

*Members of the public wishing to speak during Public Comment or on Items of Business must register with the County Clerk prior to the beginning of the meeting.*

## **AGENDA**

### **PUBLIC BUILDING COMMISSION COMMISSIONERS**

**Wednesday, January 8, 2014 | immediately following the 8:30 a.m. Regular Meeting**

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### **TO BE HELD IN THE ANNEX COMMISSION CHAMBERS**

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#### **A. CALL TO ORDER**

#### **B. ITEMS OF BUSINESS:**

Items of business includes all timed items, bids, contracts and agreements, public hearings and organizational business coming before the Governing Body

1. Consider Adopting A Resolution To Issue Bonds.

Documents: [public building cover issue bonds0114.pdf](#), [pbc resolution authorizing sale 01072014.pdf](#)

#### **C. CONSIDER A MOTION FOR ADJOURNMENT**

## FRANKLIN COUNTY

<b>TO:</b> Public Building Commission	<b>Reviewed:</b>
<b>FROM:</b> Lisa J. Johnson	<b>Ext. 3485</b>
<b>DEPARTMENT:</b> Administration	
<b>DATE:</b> Wednesday, January 8, 2014	<b>No.</b>

**ITEM: Consider adopting a resolution to issue bonds.**

Background:

It is necessary for the Commission to adopt a resolution to issue bonds for the HVAC project and the Criminal Justice Center project. A proposed resolution is attached for review and adoption.

Recommended Action: Approve resolution.

Attachments: Resolution.

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

**A RESOLUTION AUTHORIZING THE SALE OF NOT TO EXCEED \$2,000,000 PRINCIPAL AMOUNT OF LEASE PURCHASE REVENUE BONDS, SERIES 2014-A, AND NOT TO EXCEED \$2,400,000 PRINCIPAL AMOUNT OF LEASE PURCHASE REVENUE BONDS, SERIES 2014-B, OF THE FRANKLIN COUNTY PUBLIC BUILDING COMMISSION.**

**WHEREAS**, the Franklin County Public Building Commission (the “PBC”) has adopted the following resolutions:

(a) Resolution No. 13-01 adopted on March 20, 2013 (“Resolution No. 13-01”), indicating its intent to issue not to exceed \$2,000,000 principal amount of lease purchase revenue bonds (the “Series 2014-A Bonds”) to pay the cost of constructing improvements to the Franklin County, Kansas (the “County”) courthouse consisting of replacing the HVAC system and all related appurtenances (the “2014-A Improvements”), and to pay the cost of issuing the Series 2014-A Bonds; and

(b) Resolution No. 13-2 adopted on November 14, 2013 (“Resolution No. 13-2”), indicating its intent to issue not to exceed \$2,400,000 principal amount of lease purchase revenue bonds (the “Series 2014-B Bonds”) to pay the cost of renovating, equipping and furnishing a building for use as a justice center and/or other County business (the “2014-B Improvements”), and to pay the cost of issuing the Series 2014-B Bonds; and

**WHEREAS**, Resolution Nos. 13-01 and 13-2 were published in accordance with the requirements of K.S.A. 12-1757 *et seq.*, and no petition in opposition to the 2014-A Improvements, the 2014-B Improvements, the 2014-A Bonds or the 2014-B Bonds was received by the County Clerk within 30 days following publication of either resolution; and

**WHEREAS**, the PBC’s Financial Advisor, George K. Baum & Company (the “Financial Advisor”), has on behalf of the PBC solicited proposals from investment banking firms to underwrite the sale of the Series 2014-A Bonds and the Series 2014-B Bonds (collectively, the “Bonds”); and

**WHEREAS**, the PBC hereby finds it desirable to authorize the sale of the Bonds to finance the 2014-A Improvements and the 2014-B Improvements;

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY PUBLIC BUILDING COMMISSION, AS FOLLOWS:**

**Section 1.** The Bonds shall be offered for sale in the manner described in this Resolution.

**Section 2.** The Financial Advisor, the County Administrator of Franklin County, Kansas (the “County Administrator”) and the PBC’s Bond Counsel, Kutak Rock LLP (“Bond Counsel”) (collectively, the “Finance Team”), are hereby authorized and directed to review solicited proposals from investment banking firms to underwrite the sale of the Bonds, and to

select from these proposals an underwriter for the Bonds (the selected investment banking firm is referred to as the “Underwriter” in this Resolution).

**Section 3.** The Finance Team is authorized and directed to prepare a preliminary official statement or preliminary statements for use in connection with the sale of the Bonds, and the Chairman and Secretary of the PBC are authorized to execute such preliminary official statement(s). The PBC consents to the use and public distribution by the Underwriter of the preliminary official statement(s) in connection with the offering for sale of the Bonds.

**Section 4.** For the purpose of enabling the Underwriter to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the appropriate officers of the PBC are authorized to provide the Underwriter with a certification to the effect that the PBC deems the information contained in the preliminary official statement(s) to be “final” as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and to take such other action or execute such other documents as such officers in their reasonable judgment deem necessary to enable such Underwriter to comply with the requirements of such Rule.

**Section 5.** The PBC agrees to provide to the Underwriter within seven (7) business days of the date of the purchase contract for the applicable series of Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of such Underwriter, whichever is earlier, sufficient copies of a final official statement to enable such Underwriter 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 6.** The PBC agrees to enter into a written agreement or contract on or before the date of delivery of the Bonds to provide ongoing disclosure about the PBC for the benefit of the holders of the Bonds as required by Rule 15c2-12(b)(5)(1) of the Securities and Exchange Commission (the “Rule”). The PBC further designates Kutak Rock LLP as an agent of the PBC for the purpose of obtaining and disseminating information in connection with the Rule.

**Section 7.** The Chairman, Secretary, County Administrator, Bond Counsel, Financial Advisor, and the other officers and representatives of the PBC are authorized and directed to take such other action as may be necessary to carry out the negotiated sale of the Bonds.

**Section 8.** The execution of a Fiduciary Engagement Letter, by the Chairman and Secretary, between the PBC and the Financial Advisor in such form as presented to the PBC simultaneously with this Resolution is hereby authorized and approved.

**Section 9.** This Resolution shall be in full force and effect from and after its adoption.

*(Remainder of Page Intentionally Left Blank)*

ADOPTED by the Franklin County Public Building Commission on January 8, 2014.

**FRANKLIN COUNTY PUBLIC  
BUILDING COMMISSION**

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Chairman

Attest:

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Secretary