

## **RESOLUTION NO. 22-06**

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### A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION REFUNDING BONDS FOR THE BENEFIT OF THE CITY OF LEE'S SUMMIT, MISSOURI

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WHEREAS, the City has heretofore issued and has outstanding, among other series of bonds, the following series of general obligation bonds:

<u>Series Designation</u>	<u>Date of Indebtedness</u>	<u>Amount Issued</u>	<u>Amount Outstanding</u>
General Obligation Bonds Series 2013A (the "Series 2013A Bonds")	February 21, 2013	\$24,360,000	\$15,680,000

WHEREAS, the City desires to refund the current outstanding Series 2013A Bonds maturing on and after April 1, 2023, in the aggregate principal amount of \$15,680,000 (the "Refunded Bonds"), and the City is authorized under the provisions of the Refunding Bond Law (as defined below) to refund, extend, and unify the whole or part of its valid general obligation indebtedness; and,

WHEREAS, the City has selected the firm of Gilmore & Bell, P.C., as bond counsel ("Bond Counsel"), and Columbia Capital Management, LLC, as financial advisor (the "Financial Advisor"), for a series of general obligation refunding bonds in the approximate principal amount of \$15,680,000 (the "Bonds") for the purpose of refunding the Refunded Bonds; and,

WHEREAS, the City desires to authorize the offering for sale of the Bonds pursuant to either a competitive public sale or a private placement and to authorize the Financial Advisor, Bond Counsel, and officers of the City to proceed with the preparation, review, and distribution of documents for said sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, AS FOLLOWS:

Section 1. The Financial Advisor, Bond Counsel, and officers of the City are hereby authorized to proceed with preparation of a notice of sale (the "Notice of Sale"), a preliminary official statement (the "Preliminary Official Statement"), and a final official statement (the "final Official Statement") to provide for the competitive public sale of the Bonds or other documents desirable to provide for a private placement of the Bonds. Upon completion of the preparation and review of the Notice of Sale and the Preliminary Official Statement or other documents desirable to provide for a private placement of the Bonds, the City, the Financial Advisor and Bond Counsel are hereby authorized to proceed with the offering for sale of the Bonds. The final terms of the Bonds shall be determined and approved by subsequent ordinance of the City Council of the City.

Section 2. The City Council hereby authorizes the execution of the final Official Statement by the Mayor, the City Manager, the Assistant City Manager, the Finance Director, or other appropriate officers of the City with such changes and additions thereto as such officers or officials shall deem necessary or appropriate, such officer's or official's signature thereon being conclusive evidence of such officer's or official's and the City's approval thereof. The City Council hereby consents to the use and public distribution by the Financial Advisor of the Notice of Sale, the Preliminary Official Statement and the final Official Statement in connection with the competitive public sale of the Bonds.

Section 3. For the purpose of enabling the successful bidder on the Bonds (the "Purchaser") to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the Mayor, the City Manager, the Assistant City Manager, the Finance Director or other appropriate officers and officials of the City are hereby authorized, if requested, (i) to provide the Purchaser a letter or certification to the effect that the City deems the information contained in the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and (ii) to take such other actions or execute such other documents as such officers or officials in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirements of such Rule.

Section 4. The City agrees to provide to the Purchaser within seven business days of the date of the agreement to purchase the Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, an electronic copy of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. The Mayor, the City Manager, the Assistant City Manager, the Finance Director and other officers and representatives of the City, and the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Bonds.

Section 6. This Resolution shall be in full force and effect from and after its adoption by the City Council.

PASSED and ADOPTED by the City Council for the City of Lee's Summit, Missouri, and approved by the Mayor of said City this \_\_\_\_\_ day of February, 2022.

CITY OF LEE'S SUMMIT, MISSOURI

\_\_\_\_\_  
Mayor *William A. Baird*

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney *Brian W. Head*