

**ORDINANCE NO. 2422**

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE STAR BOND FINANCING PROJECT PLAN FOR THE DERBY STAR BOND PROJECT DISTRICT.**

**WHEREAS**, the City of Derby, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas as a city of the second class; and

**WHEREAS**, pursuant to K.S.A. 12-17,160 *et seq.*, as amended (the “Act”) and Ordinance No. 2242, passed on September 8, 2015 and published on September 16, 2015, the City Council of the City (the “Governing Body”) established a STAR bond district pursuant to the Act, designated as the Derby STAR Bond Project District (the “District”) and approved a plan for the District (the “District Plan”); and

**WHEREAS**, by Ordinance No. 2394, passed August 27, 2019, and published September 4, 2019, the City added certain property, increased the boundaries of the District and adopted a substantial change to the District Plan, all pursuant to K.S.A. 12-17,171(a); and

**WHEREAS**, pursuant to the Act, the City prepared a STAR Bond Financing Project Plan for development of the District, dated August 3, 2016 (the “STAR Project Plan”); and

**WHEREAS**, the Act, particularly K.S.A. 12-17,166(k), authorizes the Governing Body to approve substantial changes to the STAR Project Plan, subject to public hearing, notice of which is provided by publication at least twice in the official City newspaper; and

**WHEREAS**, the City has prepared the First Amendment to STAR Bond Financing Project Plan, dated January 2020 (the “STAR Project Plan Amendment”), which further modifies the scope of the major commercial entertainment and tourism area adds a major multi-sport athletic complex and modifies related infrastructure improvements described in the STAR Project Plan; and

**WHEREAS**, on January 28, 2020, after providing notice required by the Act, a public hearing on the STAR Project Plan Amendment was opened, public comment was received by the Governing Body and the public hearing was closed; and

**WHEREAS**, the Governing Body is authorized by the Act to adopt the STAR Project Plan Amendment by ordinance passed by not less than two-thirds vote of the Governing Body; and

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

**Section 1. STAR Project Plan Amendment Approval.** The STAR Project Plan Amendment for the redevelopment of the District, together with all attachments and exhibits thereto, which is on file in the office of the City Clerk, is hereby adopted.

**Section 2. Financing Authorization.** The Governing Body hereby declares its intention to issue and sell its special obligation bonds (the “Bonds”), in order to implement the STAR Project Plan

Amendments. The Bonds may be issued to reimburse the City for such project costs pursuant to Treasury Regulation §1.150-2.

**Section 3. Effective Date.** This Ordinance shall take effect and be in force from and after its passage and publication one time in the official City newspaper.

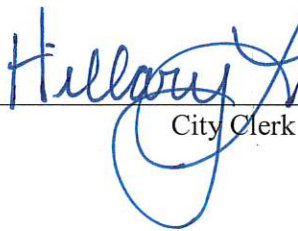
**Section 4. Notification.** The City Clerk shall cause to be transmitted copies of this Ordinance to the Sedgwick County Board of County Commissioners, Clerk, Treasurer and Appraiser, to the Board of Education of Unified School District No. 260 (Derby) and to the Secretary of the Kansas Department of Commerce.

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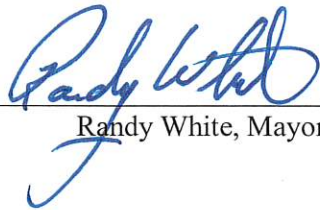
**PASSED** by not less than a two-thirds majority of the City Council of the City of Derby, Kansas, on January 28, 2020 and **APPROVED** and **SIGNED** by the Mayor.

(SEAL)

ATTEST:

  
\_\_\_\_\_  
City Clerk



  
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Randy White, Mayor

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