinghouse reached out, after attending the National League of Cities' Conference, regarding possible voter engagement strategies including increasing voter registration and turnout in elections.

Councilmember Boultinghouse thanked Ms. Smith and the Committee for allowing him to present on this subject. He stated that he assessed the last two elections and found that Ward 1, which has two precincts, had the lowest voter turnout. In the 2018 midterm, their percentage was at a 45% turnout in relation to the 63% turnout for the rest of the City. He attended a workshop 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 gave him some ideas that he felt were worth discussing at a Council Committee meeting.

Several of the ideas discussed were:

- Provide voter registration information (a link to Johnson County Election Office's registration page and voter registration deadlines) in all city mailers and communication materials. The example given at the workshop was a municipality that included voter registration information on a monthly sewer bill that was mailed to residents. The Mission Magazine is currently the only thing mailed to all households in the City, and this information could easily be included as an "evergreen" feature in the City newsletter portion. If this is something that we want to pursue, Crux could keep an eye on opportunities as they complete their audits and research.
- Pass a resolution setting a goal for the City to increase voter turnout, potentially in conjunction with the #1 item above. The NLC has a page listing several cities that have identified this as a priority. There are more examples and tangible items (such as Ward contests, etc) that can be explored further.
- Conduct a city-wide campaign (perhaps with Crux) to encourage residents to take advantage of the county's vote-by-mail option

This issue is very personal for Councilmember Boultinghouse as he believes that it is his responsibility as a newer councilmember to meet residents where they are and make it as easy as possible to participate in the electoral process, especially for the large renter population residing in Ward I.

Councilmember Davis commented that this was a good idea but wondered how this would be operationalized and how it would be moved forward to Council action. Ms. Smith stated that as far as an “evergreen” approach this could be included in the Newsletter or Mission Magazine. She added that as plans are developed with Crux, the City can look at how this information can be easily made available through social media platforms. A Resolution could be drafted to proceed as an action item. She clarified that any friendly competitions would be left up to the discretion of the Council.

Councilmember Inman thanked Councilmember Boultinghouse for bringing this item up and thought this could also be used to address encouraging people to complete the Census.

Councilmember Thomas thanked Councilmember Boultinghouse and appreciated the idea of tying this in with advanced ballots in regards to the COVID-19 situation. This might help encourage those that are nervous about heading to the polls to still participate in upcoming elections.

Councilmember Schlossmacher stated that it was a good idea to put this information out through the Magazine as well as social media channels. He commented that the Johnson County Election Office does a great job at making resources available. He thought it was important to balance resources and time with the margin of return.

Councilmember Flora commented she would like to move forward with a Resolution.

Ms. Smith confirmed with the Committee that this would be addressed as a Resolution in an action item for the June agenda.

Selection of Committee Chair and Vice Chair

Ms. Smith announced that the election of the Council Community Development Committee Chair and Vice Chair would take place in accordance with Section 130.010 (B) of the City’s Municipal Code, “On an annual basis, on or before the first June Council meeting, the City Council shall vote to elect the chairperson and vice chairperson of the Finance and Administration Committee and the Community Development Committee,” which will be appointed for one year. She stated that this was put on as a discussion item, to address any questions or interest in the roles. This item will be considered under “New Business” on the May 20, 2020 City Council agenda.

Councilmember Davis commented that with his past experience as a new member of Council that he found it helpful to be a part of a Committee in a leadership role. He commented that both of the Chairs currently serving have done an excellent job and thought there might be an opportunity for Councilmember Boultinghouse to step into a position. Councilmember Davis

stated he would take his name out of consideration as a possible candidate, and added that he thought it was a good idea to have a balance among the Wards.

Councilmember Thomas agreed with Councilmember Davis and stated she would be happy to step down as Chair of the Community Development Committee. She commented that Councilmember Boultinghouse would do a great job and that she would be interested in being involved with the Finance and Administration Committee.

Councilmember Flora stated she was happy to continue on in a Committee leadership role, but would encourage other members seeking the opportunity as well.

Councilmember Boultinghouse stated he would like to be considered for a leadership position in the Community Development Committee.

OTHER

Department Updates

There were no departmental updates.

Meeting Close

There being no further business to come before the Committee, the meeting of the Finance and Administration Committee adjourned at 7:36 p.m.

Respectfully submitted,

Audrey M. McClanahan

Audrey M. McClanahan
City Clerk

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	June 3, 2020
Administration	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.

In coordination with debt service on the City's Series 2010A Bonds, the Series 2010B Bonds are structured in such a manner that the City pays interest only for the first nine years, then pays interest and principal in years 2020 through 2029. The interest rate on the bonds varies between 4% and 4.25%. The Series 2010B Bonds have a prepayment option that can be exercised by the City in September of 2020 whereby the City can refinance \$6,250,000 of the principal. This amount reflects the balance after the first principal payment of \$695,000 is made on September 1st.

The municipal bond market has been in a very favorable environment for the past year as demonstrated by a \$3.4 million GO bond issuance that the City conducted last August resulting in a true interest cost (TIC) of 1.73%. The market for high quality municipal bonds has become even more favorable in light of the current economic situation resulting from the coronavirus pandemic.

Given this situation, it would be advantageous for the City to exercise the prepayment option on its Series 2010B Bonds by issuing Series 2020A GO Refunding Bonds in the amount of \$6,250,000 with the same maturity date of 2029. The City's public financial advisor estimates that the new issue would have a TCI of approximately 1.52%, which would reduce the City's net interest cost over the remaining nine year life of the bonds (2020-2029) by approximately \$603,000.

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

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

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	June 3, 2020
Administration	From:	Brian Scott

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

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 will be circulated early next week, and will be updated with the specific details following receipt of the bids, and will appear on the June 17th City Council agenda for Council consideration. 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. If acceptable to the City Council, the sale of the 2020A GO Refunding Bonds will close on July 9th. The 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) is under final review and will be distributed as soon as it becomes final.

The City will participate in a rating call with Standard & Poor's during the first week of June. The rating report will be shared as soon as it becomes available.

CFAA CONSIDERATIONS/IMPACTS: N/A

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

May 22, 2020

Revised Pre-Sale Report for

City of Mission, Kansas

\$6,250,000 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

Executive Summary of Proposed Debt

Proposed Issue:	\$6,250,000 General Obligation Refunding Bonds, Series 2020A
Purposes:	<p>The proposed issue includes financing to current refund the City's Series 2010B Bonds for interest cost savings.</p> <p>The 2010B issue has a callable principal balance of \$6,250,000. Interest rates on the obligations proposed to be refunded are 4.00% to 4.25%. The refunding is expected to reduce the City's net interest expense by approximately \$661,000 over the next 9 years. The present value benefit of the refunding is estimated to be approximately \$629,000, equal to 10.07% of the refunded principal.</p> <p>This is a current refunding as the 2010B Bonds are callable on September 1, 2020, which is within 90 days of the date of issue of the 2020A Bonds.</p>
Authority:	The Bonds are being issued pursuant to K.S.A. 10-427 et seq. The Bonds will be general obligations of the City for which its full faith, credit and taxing powers are pledged.
Term/Call Feature:	<p>The Bonds are being issued for a 9-year term. Principal on the Bonds will be due on September 1 in the years 2021 through 2029. Interest is payable every six months beginning March 1, 2021.</p> <p>The Bonds will be subject to prepayment at the discretion of the City on September 1, 2027 or any date thereafter.</p>
Bank Qualification:	Because the 2020A Bonds will refund the 2010B Bonds, which were designated bank qualified when issued, the City can designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.
Rating:	The City's most recent bond issues were rated AA+ / Stable by Standard & Poor's. The City will request a new rating for the Bonds.
Basis for Recommendation:	The proposed general obligation issue is expected to yield the lowest possible interest cost while also preserving future prepayment flexibility. Moreover, the competitive sale approach described below is consistent with the City's historical debt issuance practices, as well as best practices published by the Governmental Finance Officers Association.

<p>Method of Sale/Placement:</p>	<p>We will solicit competitive bids for the purchase of the Bonds from regional and national bond underwriters and banks.</p> <p>We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.</p>
<p>Premium Pricing:</p>	<p>In some cases, investors in municipal bonds prefer “premium” pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered “reoffering premium.” The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or “discount”) but will pay the remainder of the premium to the City. The amount of the premium varies, but it is not uncommon to see premiums for new issues in the range of 2.00% to 10.00% of the face amount of the issue. This means that an issuer with a \$2,000,000 offering may receive bids that result in proceeds of \$2,040,000 to \$2,200,000.</p> <p>For this Bond issuance, any net premium received will be used to reduce the size of the issue. The resulting adjustments may slightly change the true interest cost of the issue, either up or down.</p>
<p>Review of Existing Debt:</p>	<p>We have reviewed all outstanding indebtedness for the City and find that, other than the obligations proposed to be refunded by the Bonds, there are no other refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the City’s outstanding debt and will alert you to any future refunding opportunities.</p>
<p>Continuing Disclosure:</p>	<p>Because the City has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the City will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the “MSRB”), as required by rules of the Securities and Exchange Commission (SEC). The City is already obligated to provide such reports for its existing bonds and has contracted with Ehlers to prepare and file the reports.</p>
<p>Arbitrage Monitoring:</p>	<p>Because the Bonds are tax-exempt obligations, the City must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How issuers spend bond proceeds and how they track interest</p>

	earnings on funds (arbitrage / yield restriction compliance) are common subjects of IRS inquiries. Your specific responsibilities will be detailed in the Arbitrage Certificate prepared by your Bond Attorney and provided at closing. You have retained Ehlers to assist you with compliance with these rules.
Risk Factors:	The Bonds are being issued for the purpose of current refunding existing City debt obligations. Those prior debt obligations are callable as of September 1, 2020 and can therefore be redeemed within 90 days of the Series 2020A issuance. This refunding is being undertaken based in part on an assumption that the City does not expect to have surplus revenues available to pay off the existing debt and that market conditions warrant the refinancing at this time.
Other Service Providers:	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a firm to provide a service, we have assumed that you will continue that relationship. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but final fees may vary. If you have any questions pertaining to the identified service providers or their role, please contact us.</p> <p>Bond Counsel: Gilmore & Bell, PC</p> <p>Paying Agent: State of Kansas - Office of the State Treasurer</p> <p>Rating Agency: Standard & Poor's Global Ratings (S&P)</p>

Proposed Debt Issuance Schedule

Pre-Sale Review by Finance & Administration Committee:	May 6, 2020
Pre-Sale Review by City Council:	May 20, 2020
Due Diligence Call to review Official Statement:	Week of June 1, 2020
Distribute Official Statement:	Week of June 1, 2020
Conference with Rating Agency:	Week of June 1, 2020
City Council Meeting to Award Sale of the Bonds:	June 17, 2020
Estimated Closing Date:	July 9, 2020
Redemption Date for Series 2010B Bonds:	September 1, 2020

Attachments

- Estimated Sources and Uses of Funds
- Estimated Proposed Debt Service Schedule
- Estimated Debt Service Comparison

Ehlers Contacts

Municipal Advisors:	Bruce Kimmel	(651) 697-8572
	Chris Mickelson	(651) 697-8556
	Nick Anhut	(651) 697-8507
Disclosure Coordinator:	Jen Chapman	(651) 697-8566
Financial Analyst:	Alicia Gage	(651) 697-8551

The Preliminary Official Statement for this financing will be sent to City Councilmembers at their home or email addresses for review prior to the sale date.

City of Mission, Kansas

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

Proposed Current Refunding of Series 2010B

Assuming Current GO BQ "AA" Market Rates

Sources & Uses

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

Sources Of Funds

Par Amount of Bonds	\$6,250,000.00
Reoffering Premium	144,052.35
Total Sources	\$6,394,052.35

Uses Of Funds

Total Underwriter's Discount (1.200%)	75,000.00
Costs of Issuance	68,000.00
Deposit to Current Refunding Fund	6,250,000.00
Rounding Amount	1,052.35
Total Uses	\$6,394,052.35

City of Mission, Kansas

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

Proposed Current Refunding of Series 2010B

Assuming Current GO BQ "AA" Market Rates

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+	Fiscal Total
07/09/2020	-	-	-	-	-
03/01/2021	-	-	70,460.64	70,460.64	-
09/01/2021	1,130,000.00	2.000%	54,667.74	1,184,667.74	1,255,128.38
03/01/2022	-	-	43,367.74	43,367.74	-
09/01/2022	1,170,000.00	2.000%	43,367.74	1,213,367.74	1,256,735.48
03/01/2023	-	-	31,667.74	31,667.74	-
09/01/2023	460,000.00	2.000%	31,667.74	491,667.74	523,335.48
03/01/2024	-	-	27,067.74	27,067.74	-
09/01/2024	470,000.00	2.000%	27,067.74	497,067.74	524,135.48
03/01/2025	-	-	22,367.74	22,367.74	-
09/01/2025	1,085,000.00	2.000%	22,367.74	1,107,367.74	1,129,735.48
03/01/2026	-	-	11,517.74	11,517.74	-
09/01/2026	670,000.00	1.200%	11,517.74	681,517.74	693,035.48
03/01/2027	-	-	7,497.74	7,497.74	-
09/01/2027	670,000.00	1.150%	7,497.74	677,497.74	684,995.48
03/01/2028	-	-	3,645.05	3,645.05	-
09/01/2028	295,000.00	1.200%	3,645.05	298,645.05	302,290.10
03/01/2029	-	-	1,875.03	1,875.03	-
09/01/2029	300,000.00	1.250%	1,875.03	301,875.03	303,750.06
Total	\$6,250,000.00	-	\$423,141.42	\$6,673,141.42	-

Yield Statistics

Bond Year Dollars	\$26,827.78
Average Life	4.292 Years
Average Coupon	1.5772511%
Net Interest Cost (NIC)	1.3198599%
True Interest Cost (TIC)	1.3137542%
Bond Yield for Arbitrage Purposes	1.0266331%
All Inclusive Cost (AIC)	1.5784308%

IRS Form 8038

Net Interest Cost	1.0201481%
Weighted Average Maturity	4.279 Years

City of Mission, Kansas

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

Proposed Current Refunding of Series 2010B

Assuming Current GO BQ "AA" Market Rates

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
09/01/2020	-	(1,052.35)	-	1,052.35
09/01/2021	1,255,128.38	1,255,128.38	1,331,331.26	76,202.88
09/01/2022	1,256,735.48	1,256,735.48	1,333,131.26	76,395.78
09/01/2023	523,335.48	523,335.48	598,131.26	74,795.78
09/01/2024	524,135.48	524,135.48	595,731.26	71,595.78
09/01/2025	1,129,735.48	1,129,735.48	1,202,731.26	72,995.78
09/01/2026	693,035.48	693,035.48	764,731.26	71,695.78
09/01/2027	684,995.48	684,995.48	757,531.26	72,535.78
09/01/2028	302,290.10	302,290.10	374,531.26	72,241.16
09/01/2029	303,750.06	303,750.06	375,300.00	71,549.94
Total	\$6,673,141.42	\$6,672,089.07	\$7,333,150.08	\$661,061.01

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	628,295.14
Net PV Cashflow Savings @ 1.027%(Bond Yield).....	628,295.14
Contingency or Rounding Amount.....	1,052.35
Net Present Value Benefit	\$629,347.49
Net PV Benefit / \$7,022,347.49 PV Refunded Debt Service	8.962%
Net PV Benefit / \$6,250,000 Refunded Principal...	10.070%
Net PV Benefit / \$6,250,000 Refunding Principal..	10.070%

Refunding Bond Information

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

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 [_____, _____, _____], 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)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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)

Audrey McClanahan, City Clerk

EXHIBIT A

BID TABULATION

[See attached]

EXHIBIT B

BID OF PURCHASER

[See attached]

ORDINANCE NO. [____]

OF

THE CITY OF MISSION, KANSAS

PASSED

JUNE 17, 2020

**GENERAL OBLIGATION REFUNDING BONDS
SERIES 2020A**

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.

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 \$[PRINCIPAL AMOUNT], 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.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

(SEAL)

Ronald E. Appletoft, Mayor

ATTEST:

Audrey McClanahan, City Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

[SUMMARY BOND ORDINANCE FOR PUBLICATION]

(PUBLISHED IN *THE LEGAL RECORD* ON JUNE __, 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 \$[PRINCIPAL AMOUNT], 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.

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

DATED: June 17, 2020.

City Attorney

RESOLUTION NO. [_____]

OF THE

CITY OF MISSION, KANSAS

ADOPTED

JUNE 17, 2020

**GENERAL OBLIGATION REFUNDING BONDS
SERIES 2020A**

TABLE OF CONTENTS

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms..... 1

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. 8
Section 202. Description of the Bonds..... 8
Section 203. Designation of Paying Agent and Bond Registrar..... 9
Section 204. Method and Place of Payment of the Bonds. 9
Section 205. Payments Due on Saturdays, Sundays and Holidays..... 10
Section 206. Registration, Transfer and Exchange of Bonds. 10
Section 207. Execution, Registration, Authentication and Delivery of Bonds. 11
Section 208. Mutilated, Lost, Stolen or Destroyed Bonds..... 12
Section 209. Cancellation and Destruction of Bonds Upon Payment. 12
Section 210. Book-Entry Bonds; Securities Depository. 12
Section 211. Nonpresentment of Bonds. 13
Section 212. Preliminary and Final Official Statement..... 14
Section 213. Sale of the Bonds. 14

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption by Issuer. 14
Section 302. Selection of Bonds to be Redeemed. 15
Section 303. Notice and Effect of Call for Redemption..... 16

ARTICLE IV

SECURITY FOR BONDS

Section 401. Security for the Bonds. 18
Section 402. Levy and Collection of Annual Tax; Transfer to Debt Service Account. 18

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS

DEPOSIT AND APPLICATION OF BOND PROCEEDS

Section 501. Creation of Funds and Accounts. 18
Section 502. Deposit of Bond Proceeds. 19

Section 503.	Application of Moneys in the Redemption Fund.	19
Section 504.	Application of Moneys in Debt Service Account.	19
Section 505.	Application of Moneys in the Rebate Fund.	19
Section 506.	Deposits and Investment of Moneys.	20
Section 507.	Application of Moneys in the Costs of Issuance Account.	20
Section 508.	Redemption of Refunded Bonds.	20

ARTICLE VI

DEFAULT AND REMEDIES

Section 601.	Remedies.	20
Section 602.	Limitation on Rights of Owners.	21
Section 603.	Remedies Cumulative.	21

ARTICLE VII

DEFEASANCE

Section 701.	Defeasance.	21
---------------------	--------------------	----

ARTICLE VIII

TAX COVENANTS

Section 801.	General Covenants.	22
Section 802.	Survival of Covenants.	22

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901.	Disclosure Requirements.	22
Section 901.	Failure to Comply with Continuing Disclosure Requirements.	23

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001.	Annual Audit.	23
Section 1002.	Amendments.	23
Section 1003.	Notices, Consents and Other Instruments by Owners.	24
Section 1004.	Notices.	25
Section 1005.	Electronic Transactions.	25
Section 1006.	Further Authority.	25
Section 1007.	Severability.	25
Section 1008.	Governing Law.	25
Section 1009.	Effective Date.	25

EXHIBIT A – FORM OF BONDS		A-1
----------------------------------	--	-----

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.

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:

[_____

_____]

(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 [net] premium of \$[_____], less an underwriting discount of \$[_____].

“**Purchaser**” means [_____, _____, _____], 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.

***[“**20__ Term Bonds**” means the Bonds scheduled to mature in the year 20__.

“**20__ Term Bonds**” means the Bonds scheduled to mature in the year 20__.

“**Term Bonds**” means collectively the 20__ Term Bonds and the 20__ Term Bonds.]***

“**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 \$[PRINCIPAL AMOUNT], 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

Stated Maturity September 1	Principal Amount	Annual Rate of Interest	Stated Maturity September 1	Principal Amount	Annual Rate of Interest
2021	\$ _____	_____ %	2026	\$ _____	_____ %
2022	_____	_____	2027	_____	_____
2023	_____	_____	2028	_____	_____
2024	_____	_____	2029	_____	_____
2025	_____	_____			

***[TERM BONDS

<u>Stated Maturity</u>	<u>Principal</u>	<u>Annual Rate</u>
<u>September 1</u>	<u>Amount</u>	<u>of Interest</u>
20__	\$ _____	_____ %
20__	_____	_____]***

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.

***[**Mandatory Redemption.** 20__ Term Bonds. The 20__ Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in **Article IV** hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on September 1 in each year, the following principal amounts of such 20__ Term Bonds

Principal Amount	Year
\$ _____	20__
_____	20__
_____	20__*

*Final Maturity

(b) 20 *Term Bonds*. The 20 Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in *Article IV* hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on September 1 in each year, the following principal amounts of such 20 Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
\$ _____	20__
_____	20__
_____	20__*

*Final Maturity	

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the Issuer may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the Issuer under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the Issuer to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity as designated by the Issuer, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the Issuer intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the Issuer will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.]***

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. ***[The foregoing provisions of this paragraph shall not apply in the case of any mandatory redemption of Term Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the Issuer and whether or not the Paying Agent holds moneys available and sufficient to effect the required 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 \$[] 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.

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.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the Governing Body on June 17, 2020.

(SEAL)

Ronald E. Appletoft, Mayor

ATTEST:

Audrey McClanahan, City Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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 \$[PRINCIPAL AMOUNT] (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.

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 _____

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)

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. 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

* 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

Municipal Advisor:

Ehlers Inc.
3060 Centre Pointe Dr.
Roseville, Minnesota 55113
Attn: Bruce Kimmel
Phone No.: (651) 697-8572
Email: 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.

CONTINUING DISCLOSURE UNDERTAKING

Dated as of July 9, 2020

By

CITY OF MISSION, KANSAS

**[\$Principal Amount]
City of Mission, Kansas
General Obligation Refunding Bonds
Series 2020A**

CONTINUING DISCLOSURE UNDERTAKING

This CONTINUING DISCLOSURE UNDERTAKING dated as of July 9, 2020 (this “Continuing Disclosure Undertaking”), is executed and delivered by the CITY OF MISSION, KANSAS (the “Issuer”).

RECITALS

1. This Continuing Disclosure Undertaking is executed and delivered by the Issuer in connection with the issuance by the Issuer of \$[Principal Amount] **General Obligation Refunding Bonds, Series 2020A** (the “**Bonds**”), pursuant to a Resolution adopted by the governing body of the Issuer (the “**Resolution**”).

2. The Issuer is entering into this Continuing Disclosure Undertaking for the benefit of the Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the “**Rule**”). The Issuer is the only “**obligated person**” with responsibility for continuing disclosure hereunder.

The Issuer covenants and agrees as follows:

Section 1. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Continuing Disclosure Undertaking unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

“**Annual Report**” means any Annual Report provided by the Issuer pursuant to, and as described in, **Section 2** of this Continuing Disclosure Undertaking.

“**Beneficial Owner**” means any registered owner of any Bonds and any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“**Business Day**” means a day other than (a) a Saturday, Sunday or legal holiday, (b) a day on which banks located in any city in which the principal office or designated payment office of the paying agent or the Dissemination Agent is located are required or authorized by law to remain closed, or (c) a day on which the Securities Depository or the New York Stock Exchange is closed.

“**Dissemination Agent**” means any entity designated in writing by the Issuer to serve as dissemination agent pursuant to this Continuing Disclosure Undertaking and which has filed with the Issuer a written acceptance of such designation.

“**EMMA**” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at www.emma.msrb.org.

“**Financial Obligation**” means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of (a) or (b) in this definition; *provided however*, the term Financial Obligation shall not

include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

“**Fiscal Year**” means the **12-month** period beginning on **January 1** and ending on **December 31** or any other **12-month** period selected by the Issuer as the Fiscal Year of the Issuer for financial reporting purposes.

“**Material Events**” means any of the events listed in **Section 3** of this Continuing Disclosure Undertaking.

“**MSRB**” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with the Rule.

“**Participating Underwriter**” means any of the original underwriter(s) of the Bonds required to comply with the Rule in connection with the offering of the Bonds.

Section 2. Provision of Annual Reports.

- (a) The Issuer shall, not later than 270 days after the end of the Issuer’s Fiscal Year, commencing with the year ending December 31, 2020, file with the MSRB, through EMMA, the following financial information and operating data (the “**Annual Report**”):
- (1) The audited financial statements of the Issuer for the prior Fiscal Year, prepared in accordance with accounting principles generally accepted in the United States and the *Kansas Municipal Audit and Accounting Guide*. If audited financial statements are not available by the time the Annual Report is required to be provided pursuant to this Section, the Annual Report shall contain unaudited financial statements in a format similar to the summary unaudited financial information contained in the final Official Statement relating to the Bonds, and the audited financial statements shall be provided in the same manner as the Annual Report promptly after they become available.
 - (2) Updates as of the end of the Fiscal Year of certain financial information and operating data contained in the final Official Statement related to the Bonds, as described in **Exhibit A**, in substantially the same format contained in the final Official Statement with such adjustments to formatting or presentation determined to be reasonable by the Issuer.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues with respect to which the Issuer is an “**obligated person**” (as defined by the Rule), which have been provided to the MSRB and are available through EMMA or the Securities and Exchange Commission. If the document included by reference is a final official statement, it must be available from the MSRB on EMMA. The Issuer shall clearly identify each such other document so included by reference.

In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package and may cross-reference other information as provided in this Section; provided that the audited financial statements of the Issuer may be

submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer's Fiscal Year changes, it shall give notice of such change in the same manner as for a Material Event under **Section 3**.

- (b) The Annual Report shall be filed with the MSRB in such manner and format as is prescribed by the MSRB.

Section 3. Reporting of Material Events. Not later than **10** Business Days after the occurrence of any of the following events, the Issuer shall give, or cause to be given to the MSRB, through EMMA, notice of the occurrence of any of the following events with respect to the Bonds ("**Material Events**"):

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modifications to rights of bondholders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) the consummation of a merger, consolidation, or acquisition involving the obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of the trustee, if material;
- (15) incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

If the Issuer has not submitted the Annual Report to the MSRB by the date required in **Section 2(a)**, the Issuer shall send a notice to the MSRB of the failure of the Issuer to file on a timely basis the Annual Report, which notice shall be given by the Issuer in accordance with this **Section 3**.

Section 4. Termination of Reporting Obligation. The Issuer's obligations under this Continuing Disclosure Undertaking shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If the Issuer's obligations under this Continuing Disclosure Undertaking are assumed in full by some other entity, such person shall be responsible for compliance with this Continuing

Disclosure Undertaking in the same manner as if it were the Issuer, and the Issuer shall have no further responsibility hereunder. If such termination or substitution occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination or substitution in the same manner as for a Material Event under **Section 3**.

Section 5. Dissemination Agents. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Continuing Disclosure Undertaking, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. Any Dissemination Agent may resign as dissemination agent hereunder at any time upon **30** days prior written notice to the Issuer. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report (including without limitation the Annual Report) prepared by the Issuer pursuant to this Continuing Disclosure Undertaking.

Section 6. Amendment; Waiver. Notwithstanding any other provision of this Continuing Disclosure Undertaking, the Issuer may amend this Continuing Disclosure Undertaking and any provision of this Continuing Disclosure Undertaking may be waived, provided that Bond Counsel or other counsel experienced in federal securities law matters provides the Issuer with its written opinion that the undertaking of the Issuer contained herein, as so amended or after giving effect to such waiver, is in compliance with the Rule and all current amendments thereto and interpretations thereof that are applicable to this Continuing Disclosure Undertaking.

In the event of any amendment or waiver of a provision of this Continuing Disclosure Undertaking, the Issuer shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (1) notice of such change shall be given in the same manner as for a Material Event under **Section 3**, and (2) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 7. Additional Information. Nothing in this Continuing Disclosure Undertaking shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Continuing Disclosure Undertaking or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Material Event, in addition to that required by this Continuing Disclosure Undertaking. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Material Event, in addition to that specifically required by this Continuing Disclosure Undertaking, the Issuer shall have no obligation under this Continuing Disclosure Undertaking to update such information or include it in any future Annual Report or notice of occurrence of a Material Event.

Section 8. Default. If the Issuer fails to comply with any provision of this Continuing Disclosure Undertaking, any Participating Underwriter or any Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Continuing Disclosure Undertaking. A default under this Continuing Disclosure Undertaking shall not be deemed an event of default under the Resolution or the Bonds, and the sole remedy under this Continuing Disclosure Undertaking in the event

of any failure of the Issuer to comply with this Continuing Disclosure Undertaking shall be an action to compel performance.

Section 9. Beneficiaries. This Continuing Disclosure Undertaking shall inure solely to the benefit of the Issuer, the Participating Underwriter, and the Beneficial Owners from time to time of the Bonds and shall create no rights in any other person or entity.

Section 10. Severability. If any provision in this Continuing Disclosure Undertaking, the Resolution or the Bonds shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 11. Electronic Transactions. The arrangement described herein may be conducted and related documents may be sent, received, or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 12. Governing Law. This Continuing Disclosure Undertaking shall be governed by and construed in accordance with the laws of the State of Kansas.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the Issuer has caused this Continuing Disclosure Undertaking to be executed as of the day and year first above written.

CITY OF MISSION, KANSAS

By: _____
Ronald E. Appletoft, Mayor

[Seal]

By: _____
Audrey McClanahan, City Clerk

**EXHIBIT A
TO CONTINUING DISCLOSURE UNDERTAKING**

**FINANCIAL INFORMATION AND OPERATING DATA TO BE
INCLUDED IN ANNUAL REPORT**

The financial information and operating data contained in the following sections and tables contained in **Appendix A** of the final Official Statement relating to the Bonds:

- Valuations – Current Property Valuations
- Debt – Direct Debt
- Debt – Schedules of Bonded Indebtedness
- Debt – Debt Limit
- Tax Levies and Collections – Tax Collections
- Tax Levies and Collections – Tax Mill Levies

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.

City of Mission	Item Number:	4.
ACTION ITEM SUMMARY	Date:	June 3, 2020
Police	From:	Chief Hadley

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

RE: Vehicle Towing and Impound Services

RECOMMENDATION: Adopt Ordinances amending Mission’s Municipal Code, Chapter 325 - Impoundment of Motor Vehicles and Chapter 330 - Towing Service.

DETAILS: Substantial revisions are being proposed to Chapter 325 and Chapter 330 of the Mission Code that regulate towing and impound services in Mission. These revisions update the Code to provide consistency with current state law and provide some degree of uniformity in Mission’s Ordinances relating to tow services with those of other northeast Johnson County municipalities.

The basis of regulation of tow services is to provide for the safety of the general public, avoid towing mistakes and false vehicle theft reports, and provide for the removal, towing, and storage of towed vehicles. Statutory provisions regulating tow services have origins in the 1960’s and have been revised throughout the decades, most recently in 2016.

In general, tow services operating in Johnson County follow the state law in practice on a day to day basis. All are required to register with the individual cities and meet certain criteria to be put on a list of approved tow services within each city. Cities in northeast Johnson County have adopted ordinances to implement local regulations within the context of the state laws. These regulations are not uniform, and most cities have not updated their ordinances to address the statutory changes throughout the years.

Recently, various tow service providers have initiated efforts to clarify existing city ordinances relating to towing regulations for tows from private property.

The Police Department has worked with City Attorney Dave Martin and completed a substantial review of current state statutes and ordinances from other Johnson County cities. The result is an entire redrafting of Mission Code Chapter 325 and Chapter 330.

Chief Hadley will highlight some of the more significant changes during the Committee meeting.

CFAA CONSIDERATIONS/IMPACTS: None

Related Statute/City Ordinance:	Municipal Code Sections 325 and 330
Line Item Code/Description:	NA
Available Budget:	NA

ORDINANCE NO. ____

AN ORDINANCE REVISING CHAPTER 325, IMPOUNDMENT OF MOTOR VEHICLES IN THE CODE OF THE CITY OF MISSION

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

SECTION 1. Chapter 325, Impoundment of Vehicles is hereby revised as follows:

Chapter 325

IMPOUNDMENT OF MOTOR VEHICLES

Section 325.010. Impoundment of Vehicles.

Section 325.020. Notice to Owner of of Vehicle to be Towed or Impounded in Non-Emergency Situation.

Section 325.030. Notice of Impoundment; Disposition of Vehicles.

Section 325.040. Recovery Procedures

Section 325.050. Hearing Procedure.

Section 325.060. Wrecker or Tow Service Foreclosure Lien

Section 325.070. Personal Property, Medicine or Medical Supplies in Towed Vehicle.

Section 325.080. Towing of Vehicles from Private Property (Non-City Initiated)

Section 325.010. Impoundment of Vehicles (City Initiated).

A. The police department, and all members thereof are authorized to remove and/or tow away, or have removed and towed away by commercial towing service to an impound lot or other safe place designated by the City, all motor vehicles found under the hereinafter enumerated circumstances.

1. When any motor vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle cannot safely operate the motor vehicle or are unable to provide for its custody or removal to a lawfully secure location; or
2. When any motor vehicle is parked illegally in such a manner as to constitute a hazard or obstruction to the safe movement or traffic; or
3. When the operator of any motor vehicle is arrested and taken into custody by the

police department and such vehicle would thereby be left unattended and create a hazard or obstruction to the safe movement of traffic; or

4. When any motor vehicle is abandoned or left unattended on a highway, public road or city-owned property for a period of time in excess of 48 consecutive hours; or
5. When any vehicle is found being driven on the streets and is not in proper or safe condition to be driven and cannot be removed safely to a lawfully secured location by the owner or operator; or
6. When any motor vehicle determined to be stolen is found upon the public street; or
7. When any motor vehicle is subject to seizure as evidence in a criminal prosecution; or
8. When any motor vehicle is subject to seizure or forfeiture under the laws of the state or federal law.

Section 325.020. Notice to Owner of Vehicle to be Towed or Impounded in Non-emergency Situation.

- A. Vehicles that are subject to being towed and impounded under conditions that do not constitute an immediate obstruction to the normal and safe movement of traffic and are determined to be abandoned shall not be towed or impounded until the motor vehicle has placed on its windshield or in another prominent location a sticker or placard indicating the vehicle is in violation of the city Code and shall be removed by the city police department after 48 hours from the time the sticker or placard was attached to the vehicle. The sticker or placard shall include such other information as the chief of police determines is necessary.

Section 325.030. Notice of Impoundment; Disposition of Vehicles.

- A. Vehicle with registration plate. Any motor vehicle which has been impounded as provided in this article for 30 days or more and that has displayed thereon a registration plate issued by the division of vehicles and has been registered with the state as required by law shall be disposed of in the following manner:
 1. The city shall request verification from the division of vehicles of the last registered owner and any lienholders, if any. Such verification request shall be submitted to the division of vehicles not more than 30 days after such agency took possession of the vehicle.
 2. The city shall mail a notice by certified mail to the registered owner thereof, addressed to the address as shown on the certificate of registration, and to the lienholder, if any, of record in the county in which the title shows the owner resides, if registered in this state. The notice shall state that if the owner or lienholder does not claim such motor vehicle and pay the removal and storage charges incurred by such city on it within 15 days from the date of the mailing of the notice that it will be

sold at public auction to the highest bidder for cash. The notice shall be mailed within 10 days after receipt of verification of the last owner and any lienholders, if any, as provided in this subsection A.

3. After 15 days from the date of mailing notice, the city shall publish a notice once a week for two consecutive weeks in a newspaper of general circulation in the county where such motor vehicle was abandoned and left, which notice shall describe the motor vehicle by name of maker, model, serial number, and owner, if known, and stating that it has been impounded by the city and that it will be sold at public auction to the highest bidder for cash if the owner thereof does not claim it within 10 days of the date of the second publication of the notice and pay the removal and storage charges, and publication costs incurred by the city.
 4. If thereafter the owner thereof does not claim it within the time stated in the notice and pay the removal and storage charges and publication costs incurred by the city on such motor vehicle, the city may sell the motor vehicle at public auction to the highest bidder for cash.
- B. Vehicle without registration plate. Any motor vehicle which has been impounded as provided in this article for 30 days or more and that does not have displayed thereon a registration plate issued by the division of vehicles and that has not been registered with the state as required by law shall be disposed of in the following manner:
1. The city after 30 days from the date of impoundment, shall request verification from the division of vehicles of the last registered owner and any lienholders, if any. Such verification request shall be submitted to the division of vehicles no more than 30 days after such agency took possession of the vehicle.
 2. The city shall mail a notice by certified mail to the registered owner thereof, addressed to the address as shown on the certificate of registration, and to the lienholder, if any, of record in the county in which the title shows the owner resides, if registered in this state. The notice shall state that if the owner or lienholder does not claim such motor vehicle and pay the removal and storage charges incurred by such city on it within 15 days from the date the mailing of the notice, it will be sold at public auction to the highest bidder for cash. The notice shall be mailed within 10 days after receipt of verification of the last owner and any lienholders, if any, as provided in this subsection B.
 3. After 15 days from the date of mailing notice, the city shall publish a notice in a newspaper of general circulation in the county where such motor vehicle was abandoned and left, which notice shall describe the motor vehicle by name of maker, model, color and serial number and shall state that is has been impounded by said city and will be sold at public auction to the highest bidder for cash, if the owner thereof does not claim it within 10 days of the date of the second publication of the notice and pay the removal and storage charges incurred by the city.
 4. If thereafter the owner thereof does not claim it within the time stated in the notice

and pay the removal and storage charges and publication costs incurred by the city on such motor vehicle, the city may sell the motor vehicle at public auction to the highest bidder for cash.

Section 325.040. Recovery Procedures.

- A. All motor vehicles towed and impounded pursuant to the provisions of this chapter shall be surrendered to the owner or person entitled to custody of the vehicle subject to the provisions of subsection (b) of this section, upon presentation of the following to the commercial tow service where the vehicle is impounded:
1. Proof of ownership of the vehicle by lawful title or other proof of lawful entitlement to the vehicle;
 2. Proof of liability insurance on the vehicle as required by the laws of the state;
 3. Proof of current registration of the vehicle as required by the laws of the state; and
 4. Payment of all storage charges and towing fees incurred in the towing and impounded of the vehicle must be made prior to release of the vehicle unless otherwise relieved of that requirement by application of the hearing provisions set forth in Section 325.050.
- B. Should a person seeking release of a motor vehicle impounded under the provisions of this chapter not present proof of current registration and proof of insurance, the vehicle will not be released to be driven away from the impound lot, but the vehicle may be released to be towed from the tow lot if proof of ownership is shown and all storage and towing charges are paid.

Section 325.050. Hearing Procedure.

- A. Owners or persons entitled to the lawful custody of impounded motor vehicles who wish to contest the validity of the motor vehicle tow may request a hearing for such purpose by filing the city police department a request in writing upon forms approved by the chief of police within 10 days after the date of the notice described in Section 325.030.
- B. A hearing for the purpose of determining the validity of the tow shall be held by the municipal court within a reasonable period after such hearing is requested, however not greater than 10 days. The time of the hearing shall be set by the clerk of the municipal court.
- C. Pending such hearing, the owner or personal lawfully entitled to custody of any impounded vehicle may retrieve the impounded vehicle upon posting bond with the clerk of the court in the amount of the towing charge and storage fees. Upon showing to the commercial tow service proof of posting of the bond, the motor vehicle shall be released immediately. If a bond is not posted, the vehicle shall remain in storage until the requested hearing is held.

- D. If the municipal court judge determines the vehicle was lawfully towed pursuant to the provisions of Section 325.010, then all charges shall be paid by the owner or person lawfully entitled to custody of the vehicle. Such charges may be paid for partly or in whole by the bond, if posted, and any surplus bond money shall be returned.
- E. If the municipal court judge determined the vehicle was not towed pursuant to the provisions of Section 325.010, the court shall order the immediate release of the vehicle to its lawful owner without costs, and any bond posted shall be returned. Should any owner or person lawfully entitled to custody of an impounded vehicle post bond but fail to appear after being notified of the time of the hearing, such bond shall be forfeited.

Section 325.060. Wrecker or Tow Service Foreclosure of Lien.

- A. Any person or commercial towing service that tows or impounds a motor vehicle pursuant to this Chapter or any other legal requests for towing and impoundment by a law enforcement officer of the city shall have a possessory lien as provided for under State law and shall comply with all notice and disposition provisions for foreclosure of the lien as provided by law.

Section 325.070. Towing of Vehicles from Private Property (Non-City Initiated).

- A. It is hereby declared the purpose and intent of this section to ensure that a private property owner or lessee has provided adequate authorization for the removal of the vehicle from his or her property, and to attempt to avoid towing mistakes and false vehicle theft reports, thereby promoting the safety of those persons involved in ordering the removal of the vehicle, as well as those persons removing, towing, and storing the vehicle.
- B. It shall be unlawful and a violation of this Chapter for any person to fail to comply with the following regulations when involved in the towing or request of towing of motor vehicles from private property at the request of third parties and without the consent of the owner or operator of the vehicle:
 - 1. Notification: Prior to the person or tow company towing or removing a vehicle from private property, they shall notify the Mission Police Department of their intent and of the following information concerning the tow or removal:
 - a. Vehicle make, model, style, color and year;
 - b. Vehicle Identification Number (VIN);
 - c. License plate number and state of issuance;
 - d. Ultimate destination where the vehicle is to be towed and stored, and a contact number for the owner to call for information regarding release of the vehicle;

- e. Reason for the tow; and
 - f. Person ordering the tow.
2. Mandatory Disconnect: If the owner or other legally authorized person in control of the vehicle arrives at the scene prior to removal or towing of the vehicle, the vehicle shall be disconnected from the towing or removal apparatus, and that person shall be allowed to remove the vehicle without interference upon the payment of a reasonable service fee of not more than one-half (1/2) of the posted rate for such towing or removal, for which a receipt shall be given unless that person refuses to remove the vehicle from the property where it is otherwise unlawfully parked. There shall be no charge if the vehicle has not been connected to the tow truck.
 3. Notice and Sign Requirements: Except for property appurtenant to and obviously a part of a single-family residence, which shall include duplexes, townhomes, and residential planned unit developments, and except for instances when notice is personally given to a vehicle owner or operator that the area where the vehicle is parked is reserved or otherwise unavailable for unauthorized vehicles which are subject to being towed at the owner or operator's expense, any private property owner or other person in legal possession of the property, prior to towing or removing any vehicle from private property without the consent of the owner or operator, must post a notice meeting the following requirements:
 - a. The notice must be prominently placed at each primary driveway access or curb cut allowing vehicular access to the property.
 - b. The notice must clearly indicate, in not less than four inch (4") high, light-reflective letters on a contrasting background, that "Unauthorized Vehicles Will Be Towed".
 - c. The sign structure containing the required notices shall not exceed three (3) square feet in area and must be permanently installed, with the bottom of the sign not less than four feet (4') and not more than five feet (5') above ground level and must be continuously maintained on the property for not less than twenty-four (24) hours prior to the towing or removal of vehicles.
 4. Right to Enter Vehicle: A tow company may enter a vehicle for the sole purpose of removing the vehicle, provided reasonable care is used in entering the vehicle, and the tow company or person entering the vehicle is responsible for the security of the vehicle and its contents. The right of entry is conditioned on the tow service having the keys or other legal non-damaging means of entering the vehicle.

5. Owner Access: Any owner of a vehicle towed pursuant to Section 325.080 shall have access to personal property in such vehicle for up to 48 hours after such vehicle has been towed, and such personal property shall be released to said owner unless it is being held or seized as evidence.

6. Report of Location: No later than two hours after the tow or removal of a vehicle, the tow company shall report the final location of the towed vehicle to the Mission Police Department.

SECTION 2: All prior provisions of Chapter 325 are hereby repealed.

SECTION 3: This Ordinance shall be in force and take effect from after publication according to law.

PASSED AND APPROVED by the City Council this ____ day of _____, 2020.

APPROVED by the Mayor this _____ day of _____, 2020.

Ron Appletoft, Mayor

ATTEST:

Audrey M. McClanahan, City Clerk

APPROVED BY:
PAYNE & JONES, CHARTERED

David K. Martin, City Attorney
11000 King, Suite 200
PO Box 25625
Overland Park, KS 66225-5625
(913) 469-4100
(913) 469-8182

City of Mission, KS
Wednesday, February 5, 2020

Chapter 325. Impoundment of Motor Vehicles

Section 325.010. Impoundment of Vehicles.

[Code 1983; Ord. No. 643 §1, 1983; CC 2000 §14-501]

- A. In the circumstances hereinafter enumerated, preservation of public safety and welfare requires that immediate action be taken to remove motor vehicles from the public right-of-way. Therefore, any Law Enforcement Officer acting in his/her official capacity is hereby authorized to exercise his/her discretion to order the towing or removal of any unoccupied vehicle from any street, alley, highway, sidewalk or any other public way or place or from any restricted or prohibited parking area, without notice to or permission of the owner or person using the motor vehicle, to a public or private garage or yard suitable for the storage of impounded vehicles under any of the following circumstances:
1. When any vehicle is left unattended on any bridge, causeway or viaduct where such vehicle constitutes an obstruction to the normal movement of traffic.
 2. When a vehicle on a street is so disabled as to constitute an obstruction to traffic or the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.
 3. When any vehicle is left unattended upon a street and is parked so illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
 4. When the driver of a motor vehicle is taken into custody by the Police Department and such vehicle would thereby be left unattended on a street.
 5. When removal is necessary in the interest of public safety because of fire, flood, storm or other emergency reasons.
 6. When a driver, owner or person in charge of such vehicle fails to appear in Municipal Court after a warrant has been issued and served upon said owner or person charged with a violation of the provisions of any traffic or parking law of the City.
 7. When such vehicle is subject to tow or removal under the provisions of any Section of this Code or other ordinances of the City.
 8. When the driver of any vehicle or the vehicle in which he/she is in is reasonably suspected of having being involved in any hit-and-run accident.
 9. When any vehicle is reasonably suspected of being a stolen vehicle or parts thereof to be stolen parts.
 10. When the driver of any vehicle is taken into custody for suspected felony or misdemeanor or when the vehicle is suspected of containing stolen goods or other contraband.
 11. When any vehicle is illegally left standing under such circumstances as to obstruct the normal movement of traffic from or to private property.

Section 325.020. Pre-Tow Notice.

[Code 1983; Ord. No. 643 §2, 1983; CC 2000 §14-502]

Vehicles which are not subject to being impounded under the provisions of Section **325.010** may not be towed until the driver, owner or person in charge of such vehicle has been notified and given an opportunity to remove the vehicle within forty-eight (48) hours. However, where the driver, owner or person in charge of the vehicle cannot be located after a bona fide effort has been made to do so, then such vehicle may be towed and impounded as provided under this Article.

Section 325.030. Disposition of Vehicles.

[Code 1997; CC 2000 §14-504]

- A. Whenever, pursuant to the terms of this Chapter, at the direction of a Law Enforcement Officer of the City, a vehicle has been stored in any public or private garage or yard maintained or designated by the City for the storage of impounded vehicles for a period of sixty (60) days after the wrecker or towing service was provided, it may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein. The costs of such sale, the costs of notice to the owner of the vehicle and publication as required by this act, except that any such vehicle and personal property of a total value of less than one thousand dollars (\$1,000.00) may be sold at any time, after giving the notices required by K.S.A. 8-1103 and any of its supplements or amendments, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial. If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing; and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order.
- B. Before any such vehicle and personal property is sold, the person intending to sell such vehicle shall request verification from the Division of Vehicles of the last registered owner and any lienholders, if any. Such verification requests shall be submitted to the Division of Vehicles no less than forty-five (45) days nor more than sixty (60) days after such person took possession of the vehicle, except that if the value of the vehicle and personal property is less than one thousand dollars (\$1,000.00), the verification request shall be submitted to the Division of Vehicles within sixty (60) days after such person took possession of the vehicle. Notice of sale, as provided in K.S.A. 8-1102 and K.S.A. 8-1104, will be sent to the last registered owner and any lienholders(s) from the Division of Vehicles. The person intending to sell such vehicle and personal property shall cause a notice of the time and place of sale, containing a description of the vehicle and personal property, to be published at least weekly for three (3) weeks prior to the sale. Notices given under this Section shall state that if the amount due, together with storage, publication, notice and sale costs, is not paid within fifteen (15) days from the date of mailing, the vehicle and personal property will be sold at public auction.
- C. All sales under this act shall be at public auction for cash.
- D. The proceeds of such sale, after the payment of all charges and expenses of notice, publication and sale shall be paid to the City Clerk of the City. Copies of the notices and publication required by this act, K.S.A. 8-1102 and K.S.A. 8-1104 and an affidavit of the person providing wrecker or towing service setting forth the claim and actual expenses of notice, publication and sale shall also be filed with the City Clerk.

ORDINANCE NO _____

AN ORDINANCE REVISING CERTAIN SECTIONS OF CHAPTER 330, TOWING SERVICE, IN THE MUNICIPAL CODE OF MISSION, KANSAS

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

SECTION 1: Chapter 330 is hereby amended as follows:

Section 330.010. Tow Service Regulation.

- A. Any person, firm, partnership or corporation desiring to perform wrecker or towing service for the City Police Department shall first be approved by the Chief of Police or his designee before being added to the list of companies authorized to respond for wrecker or towing service requests by the Police Department on a rotation basis.

Section 330.020. Requirements for Approval.

- A. Any person seeking approval to be authorized and listed as eligible to respond to requests for towing service by the Police Department shall:
 - 1. Exclusive of legal holidays, be open and have a representative actually on the premises of the location or area where towed vehicle are stored or kept from 8:00 A.M. to 5:30 P.M. Monday through Friday.
 - 2. Post in a conspicuous place a sign at the front of his/her business stating the business name and a telephone number where information can be obtained about any vehicle towed or stored by the business.
 - 3. Provide wrecker and towing service on a twenty-four (24) hour, seven (7) day a week basis.
 - 4. Have properly zoned adequate storage facilities in the City or within five (5) miles of the City in Kansas. Outside storage areas shall be fenced with at least six (6) foot high chain link fence.
 - 5. Have available storage area which is totally enclosed within a building for the protection and security of recovered stolen property to be processed and valuable property left in vehicles.
 - 6. Have available at least one (1) sixteen (16) ton capacity wrecker (a Holmes 600 or its equivalent) or wrecker vehicle with greater capacity.
 - 7. Handle and tow abandoned vehicles in proportion to the number of tow requests received from the Police Department for damaged or disabled vehicles.

Section 330.030. Insurance.

- A. Each towing and wrecking service must provide the City of proof of the following insurance protection:
1. Commercial General Liability OR Garage Liability: Protection limits of at least \$500,000 Combined Single Limits, bodily injury and property damage including products and completed operations.
 2. Business Automotive Liability: Protection limits of at least \$500,000 Combined Single Limits, bodily injury and property damage. Policy must include one of the following:
 - a. Any Auto; or
 - b. All Owned, Hired and Non-Owned Autos; or
 - c. All Scheduled, Hired and Non-Owned Autos.
 3. Garagekeepers Legal Liability Coverage: Protection limits of at least \$75,000 per garage location.
 4. On-Hook/Cargo: Protection limits of at least \$50,000.
 5. Workers Compensation: Protection against all claims under applicable state workers compensation laws. The Tow Company shall also be protected against claims for injury, disease or death of employees which, for any reason, may not fall within the provisions of workers compensation law. The policy limits shall not be less than the following:
 - a. Employers Liability
 1. Bodily Injury by Accident: \$100,000 Each Accident
 2. Bodily Injury by Disease: \$500,000 Policy Limit
 3. Bodily Injury by Disease: \$100,000 Each Employee
 - b. Workers' Compensation: Statutory
 6. Proof of insurance must be furnished on standard Acord© certificate of insurance forms. The City is to be named as an additional insured on all required insuring agreements, with the exception of Workers Compensation.
 7. The City will only accept coverage from an insurance carrier who offers proof that it:

- a. Is licensed to do business in the State of Kansas;
- b. Carries a Best's policy holder rating of "A-" or better; and
- c. Carries at least a Class X financial rating; or
- d. Is a company approved by the City.

Section 330.050. Personal Property in Towed Vehicle.

- A. Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid or satisfactory arrangements for payment have been made.
- B. The provisions of Section A shall not apply to personal medical supplies or essential items. Such items shall be released to the owner thereof upon request. This provision shall not apply if the vehicle or contents are being held for any other lawful purpose including, but not limited to, being held or ceased as evidence.
- C. The person in possession of such vehicle and personal property shall be responsible only for the reasonable case of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction as authorized in Chapter 325.

Section 330.060. Enforcement Authority.

- A. The Chief of Police or his designee shall establish and enforce the rules and regulations for wrecker and towing services subject to the provisions of this Chapter.

Section 330.070. Suspension/Revocation by the Chief of Police.

- A. The Chief of Police or his designee may, upon seven (7) days' written notice stating the grounds therefore, suspend or revoke the authority of any towing or wrecker service to respond to requests by the Police Department for failure to comply with the provisions of this Chapter.
- B. Grounds for suspension or revocation include, but shall not be limited to, the following:
 1. Obtaining the approval and authority by fraudulent conduct or false statements;
 2. Violating the fee and charge schedule established by the Governing Body by overcharge;

3. Refusing to respond to requests for service by the Police Department within twenty (20) minutes or failing to answer telephone calls from the Police Department at the telephone number supplied by the business for towing services;
4. Responding to the scene of an accident, emergency or impoundment situation when not specifically called by the Police Department to do so and soliciting wrecker or towing business;
5. Failure to comply with any rules or regulations governing towing series established by the Chief of Police.

SECTION 2: All prior provisions of Chapter 330 are hereby repealed.

SECTION 3: This Ordinance shall be in force and take effect from after publication according to law.

PASSED AND APPROVED by the City Council this ____ day of _____, 2020.

APPROVED by the Mayor this _____ day of _____, 2020.

Ronald E. Appletoft, Mayor

ATTEST:

Audrey M. McClanahan, City Clerk

APPROVED BY:

PAYNE & JONES, CHARTERED

David K. Martin, City Attorney
11000 King, Suite 200
PO Box 25625
Overland Park, KS 66225-5625
(913) 469-4100
(913) 469-8182

City of Mission, KS
Wednesday, February 5, 2020

Chapter 330. Towing Service

Section 330.010. Tow Service Regulation.

[Code 1987; CC 2000 §14-701]

Any person, firm, partnership or corporation desiring to perform wrecker or towing service for the City Police Department shall first be approved by the Chief of Police before being added to the list of companies authorized to respond for wrecker or towing service requests by the Police Department on a rotation basis.

Section 330.020. Requirements For Approval.

[Code 1987; CC 2000 §14-702]

- A. Any person seeking approval to be authorized and listed as eligible to respond to requests for towing service by the Police Department shall:
1. Exclusive of legal holidays, be open and have a representative actually on the premises of the location or area where towed vehicles are stored or kept from 8:00 A.M. to 5:30 P.M. Monday through Friday.
 2. Post in a conspicuous place a sign at the front of his/her business stating the business name and a telephone number where information can be obtained about any vehicle towed or stored by the business.
 3. Provide wrecker and towing service on a twenty-four (24) hour, seven (7) day a week basis.
 4. Have properly zoned adequate storage facilities in the City or within five (5) miles of the City in Johnson County. Outside storage areas shall be fenced with at least six (6) foot high chain link fence.
 5. Have available storage area which is totally enclosed within a building for the protection and security of recovered stolen property to be processed and valuable property left in vehicles.
 6. Have available at least one (1) sixteen (16) ton capacity wrecker (a Holmes 600 or its equivalent) or wrecker vehicle with greater capacity.
 7. Handle and tow abandoned vehicles in proportion to the number of tow requests received from the Police Department for damaged or disabled vehicles.

Section 330.030. Insurance.

[Code 1997; CC 2000 §14-703]

- A. Each towing and wrecker service shall provide the City with proof of adequate insurance coverage under the following policies:

1. A garage keeper's legal liability policy covering fire, theft, windstorm, vandalism and explosion in the amount of sixty thousand dollars (\$60,000.00) with each vehicle suffering damage being deemed a separate claim.
 2. A garage liability policy covering the operation of the owner's business, equipment or other vehicles for any bodily injury or property damage in the minimum amount of three hundred thousand dollars (\$300,000.00) for the death or injury of any one (1) person, three hundred thousand dollars (\$300,000.00) for the death or injury of any number of persons in any one (1) accident with each death or injury being considered a separate claim, and sixty thousand dollars (\$60,000.00) for property damage in any one (1) accident.
- B. Such policies of insurance shall be issued by some insurance company authorized to do business in the State of Kansas. A towing or wrecker service may qualify as to the insurance requirements by filing a certificate with the City Clerk executed by the resident agent of such company stating that the required policy of insurance has been issued by such company for the purpose required by this Section and that such insurer will not cancel the policy except upon giving thirty (30) days' notice in writing to the City; and that the certificate shall be filed for an annual period beginning January first (1st) and ending December thirty-first (31st) of such year.

Section 330.040. Fees and Charges.

[Code 1987; CC 2000 §14-704]

- A. All wrecker or towing services shall charge for towing and storage such fees and charges as are adopted by the Governing Body of the City by resolution. Such fees and charges shall apply only as to vehicles towed and stored in response to a request by the Police Department.
- B. It shall be unlawful for any wrecker or towing service to charge the owner or person in charge of or possession of any towed and/or stored vehicle a second (2nd) or subsequent additional towing charge to deliver a vehicle from the wrecker or towing service's storage lot to a destination initially requested by the owner, operator, possessor or person in charge of such vehicle when the vehicle was originally towed.

Section 330.050. Personal Property in Towed Vehicle.

[Code 1997; CC 2000 §14-705]

Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid or satisfactory arrangements for payment have been made, except that personal medical supplies shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

Section 330.060. Enforcement Authority.

[Code 1987; CC 2000 §14-706]

The Chief of Police shall establish and enforce the rules and regulations for wrecker or towing services subject to the provisions of this Chapter.

Section 330.070. Suspension/Revocation By Chief of Police.

[Code 1987; CC 2000 §14-707]

- A. The Chief of Police may, upon seven (7) days' written notice stating the grounds therefore, suspend or revoke the authority of any towing or wrecker service to respond to requests by the Police Department for failure to comply with the provisions of this Chapter.
- B. Grounds for suspension or revocation include, but shall not be limited to, the following:
 1. Obtaining the approval and authority by fraudulent conduct or false statements;
 2. Violating the fee and charge schedule established by the Governing Body by overcharge;
 3. Refusing to respond to requests for service by the Police Department within twenty (20) minutes or failing to answer telephone calls from the Police Department at the telephone number supplied by the business for towing services;
 4. Responding to the scene of an accident, emergency or impoundment situation when not specifically called by the Police Department to do so and soliciting wrecker or towing business;
 5. Failure to comply with any rules or regulations governing towing services established by the Chief of Police.

Section 330.080. Appeal.

[Code 1987; CC 2000 §14-708]

Any wrecker or towing service affected by the Chief of Police may appeal such suspension or revocation to the Governing Body of the City by filing a written notice of appeal with the City Clerk within five (5) days of receipt of the notice of suspension or revocation. The filing of a notice of appeal shall stay the effect of such suspension or revocation until a hearing is held before the Governing Body at its next regular meeting.

Section 330.090. Exception.

[Code 1987; CC 2000 §14-708]

The provisions of this Chapter shall not apply when the person whose vehicle is to be towed shall indicate a preference as to which towing and wrecker service is to be utilized or when the person whose vehicle is to be towed shall request a specific towing or wrecker service.

City of Mission	Item Number:	5.
ACTION ITEM SUMMARY	Date:	June 3, 2020
Administration	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.

Ronald E. Appletoft, Mayor

ATTEST:

Audrey M. McClanahan, City Clerk

Democracy thrives when...

Cities Vote

MUNICIPAL ACTION GUIDE



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.

2020 ©National League of Cities. All Rights Reserved.

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

CENTER FOR CITY SOLUTIONS