

PRELIMINARY OFFICIAL STATEMENT DATED SEPTEMBER 5, 2024

**NEW ISSUE
BOOK ENTRY ONLY**

**NOT RATED
BANK QUALIFIED**

In the opinion of Gilmore & Bell, P.C., Bond Counsel to the Issuer, under existing law and assuming continued compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code"): (1) the interest on the Bonds [(including any original issue discount properly allocable to an owner thereof)] is excludable from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax; (2) the interest on the Bonds is exempt from income taxation by the State of Kansas; and (3) the Bonds have been designated as "qualified tax-exempt obligations" within the meaning of Code § 265(b)(3)]. Bond Counsel notes that for tax years beginning after December 31, 2022, interest on the Bonds may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax. See "TAX MATTERS" in this Preliminary Official Statement.

\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

DATED: As of the Delivery Date shown below

DUE: As shown on the inside cover pages

The General Obligation Bonds, Series 2024 (the "Bonds") will be issued by the City of Wellington, Kansas (the "City" or "Issuer"), as fully registered bonds, without coupons, and, when issued, will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry form, in the denominations of \$5,000 or any integral multiple thereof (the "Authorized Denomination") and shall be numbered in such manner as the Bond Registrar shall determine. Purchasers will not receive certificates representing their interests in the Bonds purchased. So long as Cede & Co. is the registered owner of the Bonds, as nominee for DTC, references herein to the Bond owners or registered owners shall mean Cede & Co. as aforesaid, and shall not mean the Beneficial Owners (herein defined) of the Bonds. Principal will be payable upon presentation and surrender of the Bonds by the registered owners thereof at the office of the Treasurer of the State of Kansas, Topeka, Kansas, as paying agent and bond registrar (the "Paying Agent" and "Bond Registrar"). Interest payable on each Bond shall be paid to the persons who are the registered owners of the Bonds as of the close of business on the fifteenth day (whether or not a business day) of the calendar month preceding each interest payment date by check or draft of the Paying Agent mailed to such registered owner, or in the case of an interest payment to a registered owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer. So long as DTC or its nominee, Cede & Co., is the Owner of the Bonds, such payments will be made directly to DTC. DTC is expected, in turn, to remit such principal and interest to the DTC Participants (herein defined) for subsequent disbursement to the Beneficial Owners. Principal of the Bonds will be payable annually on each September 1, beginning September 1, 2025, and semi-annual interest will be payable on March 1 and September 1, beginning on March 1, 2025.

MATURITY SCHEDULES*
(See inside cover page)

The Bonds and the interest thereon will constitute general obligations of the Issuer, payable 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 payment of the principal of, redemption premium, if any, and interest on the Bonds is subject to certain risk factors and investment considerations as described under the caption "RISK FACTORS AND INVESTMENT CONSIDERATIONS" herein.

The Bonds will be subject to redemption and payment prior to Stated Maturity at the option of the Issuer on or after September 1, 2031 as described herein. [The Term Bonds are also subject to mandatory redemption as described herein.] See "THE BONDS - Redemption Provisions" herein.

The Bonds are offered when, as and if issued by the Issuer, subject to the approval of legality by Gilmore & Bell, P.C., Wichita, Kansas, Bond Counsel to the Issuer. Certain other legal matters will be passed upon by Shawn DeJarnett, Esq., Wellington, Kansas, counsel for the Issuer. It is expected that the Bonds will be available for delivery through the facilities of DTC in New York, New York on or about October 3, 2024.

**BIDS WILL BE ACCEPTED ON BEHALF OF:
THE CITY OF WELLINGTON, KANSAS
ON SEPTEMBER 17, 2024 UNTIL 11:00 A.M. CT
BY RANSON FINANCIAL GROUP, LLC
200 W. DOUGLAS, SUITE 110
WICHITA, KANSAS 67202**

PHONE:(316) 264-3400 ~ FAX: (316) 265-5403 ~ EMAIL: bids@ransonfinancial.com

THE COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. THE COVER PAGE IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE PRELIMINARY OFFICIAL STATEMENT, INCLUDING ALL APPENDICES ATTACHED HERETO TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION. "APPENDIX B - SUMMARY OF FINANCING DOCUMENTS" CONTAINS DEFINITIONS USED IN THIS PRELIMINARY OFFICIAL STATEMENT.

* Subject to change.

This Preliminary Official Statement and information contained herein are subject to completion or amendment without notice. These securities may not be sold nor an offer to buy be accepted prior to the time the Preliminary Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

MATURITY SCHEDULE*

SERIAL BONDS

| Stated Maturity September 1 | Principal Amount* | Annual Rate of Interest | Price or Yield | CUSIP⁽¹⁾ Base: 949544 |
|--|------------------------------|--|---------------------------|---|
| 2025 | \$55,000 | ____% | ____% | |
| 2026 | 50,000 | ____% | ____% | |
| 2027 | 55,000 | ____% | ____% | |
| 2028 | 55,000 | ____% | ____% | |
| 2029 | 60,000 | ____% | ____% | |
| 2030 | 60,000 | ____% | ____% | |
| 2031 | 65,000 | ____% | ____% | |
| 2032 | 65,000 | ____% | ____% | |
| 2033 | 70,000 | ____% | ____% | |
| 2034 | 70,000 | ____% | ____% | |
| 2035 | 75,000 | ____% | ____% | |
| 2036 | 80,000 | ____% | ____% | |
| 2037 | 80,000 | ____% | ____% | |
| 2038 | 85,000 | ____% | ____% | |
| 2039 | 90,000 | ____% | ____% | |

[TERM BONDS

| Stated Maturity September 1 | Principal Amount* | Annual Rate of Interest | Price or Yield | CUSIP⁽¹⁾ Base: 949544 |
|--|------------------------------|--|---------------------------|---|
| 2039 | \$ | ____% | ____% |] |

(all plus accrued interest, if any)

⁽¹⁾ CUSIP® is a registered trademark of the American Bankers Association. CUSIP Global Services (CGS) is managed on behalf of the American Bankers Association by FactSet Research Systems Inc. Copyright(c) 2024 CUSIP Global Services. All rights reserved. CUSIP® data herein is provided by CUSIP Global Services. This data is not intended to create a database and does not serve in any way as a substitute for the CGS database. CUSIP® numbers are provided for convenience of reference only. None of the Issuer, the Borrower, the Underwriter or their agents or counsel assume responsibility for the accuracy of such numbers.

* Subject to Change

IN CONNECTION WITH THIS OFFERING, THE UNDERWRITER MAY OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICES OF THE BONDS AT LEVELS ABOVE THOSE WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

THE BONDS HAVE NOT BEEN REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED. THE BONDS ARE OFFERED PURSUANT TO AN EXEMPTION FROM REGISTRATION WITH THE SECURITIES AND EXCHANGE COMMISSION. THE REGISTRATION, QUALIFICATION OR EXEMPTION OF THE BONDS IN ACCORDANCE WITH THE APPLICABLE SECURITIES LAW PROVISIONS OF THE JURISDICTIONS IN WHICH THESE SECURITIES HAVE BEEN REGISTERED, QUALIFIED OR EXEMPTED SHOULD NOT BE REGARDED AS A RECOMMENDATION THEREOF. NEITHER THESE JURISDICTIONS NOR ANY OF THEIR AGENCIES HAVE GUARANTEED OR PASSED UPON THE SAFETY OF THE BONDS AS AN INVESTMENT, UPON THE PROBABILITY OF ANY EARNINGS THEREON OR UPON THE ACCURACY OR ADEQUACY OF THIS PRELIMINARY OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

THIS PRELIMINARY OFFICIAL STATEMENT CONTAINS STATEMENTS THAT ARE “FORWARD-LOOKING STATEMENTS” AS DEFINED IN THE PRIVATE SECURITIES LITIGATION REFORM ACT OF 1995. WHEN USED IN THIS PRELIMINARY OFFICIAL STATEMENT, THE WORDS “ESTIMATE,” “INTEND,” “EXPECT” AND SIMILAR EXPRESSIONS ARE INTENDED TO IDENTIFY FORWARD-LOOKING STATEMENTS. SUCH STATEMENTS ARE SUBJECT TO RISKS AND UNCERTAINTIES THAT COULD CAUSE ACTUAL RESULTS TO DIFFER MATERIALLY FROM THOSE CONTEMPLATED IN SUCH FORWARD-LOOKING STATEMENTS. READERS ARE CAUTIONED NOT TO PLACE UNDUE RELIANCE ON THESE FORWARD-LOOKING STATEMENTS, WHICH SPEAK ONLY AS OF THE DATE HEREOF.

THIS PRELIMINARY OFFICIAL STATEMENT IS DEEMED TO BE FINAL (EXCEPT FOR PERMITTED OMISSIONS) BY THE ISSUER FOR PURPOSES OF COMPLYING WITH RULE 15c2-12 OF THE SECURITIES AND EXCHANGE COMMISSION.

IN MAKING AN INVESTMENT DECISION INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE ISSUER AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED.

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\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

Governing Body

Joe Soria, Mayor
Cindy Antonich, Councilmember
Kevin Dodds, Councilmember
Jan Grace, Councilmember
Mary Lucas, Councilmember
Rick Roitman, Councilmember
Mike Westmoreland, Councilmember

City Staff

Jeff Porter, City Manager
Heidi Theurer, City Clerk/Finance Director
Lori Hernandez, City Treasurer

City Attorney

Shawn DeJarnett, Esq.
Wellington, Kansas

Bond Counsel

Gilmore & Bell, P.C.
Wichita, Kansas

Paying Agent/Bond Registrar

Office of State Treasurer
Topeka, Kansas

Financial Advisor

Ranson Financial Group, LLC
Wichita, Kansas

Underwriter

* Subject to change.

No dealer, broker, salesperson or other person has been authorized by the Issuer or the Underwriter to give any information or to make any representations with respect to the Bonds other than those contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by any of the foregoing. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein concerning the Issuer has been furnished by the Issuer and other sources which are believed to be reliable, but such information is not guaranteed as to accuracy or completeness. The Underwriter has reviewed the information in this Official Statement in accordance with, and as a part of, its responsibilities to investors under the Federal Securities Laws as applied to the facts and circumstances of this transaction, but the Underwriter does not guarantee the accuracy or completeness of such information. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Issuer since the date hereof. This Official Statement does not constitute a contract between the Issuer or the Underwriter and any one or more of the purchasers, Owners or Beneficial Owners of the Bonds.

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\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

INTRODUCTION

General Matters

The purpose of this Preliminary Official Statement is to furnish information relating to the City of Wellington, Kansas (the “City” or “Issuer”) and the General Obligation Bonds, Series 2024 (the “Bonds”), dated October 3, 2024 (the “Dated Date”).

The Appendices to this Preliminary Official Statement are integral parts of this document, to be read in their entirety.

The Issuer is a municipal corporation and city of the second class duly organized and existing under the laws of the State of Kansas (the “State”). Additional information regarding the Issuer is contained in *APPENDIX A* to this Official Statement.

The Bonds will be issued pursuant to ordinances and resolutions adopted by the Governing Body of the Issuer and pursuant to the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and statutes of the State.

The Bonds are subject to optional redemption and payment prior to maturity. See “THE BONDS - Redemption Provisions” herein for additional detail.

Except for the information expressly attributed to other sources, all information has been provided by the Issuer. The presentation of information herein, including all tables, is intended to show recent historical information, and is not intended to indicate future or continuing trends in the financial position or other affairs of the Issuer. No representation is made that past experience, as might be shown by such financial or other information, will necessarily continue or be repeated in the future. Ranson Financial Group LLC, Wichita, Kansas, the Financial Advisor, has assisted in the preparation of the Preliminary Official Statement, but has not verified all of the factual information contained herein, nor has it conducted a detailed investigation of the affairs of the Issuer for the purposes of passing upon the accuracy or completeness of this Preliminary Official Statement. Bond Counsel has not assisted in the preparation nor reviewed this Preliminary Official Statement, except to the extent described under the section captioned “LEGAL MATTERS,” and accordingly Bond Counsel expresses no opinion as to the accuracy or sufficiency of any other information contained herein.

Definitions

Capitalized terms not otherwise defined herein shall have the meanings ascribed thereto in “APPENDIX C—SUMMARY OF FINANCING DOCUMENTS.”

Continuing Disclosure

The Securities and Exchange Commission (the “SEC”) has promulgated amendments to Rule 15c2-12 (the “Rule”), requiring continuous secondary market disclosure. In connection with the issuance of the Bonds, the Issuer will enter into a continuing disclosure undertaking (the “Disclosure Undertaking”) wherein the Issuer covenants to annually provide certain financial information and operating data (collectively the “Annual Report”) and other information necessary to comply with the Rule, and to transmit the same to the MSRB. Pursuant to the Disclosure Undertaking, the Issuer has agreed to file its Annual Report with the national repository (“EMMA”) not later than the last day of the eighth month after the end of the Issuer’s Fiscal Year, commencing with the year ending December 31, 2024. In the Bond Resolution, hereinafter defined, the Issuer covenants with the Underwriter and the Beneficial Owners to apply the provisions of the Disclosure Undertaking to the Bonds. This covenant is for the benefit of and is enforceable by the Beneficial Owners of the Bonds.

* Subject to change.

The Issuer has previously entered into disclosure undertakings pursuant to the Rule (the “Prior Undertakings”). In certain prior years, the Issuer has failed to file its Annual Report within the time period prescribed by the Prior Undertakings, and did not timely file notices on EMMA that the Annual Report was missing or late. The statistical information included in some Annual Reports contained most, but not all, of the information described as Operating Data in the Prior Undertakings. The Issuer’s filings for the previous five years are set forth on the table below.

| Fiscal Year <u>Ending December 31</u> | Filing Time <u>Period (Days/Date)</u> | Financial Information <u>Filing Date</u> | Operating Data <u>Filing Date</u> |
|--|--|---|--|
| 2019 | 240 – 08/28/2020 ⁽¹⁾ | 08/27/2020 | 12/01/2020 ⁽³⁾ |
| 2020 | 240 – 08/28/2021 ⁽¹⁾ 08/31/2021 ⁽²⁾ | 10/25/2021 ⁽⁴⁾ | 10/27/2021 ⁽⁴⁾ |
| 2021 | 240 – 08/28/2022 ⁽¹⁾ 08/31/2022 ⁽²⁾ | 08/03/2022 | 08/03/2022 |
| 2022 | 240 – 08/28/2023 ⁽¹⁾ 08/31/2023 ⁽²⁾ | 08/02/2023 | 08/03/2023 |
| 2023 | 240 – 08/28/2024 ⁽¹⁾ 08/31/2024 ⁽²⁾ | 08/12/2024 | Not filed ⁽⁵⁾ |

⁽¹⁾ General Obligation Electric, Waterworks and Sewage Utility System Refunding Bonds, Series 2015; General Obligation Bonds, Series 2018; and the outstanding Electric, Waterworks and Sewage Utility System Revenue Bonds, Series 2016.

⁽²⁾ Filing requirements for the City’s outstanding General Obligation Bonds, Series A, 2019; General Obligation Refunding Bonds, Series B, 2021; and the Bonds.

⁽³⁾ A notice of failure to file on time was submitted on August 27, 2020.

⁽⁴⁾ A notice of failure to file on time was submitted on August 25, 2021.

⁽⁵⁾ In anticipation with the late August/early September preparation and filing of this Official Statement, operating date was not filed. During the past five years, the Issuer has made filings of event notices on EMMA with respect to certain material events, however, during said time period, the Issuer may not have made timely filings of event notices on EMMA relating to bond calls, defeasances or rating changes. The Issuer believes this bond call, defeasance or rating change information was disseminated or available through other sources.

While the Issuer had the filing deficiencies referred to above, it issued general obligation bonds 2021, payable from the same source of revenue as the Bonds. The official statements for bonds issued in 2021 were filed with the MSRB, but were not in every instance incorporated by reference in the filings made by the Issuer with respect to one or more series of then outstanding general obligation bonds and public building commission revenue bonds.

In 2014, the City entered into a service agreement providing assistance on the City’s submissions.

For more information regarding the Disclosure Undertaking, see “APPENDIX D – FORM OF DISCLOSURE UNDERTAKING.”

For more information regarding the Issuer's continuing disclosure undertaking, see “**APPENDIX D** – FORM OF DISCLOSURE UNDERTAKING.”

Additional Information

All of the summaries of statutes, opinions, financial and statistical data, and other related reports and documents described in this Preliminary Official Statement are subject to the actual provisions of such documents. The summaries do not purport to be complete statements of such provisions and reference is made to such documents, copies of which are either publicly available or available for inspection during normal business hours at the City Hall, 103 Cody St., P.O. Box 934, Wellington, Kansas, 67877. Additional information regarding the Issuer or the Bonds may be obtained from the Issuer’s Financial Advisor, Ranson Financial Group, LLC, 200 W. Douglas, Suite 110, Wichita, Kansas 67202, Attention: Larry Kleeman, by phone ((316) 264-3400) or e-mail (larry@citycode.com).

THE BONDS

Authority for the Bonds

The Bonds are being issued under the authority of and pursuant to and in full compliance with the Constitution and laws of the State, specifically K.S.A. 10-101 to 10-125, inclusive, K.S.A. 14-570 *et seq.* and Charter Ordinance No. 32 of the Issuer, all as amended and supplemented (collectively, the "Act"). The Bonds are further issued pursuant to an ordinance and resolution passed by the governing body of the Issuer on September 17, 2024 (collectively, the “Bond Resolution”) for the purpose of providing permanent financing for the costs related to certain internal improvements of the Issuer. See “THE IMPROVEMENTS” herein for additional detail.

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 irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Levy and Collection of Annual Tax, Transfer to Debt Service Account

The governing body of the Issuer 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 and/or assessments upon all of the taxable tangible property within the Issuer in the manner provided by law. Such taxes and/or assessments 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.

Description of the Bonds

The Bonds are issuable as fully registered book-entry only bonds in the denomination of \$5,000 or any integral multiple thereof (the "Authorized Denomination"), and may be numbered in such manner as the Bond Registrar shall determine. The Bonds shall be dated as of the Dated Date, become due in the amounts on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities, and shall bear interest at the rates per annum set forth on the inside cover page of this Preliminary Official Statement (computed on the basis 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 hereinafter set forth.

Designation of Paying Agent and Bond Registrar

The Issuer will at all times maintain a paying agent and bond registrar meeting the qualifications set forth in the Bond Resolution. The Issuer reserves the right to appoint a successor paying agent or bond registrar. No registration 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 by the Issuer shall at all times meet the requirements of Kansas law.

The Treasurer of the State of Kansas, Topeka, Kansas (the "Bond Registrar" and "Paying Agent"), has been designated by the Issuer as 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.

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, 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. 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 an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest. 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 notify the Issuer of such Special Record Date and shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice not less than 10 days prior to such Special Record Date.

SO LONG AS CEDE & CO., REMAINS THE REGISTERED OWNER OF THE BONDS, THE PAYING AGENT SHALL TRANSMIT PAYMENTS TO THE SECURITIES DEPOSITORY, WHICH SHALL REMIT SUCH PAYMENTS IN ACCORDANCE WITH ITS NORMAL PROCEDURES. See “THE BONDS – Book-Entry Bonds; Securities Depository.”

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.

Book-Entry Bonds; Securities Depository

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. 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 paragraphs.

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 interest 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, 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 the Bonds to the successor Securities Depository in appropriate denominations and form as provided in the Bond Resolution.

Registration, Transfer and Exchange of Bonds

As long as any of the Bonds remain Outstanding, 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 hereinafter provided. 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 the Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds. 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.

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 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.

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 paragraph, the Issuer 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.

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 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.

Redemption Provisions

Optional Redemption. At the option of the Issuer, the Bonds maturing September 1, 2032 and thereafter will be subject to redemption and payment prior to maturity on September 1, 2031 and thereafter, as a whole or in part (selection of the amount of the Bonds 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 thereon to the Redemption Date.

[Mandatory Redemption.] [(a) [] Term Bonds.]The [] Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements hereinafter set forth at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The payments 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 [] Term Bonds:

| <u>Principal Amount</u> | <u>Redemption Date</u> |
|------------------------------------|-----------------------------------|
| \$ | * |

*Final Maturity]

[(b) [] Term Bonds. The [] Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements hereinafter set forth at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The payments 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 [] Term Bonds:

| <u>Principal Amount</u> | <u>Redemption Date</u> |
|------------------------------------|-----------------------------------|
| \$ | * |

*Final Maturity]

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 minimum Authorized Denomination 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 each minimum Authorized Denomination of face value shall be treated as though it were a separate Bond 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).

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 Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the Underwriter. 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. 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.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified 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.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. The Paying Agent is also directed to comply with any mandatory or voluntary 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.

THE DEPOSITORY TRUST COMPANY

1. The Depository Trust Company (“DTC”), New York, New York, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate will be issued for each scheduled maturity of the Bonds and will be deposited with DTC.

2. DTC, the world’s largest depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.6 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a Standard & Poor’s rating of “AA+.” The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

3. Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Note (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Participants acting on behalf of Direct and Indirect Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

4. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

6. Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC’s practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC’s MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.’s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Issuer or Paying Agent, on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the Paying Agent, or the Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Issuer or Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. A Beneficial Owner shall give notice to elect to have its Bonds purchased or tendered, through its Participant, to the Paying Agent, and shall effect delivery of such Bonds by causing the Direct Participant to transfer the Participant's interest in the Notes, on DTC's records, to the Paying Agent. The requirement for physical delivery of the Bonds in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Bonds are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Bonds to the Paying Agent's DTC account.

10. DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Issuer or Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be printed and delivered.

11. The Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Note certificates will be printed and delivered to DTC.

12. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Issuer believes to be reliable, but the Issuer takes no responsibility for the accuracy thereof.

RISK FACTORS AND INVESTMENT CONSIDERATIONS

A PROSPECTIVE PURCHASER OF THE BONDS DESCRIBED HEREIN SHOULD BE AWARE THAT THERE ARE CERTAIN RISKS ASSOCIATED WITH THE BONDS WHICH MUST BE RECOGNIZED. THE FOLLOWING STATEMENTS REGARDING CERTAIN RISKS ASSOCIATED WITH THE OFFERING SHOULD NOT BE CONSIDERED AS A COMPLETE DESCRIPTION OF ALL RISKS TO BE CONSIDERED IN THE DECISION TO PURCHASE THE BONDS. PROSPECTIVE PURCHASERS OF THE BONDS SHOULD ANALYZE CAREFULLY THE INFORMATION CONTAINED IN THIS OFFICIAL STATEMENT AND ADDITIONAL INFORMATION IN THE FORM OF THE COMPLETE DOCUMENTS SUMMARIZED HEREIN, COPIES OF WHICH ARE AVAILABLE AND MAY BE OBTAINED FROM THE ISSUER OR THE UNDERWRITER.

Legal Matters

Various state and federal laws, regulations and constitutional provisions apply to the obligations created by the Bonds. There is no assurance that there will not be any change in, interpretation of, or addition to such applicable laws, provisions and regulations which would have a material effect, either directly or indirectly, on the Issuer or the taxing authority of the Issuer.

Debt Service Source

The Bonds are general obligations of the Issuer payable as to both principal and interest, if 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 Issuer. The Legislature may from time to time adopt changes in the property tax system or method of imposing and collecting property taxes within the State. Taxpayers may also challenge the fair market value of property assigned by the county appraiser. The effects of such legislative changes and successful challenges to the appraiser's determination of fair market value could affect the Issuer's property tax collections. If a taxpayer valuation challenge is successful, the liability of the Issuer to refund property taxes previously paid under protest may have a material impact on the Issuer's financial situation. See "APPENDIX A – FINANCIAL INFORMATION – Property Valuations and Property Tax Levies and Collections."

Limitations on Remedies Available to Owners of Bonds

The enforceability of the rights and remedies of the owners of Bonds, and the obligations incurred by the Issuer in issuing the Bonds, are subject to the following: the federal Bankruptcy Code and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditors' rights generally, now or hereafter in effect; usual equity principles which may limit the specific enforcement under state law of certain remedies; the exercise by the United States

of America of the powers delegated to it by the United States Constitution; and the reasonable and necessary exercise, in certain unusual situations, of the police power inherent in the State and its governmental subdivisions in the interest of serving a legitimate and significant public purpose. Bankruptcy proceedings, or the exercise of powers by the federal or state government, if initiated, could subject the owners of the Bonds to judicial discretion interpretation of their rights in bankruptcy and otherwise, and consequently may involve risks of delay, limitation or modification of their rights.

Taxation of Interest on the Bonds

An opinion of Bond Counsel will be obtained to the effect that interest earned on the Bonds is excludable from gross income for federal income tax purposes under current provisions of the Internal Revenue Code of 1986, as amended (the “Code”), and applicable rulings and regulations under the Code; however, an application for a ruling has not been made and an opinion of counsel is not binding upon the Internal Revenue Service. There can be no assurance that the present provisions of the Code, or the rules and regulations thereunder, will not be adversely amended or modified, thereby rendering the interest earned on the Bonds includable in gross income for federal income tax purposes.

The Issuer has covenanted in the Bond Resolution and in other documents and certificates to be delivered in connection with the issuance of the Bonds to comply with the provisions of the Code, including those which require the Issuer to take or omit to take certain actions after the issuance of the Bonds. Because the existence and continuation of the excludability of the interest on the Bonds depends upon events occurring after the date of issuance of the Bonds, the opinion of Bond Counsel described under “TAX MATTERS” assumes the compliance by the Issuer with the provisions of the Code described above and the regulations relating thereto. No opinion is expressed by Bond Counsel with respect to the excludability of the interest on the Bonds in the event of noncompliance with such provisions. The failure of the Issuer to comply with the provisions described above may cause the interest on the Bonds to become includable in gross income as of the date of issuance.

Bond Rating

The Bonds are **not** rated and no application has been made for a rating.

Secondary Market

There is no assurance that a secondary market will develop for the purchase and sale of the Bonds. The absence of continuing disclosure of financial or other information pertaining to the Issuer may impair the development of a secondary market for the Bonds and could impair the ability of an owner to sell the Bonds in the secondary market. Prices of municipal Bonds traded in the secondary market, though, are subject to adjustment upward and downward in response to changes in the credit market. From time to time it may be necessary to suspend indefinitely secondary market trading in selected issues of municipal bonds as a result of financial condition or market position of broker-dealers, prevailing market conditions, lack of adequate current financial information about the Issuer, or a material adverse change in the financial condition of the Issuer, whether or not the subject Bonds are in default as to principal and interest payments, and other factors which may give rise to uncertainty concerning prudent secondary market practices.

Premium on Bonds

[The initial offering prices of certain maturities of the Bonds that are subject to optional redemption are in excess of the respective principal amounts thereof.] Any person who purchases a Bond in excess of its principal amount, whether during the initial offering or in a secondary market transaction, should consider that the Bonds are subject to redemption at par under the various circumstances described under “THE BONDS – Redemption of Bonds”.

No Additional Interest or Mandatory Redemption upon Event of Taxability

The Bond Resolution does not provide for the payment of additional interest or penalty on the Bonds or the mandatory redemption thereof if the interest thereon becomes includable in gross income for federal income tax purposes. Likewise, the Bond Resolution does not provide for the payment of any additional interest or penalty on the Bonds if the interest thereon becomes subject to taxation by the State.

Kansas Public Employees Retirement System

As described in “**APPENDIX A – FINANCIAL INFORMATION – Pension and Employee Retirement Plans**,” the Issuer participates in the Kansas Public Employees Retirement System (“KPERs”), as an instrumentality of the State to provide retirement and related benefits to public employees in Kansas. KPERs administers three statewide defined benefit retirement plans for public employees which are separate and distinct with different membership groups, actuarial assumptions, experience, contribution rates and benefit options. The Issuer participates in the Public Employees Retirement System – Local Group (the “Plan”). Under existing law, employees make contributions and the Issuer makes all employer contributions to the Plan; neither the employees

nor the Issuer are directly responsible for any unfunded accrued actuarial liability (“UAAL”). However, the Plan contribution rates may be adjusted by legislative action over time to address any UAAL. According to KPERS’ Valuation Reports, the Local Group had an UAAL of approximately \$2.089 billion in calendar year 2023.

Suitability of Investment

The tax exempt feature of the Bonds is more valuable to high tax bracket investors than to investors who are in low tax brackets, and so the value of the interest compensation to any particular investor will vary with individual tax rates. Each prospective investor should carefully examine this Preliminary Official Statement, including the Appendices hereto, and its own financial condition to make a judgment as to its ability to bear the economic risk of such an investment, and whether or not the Bonds are an appropriate investment.

Cybersecurity Risks

Security breaches, including electronic break-ins, computer viruses, attacks by hackers and similar breaches could create disruptions or shutdowns of the Issuer and the services it provides, or the unauthorized disclosure of confidential personal, health-related, credit and other information. If a security breach occurs, the Issuer may incur significant costs to remediate possible injury to the affected persons, and the Issuer may be subject to sanctions and civil penalties. Any failure to maintain proper functionality and security of information systems could interrupt the Issuer’s operations, delay receipt of revenues, damage its reputation, subject it to liability claims or regulatory penalties and could have a material adverse effect on its operations, financial condition and results of operations.

Natural Disasters or Terrorist Attacks

The occurrence of a terrorist attack in the Issuer, or natural disasters, such as fires, tornados, earthquakes, floods or droughts, could damage the Issuer and its systems and infrastructure, and interrupt services or otherwise impair operations of the Issuer.

Potential Impacts Resulting from Epidemics or Pandemics

The Issuer’s finances may be materially adversely affected by unforeseen impacts of future epidemics and pandemics, such as the Coronavirus (COVID-19) pandemic. The Issuer cannot predict future impacts of epidemics or pandemics, any similar outbreaks, or their impact on travel, on assemblies or gatherings, on the local, State, national or global economy, or on securities markets, or whether any such disruptions may have a material adverse impact on the financial condition or operations of the Issuer, including but not limited to the payment of debt service on any of its outstanding debt obligations.

THE IMPROVEMENTS

The proceeds of the Bonds will be applied to: 1) permanently finance construction of improvements described below (collectively, the “Improvements”); and 2) pay costs of issuance associated with the issuance of the Bonds.

| <u>Project Description</u> | <u>Res. No.</u> | <u>Authority (K.S.A.)</u> | <u>Amount</u> |
|---|-----------------|--|---------------|
| Community building/locker room improvements | 6310 | K.S.A. 14-570 <i>et seq.</i> and Charter Ordinance No. 32 of the Issuer | \$1,015,000 |

SOURCES AND USES OF FUNDS

The following table summarizes the sources and uses of funds associated with the issuance of the Bonds (exclusive of accrued interest):

| | |
|--------------------------------------|-----------------------|
| Sources of Funds: | |
| Principal Amount of the Bonds* | <u>\$1,015,000.00</u> |
| Total | \$ |
| Uses of Funds: | |
| Deposit to Project Construction Fund | \$ |
| Underwriter's Discount | |
| Costs of Issuance | |
| Total | \$ |

* Subject to change.

BOND RATINGS

The Issuer has **not** applied for a rating on the Bonds herein offered for sale.

ABSENCE OF LITIGATION

The Issuer, in the ordinary course of business, is a party to various legal proceedings. In the opinion of management of the Issuer, any judgment rendered against the Issuer in such proceedings would not materially adversely affect the financial position of the Issuer.

At the present time there is no controversy, suit or other proceedings of any kind pending or threatened whereby any question is raised or may be raised questioning or affecting in any way the legal organization of the Issuer or its boundaries or the right or title of any of its officers to their respective offices, or the legality of any official act shown to have been done in the Transcript of proceedings leading up to the issuance of the Bonds, or the constitutionality or validity of the indebtedness represented by the Bonds shown to be authorized in said Transcript, or the validity of the Bonds or any of the proceedings had in relation to the issuance or sale thereof, or the levying and collection of taxes to pay the principal and interest thereof.

FINANCIAL ADVISOR

Ranson Financial Group, LLC serves as financial advisor (the “Financial Advisor”) to the Issuer. The Financial Advisor is a “municipal advisor” as defined in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. The Financial Advisor has participated in the preparation of this Preliminary Official Statement, but has not verified all of the factual information contained herein, nor has it conducted a detailed investigation of the affairs of the Issuer for the purpose of passing upon the accuracy or completeness of this Preliminary Official Statement. The Financial Advisor's fee is contingent upon the actual issuance and delivery of the Bonds.

UNDERWRITING

The Bonds have been sold at public sale by the Issuer to [_____] (the “Underwriter”) on the basis of lowest true interest cost. [] bids were received by the Issuer. The Underwriter has agreed, subject to certain conditions, to purchase the Bonds at a price equal to the principal amount of the Bonds, plus accrued interest from the Dated Date to the Issue Date[, plus a premium of \$ _____][, less an underwriting discount of \$ _____].

The Bonds will be offered to the public initially at the prices determined to produce the yield to maturity set forth on the inside cover page of this Preliminary Official Statement. The Underwriter may offer and sell the Bonds to certain dealers (including dealers depositing the Bonds into investment trusts) at prices other than the price stated on the inside cover page hereof and may change the initial offering price from time to time subsequent to the date hereof. In connection with the offering, the Underwriters may over allot or effect transactions which stabilize or maintain the market price of the Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

LEGAL MATTERS

Approval of Bonds

All matters incident to the authorization and issuance of the Bonds are subject to the approval of Gilmore & Bell, P.C., Wichita, Kansas (“Bond Counsel”), bond counsel to the Issuer. The factual and financial information appearing herein has been supplied or reviewed by certain officials of the Issuer and its certified public accountants, as referred to herein. Bond Counsel has participated in the preparation of the matters appearing in the sections of this Preliminary Official Statement captioned “THE BONDS,” “LEGAL MATTERS,” “TAX MATTERS,” and *APPENDIX C—SUMMARY OF FINANCING DOCUMENTS*. Payment of the legal fee of Bond Counsel is contingent upon the delivery of the Bonds. Certain legal matters have been passed on for the Issuer by Shawn DeJarnett, Esq.

TAX MATTERS

The following is a summary of the material federal and State of Kansas income tax consequences of holding and disposing of the Bonds. This summary is based upon laws, regulations, rulings and judicial decisions now in effect, all of which are subject to change (possibly on a retroactive basis). This summary does not discuss all aspects of federal income taxation that may be relevant to investors in light of their personal investment circumstances or describe the tax consequences to certain types of holders subject to special treatment under the federal income tax laws (for example, dealers in securities or other persons who do not hold the Bonds as a capital asset, tax-exempt organizations, individual retirement accounts and other tax deferred accounts, and foreign taxpayers), and, except for the income tax laws of the State of Kansas, does not discuss the consequences to an owner under state,

local or foreign tax laws. The summary does not deal with the tax treatment of persons who purchase the Bonds in the secondary market. Prospective investors are advised to consult their own tax advisors regarding federal, state, local and other tax considerations of holding and disposing of the Bonds.

Opinion of Bond Counsel

In the opinion of Bond Counsel, under the law existing as of the issue date of the Bonds:

Federal Tax Exemption. The interest on the Bonds [(including any original issue discount properly allocable to an owner thereof)] is excludable from gross income for federal income tax purposes.

Alternative Minimum Tax. Interest on the Bonds is not an item of tax preference for purposes of computing the federal alternative minimum tax.

Bank Qualification. The Bonds are “qualified tax-exempt obligations” within the meaning of Code § 265(b)(3).

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

Bond Counsel’s opinions are provided as of the date of the original issue of the Bonds, subject to the condition that the Issuer comply with all requirements of 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 such requirements. Failure to comply with certain of such requirements may cause the inclusion of interest on the Bonds in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. Bond Counsel is expressing no opinion regarding other federal, state or local tax consequences arising with respect to the Bonds.

Other Tax Consequences

[Original Issue Discount. For federal income tax purposes, original issue discount is the excess of the stated redemption price at maturity of a Bond over its issue price. The stated redemption price at maturity of a Bond is the sum of all payments on the Bond other than “qualified stated interest” (*i.e.*, interest unconditionally payable at least annually at a single fixed rate). The issue price of a Bond is generally the first price at which a substantial amount of the Bonds of that maturity have been sold to the public. Under Code § 1288, original issue discount on tax-exempt obligations accrues on a compound basis. The amount of original issue discount that accrues to an owner of a Bond during any accrual period generally equals (1) the issue price of that Bond, plus the amount of original issue discount accrued in all prior accrual periods, multiplied by (2) the yield to maturity on that Bond (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period), minus (3) any interest payable on that Bond during that accrual period. The amount of original issue discount accrued in a particular accrual period will be considered to be received ratably on each day of the accrual period, will be excludable from gross income for federal income tax purposes, and will increase the owner’s tax basis in that Bond. Prospective investors should consult their own tax advisors concerning the calculation and accrual of original issue discount.]

[Original Issue Premium. For federal income tax purposes, premium is the excess of the issue price of a Bond over its stated redemption price at maturity. The stated redemption price at maturity of a Bond is the sum of all payments on the Bond other than “qualified stated interest” (*i.e.*, interest unconditionally payable at least annually at a single fixed rate). The issue price of a Bond is generally the first price at which a substantial amount of the Bonds of that maturity have been sold to the public. Under Code § 171, premium on tax-exempt obligations amortizes over the term of the Bond using constant yield principles, based on the purchaser’s yield to maturity. As premium is amortized, the owner’s basis in the Bond and the amount of tax-exempt interest received will be reduced by the amount of amortizable premium properly allocable to the owner, which will result in an increase in the gain (or decrease in the loss) to be recognized for federal income tax purposes on sale or disposition of the Bond prior to its maturity. Even though the owner’s basis is reduced, no federal income tax deduction is allowed. Prospective investors should consult their own tax advisors concerning the calculation and accrual of premium.]

Sale, Exchange or Retirement of Bonds. Upon the sale, exchange or retirement (including redemption) of a Bond, an owner of the Bond generally will recognize gain or loss in an amount equal to the difference between the amount of cash and the fair market value of any property received on the sale, exchange or retirement of the Bond (other than in respect of accrued and unpaid interest) and such owner’s adjusted tax basis in the Bond. To the extent the Bonds are held as a capital asset, such gain or loss will be capital gain or loss and will be long-term capital gain or loss if the Bond has been held for more than 12 months at the time of sale, exchange or retirement.

Reporting Requirements. In general, information reporting requirements will apply to certain payments of principal, interest and premium paid on Bonds, and to the proceeds paid on the sale of Bonds, other than certain exempt recipients (such as corporations and foreign entities). A backup withholding tax will apply to such payments if the owner fails to provide a taxpayer identification

number or certification of foreign or other exempt status or fails to report in full dividend and interest income. The amount of any backup withholding from a payment to an owner will be allowed as a credit against the owner's federal income tax liability.

Collateral Federal Income Tax Consequences. Prospective purchasers of the Bonds should be aware that ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits, certain S corporations with "excess net passive income," foreign corporations subject to the branch profits tax, life insurance companies, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry or have paid or incurred certain expenses allocable to the Bonds. Bond Counsel expresses no opinion regarding these tax consequences. Purchasers of Bonds should consult their tax advisors as to the applicability of these tax consequences and other federal income tax consequences of the purchase, ownership and disposition of the Bonds, including the possible application of state, local, foreign and other tax laws.

Bond Counsel notes that for tax years beginning after December 31, 2022, the interest on the Bonds may be included in adjusted financial statement income of applicable corporations for purposes of determining the applicability and amount of the federal corporate alternative minimum tax.

MISCELLANEOUS

The references herein to the Bond Resolution and other documents referred to in this Preliminary Official Statement are brief summaries of certain provisions thereof and do not purport to be complete. For full and complete statements of such provisions, reference is made to such documents.

The agreement of the Issuer with the Owners of the Bonds is fully set forth in the Bond Resolution, and neither any advertisement of the Bonds nor this Preliminary Official Statement is to be construed as constituting an agreement with the purchasers of the Bonds. So far as any statements are made in this Preliminary Official Statement involving matters of opinion, estimates, projections or forecasts, whether or not expressly stated as such, they are not to be construed as representations of fact. Copies of the documents mentioned under this caption are on file at the offices of the Underwriter and, following delivery of the Bonds, will be on file with the Issuer.

The Appendices attached hereto is an integral part of this Preliminary Official Statement and must be read together with all of the statements.

AUTHORIZATION OF PRELIMINARY OFFICIAL STATEMENT

The preparation of this Preliminary Official Statement and its distribution has been authorized by the governing body of the Issuer as of the date on the cover page hereof. This Preliminary Official Statement is submitted in connection with the issuance of the Bonds and may not be reproduced or used as a whole or in part for any other purpose. This Preliminary Official Statement does not constitute a contract between the Issuer or the Underwriter and any one or more of the purchasers, Owners or Beneficial Owners of the Bonds

CITY OF WELLINGTON, KANSAS

By: _____
Joe Soria, Mayor

ATTEST:

Heidi Theurer, City Clerk

APPENDIX A

INFORMATION CONCERNING THE ISSUER

* Subject to change.

APPENDIX A

GENERAL INFORMATION CONCERNING THE ISSUER

Size and Location

The City of Wellington, Kansas (the “City”) is the county seat of Sumner County (the “County”), Kansas and is located approximately 25 miles south of Wichita, the largest population center in Kansas. The City encompasses five square miles and has a current estimated population of 7,568 persons.

Government and Organization of the City

The City is a municipal corporation incorporated in 1872, and a city of the second class organized and existing under and pursuant to the Constitution and laws of the State of Kansas. The City has a Mayor/Council form of government. The City Council conducts all legislative functions for the City and establishes general policies which are executed by its staff, which serves at its pleasure.

The following tables list the principal elected and appointed executive officers of the City as of the submission date of this report:

| <u>Title</u> | <u>Name</u> | <u>Term Expires</u> |
|-----------------------------|-----------------------|---------------------|
| Mayor | Joe Soria | 2027 |
| Council Member | Cindy Antonich | 2027 |
| | Kevin Dodds | 2025 |
| | Jan Grace | 2027 |
| | Mary Lucas | 2025 |
| | Rick Roitman | 2025 |
| | Mike Westmoreland | 2027 |
| City Manager | Jeffrey Porter | N/A |
| City Clerk/Finance Director | Heidi Theurer | N/A |
| City Attorney | Shawn DeJarnett, Esq. | N/A |
| City Treasurer | Lori Hernandez | N/A |

Management Personnel

The Council appoints a City Manager to carry out the provisions of the City services.

Public Safety

The City has approximately 20 full-time law enforcement employees, including 17 sworn police officers. Fire protection and emergency ambulance services are provided by Wellington Fire and Emergency Medical Services, which employs 20 firefighters.

Municipal Services and Other Utilities

The City provides electric, water, sewer, and solid waste utility services to residents of the City. Natural gas service is provided by Kansas Gas Service. Multiple service providers offer internet and telephone services to residents of the City. Cox Communications and USA Connections operate cable television systems under franchise with the City. Various service providers offer additional internet, cable and telephone service to the City and surrounding areas.

Transportation Facilities

The City is served by Interstate Highway 35, located 3 miles from the City, and is intersected by U.S. Highways 81 and 160. Rail service is provided by Burlington Northern and Union Pacific. The City’s Municipal Airport, located 3 miles north of the City, serves the City and provides a runway capable of handling private and corporate aircraft. The airport is managed and operated by an Airport Manager as department head and by the Airport Advisory Board. Regularly scheduled air service is available at Wichita Dwight D. Eisenhower National Airport, located 25 miles north from the City.

Educational Institutions and Facilities

Unified School District No. 353 operates four elementary schools, one middle school and one senior high school in the City and surrounding area. The District has a full-time equivalent enrollment of approximately 1,460 students for the 2023-2024 school year. In addition, there is one elementary/middle parochial school with approximately 75 students from preschool to 6th grade located in the City.

Cowley County Community College opened a Sumner County location in August of 2018. The campus is located at 2205 Shurtz-Juden Loop, Wellington, KS. The new location provides Sumner County residents with the on-campus college experience. Programs offered at the campus include: Agricultural Studies, Computer Science & IT, Manufacturing, and Medical Service Training.

The following universities or colleges offering bachelor's or advanced degrees are also located in the region:

| <u>Name</u> | <u>Location</u> | <u>Estimated Distance from City (in Miles)</u> | <u>Estimated Enrollment (FTE)</u> |
|---------------------------------|-------------------|--|-----------------------------------|
| Cowley County Community College | Arkansas City, KS | 25 | 1,701 |
| Wichita Technical Institute | Wichita, KS | 27 | 2,015 |
| Newman University | Wichita, KS | 29 | 2,066 |
| Friends University | Wichita, KS | 29 | 2,024 |
| Wichita State University | Wichita, KS | 32 | 12,326 |
| Wichita State University Tech | Wichita, KS | 36 | 3,244 |
| Northern Oklahoma College | Tonkawa, OK | 42 | 3,414 |

Medical and Health Facilities

Ascension Via Christi Hospitals opened an Emergency Department in March 2021 to serve the City and surrounding area with emergency medical care. Major medical service is available at Wichita, Kansas, approximately 30 miles from the City. Two nursing homes are located within the City. Eight medical doctors currently practice in the City and twenty-one consulting doctors serve the City.

Recreational, Cultural and Religious Facilities

A wide variety of cultural and entertainment options are available to residents at the Worden Park Speedway, Chisholm Trail Museum, National Depression Glass Museum, Panhandle Railroad Museum, and Wellington Public Library. There are 15 historical sites registered with the Kansas Historical Society located within the County, of which four are located within the City. Wellington Carnegie Library, Park House Gallery, and Downtown Wellington Historic District are all registered historical sites located within the City.

A broad range of recreational programs for all ages are operated by the Wellington Recreation Commission (the "Commission"). The Commission was created under state law by the School District, the sponsor. These programs are available to residents of the City as well as residents of the School District. The City offers sporting events, movie theatres, a family aquatic center, 18-hole public golf course, fitness center, public parks that feature playground equipment, picnic facilities, including shelter houses, summer recreational programs, and many different clubs and other organizations. Fishing, hunting, camping, boating, swimming, and various other recreational activities are available at or around Wellington Lake, which is approximately 10 miles west of the City. Fishing is also available at Hargis Creek Watershed, located within the City.

The City has nineteen churches that serve the community.

FINANCIAL INFORMATION CONCERNING THE CITY

Accounting, Budgeting and Auditing Procedures

The City follows a statutory basis of accounting which is designed to show compliance with cash basis and budget laws of Kansas. The City has received a GAAP Waiver from the State of Kansas. More complete information regarding the City's accounting is contained in the Notes to the Financial Statements attached hereto as **APPENDIX B**.

An annual budget of estimated receipts and disbursements for the coming calendar year is required by statute to be prepared for all funds (unless specifically exempted). The budget is prepared utilizing the modified accrual basis which is further modified by the encumbrance method of accounting. For example, commitments such as purchase orders and contracts, in addition to disbursements and accounts payable, are recorded as expenditures. The budget lists estimated receipts by funds and

sources and estimated disbursements by funds and purposes. The proposed budget is presented to the governing body of the City prior to August 1, with a public hearing required to be held prior to August 15, with the final budget to be adopted by a majority vote of the governing body of the City prior to August 25 of each year (or September 20 if the City must conduct a public hearing to levy taxes in excess of its revenue neutral rate described below). Budgets may be amended upon action of the governing body after notice and public hearing, provided that no additional tax revenues may be raised after the original budget is adopted.

The City may levy taxes in accordance with the requirements of its adopted budget. Property tax levies are based on the adopted budget of the City and the assessed valuations provided by the County appraiser. In 2021, the Kansas Legislature passed legislation (the "Revenue Neutral Tax Act") that repeals the "tax lid" (formerly K.S.A. 79 2925c) and provides that, beginning January 1, 2021, a taxing subdivision (which includes any political subdivision of the State that levies an ad valorem property tax, including the City) is not authorized to levy a property tax rate in excess of its revenue neutral rate without first providing notice, holding a public hearing, and authorizing such property tax rate by majority vote of its governing body. The revenue neutral rate means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation.

The Revenue Neutral Tax Act provides that by June 15 of every year, each county clerk shall calculate the revenue neutral rate for each taxing subdivision in their respective county. If a taxing subdivision desires to levy a tax rate in excess of its revenue neutral rate, it must first publish notice of a public hearing and notify the county clerk of the taxing subdivision's intent to exceed the revenue neutral rate. The county clerk is required to provide notice of the public hearing to each taxpayer with property in the taxing subdivision, along with following information concerning the taxing subdivision: (1) the revenue neutral rate, (2) the proposed property tax revenue needed to fund the proposed budget, (3) the proposed tax rate based on the proposed budget, (4) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement, (5) the appraised value and assessed value of the taxpayer's property, (6) estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates, (7) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate. The public hearing regarding exceeding the revenue neutral rate is to be held between August 10 and September 10, and can be held in conjunction with the taxing subdivision's budget hearing. If multiple taxing subdivisions within the county are required to hold a public hearing, the notices to the taxpayer can be combined into a single notice. After the public hearing, the taxing subdivision can approve exceeding the revenue neutral rate by a majority vote of its governing body, and the amount of tax to be levied must be certified to the county clerk by September 20. The taxing subdivision's adopted budget shall not result in a tax rate in excess of its proposed rate stated in the notice provided to the taxpayers. If a taxing subdivision fails to comply with the requirements of the Revenue Neutral Tax Act, it shall refund to the taxpayers any property taxes over collected based on the amount of the levy that was in excess of the revenue neutral rate.

The City cannot predict the impact of the Revenue Neutral Tax Act on any general rating of the City. A change in the general rating of the City may adversely impact the market price of the Bonds in the secondary market.

Kansas law prohibits governmental units from creating indebtedness unless there are funds on hand in the proper accounts and unencumbered by previous action with which to pay such indebtedness. An exception to this cash-basis operation is made where provision has been made for payment of obligations by bonds or other specific debt obligations authorized by law.

The financial records of the City are audited annually by a firm of independent certified public accountants in accordance with generally accepted auditing standards. In recent years, the annual audit has been performed by Gordon CPA, LLC, Lawrence, Kansas. Copies of the audit reports for the past five (5) years are on file in the Clerk's office and are available for review. The audit for the Fiscal Year ended December 31, 2023 is attached hereto as **APPENDIX B**.

Property Valuations

The determination of assessed valuation and the collection of property taxes for all political subdivisions in the state of Kansas is the responsibility of the various counties under the direction of state statutes. The County Appraiser's office determines the fair market value of all taxable property within the County and the assessed valuation thereof that is to be used as a basis for the mill levy on property located in the City.

Property subject to ad valorem taxation is divided into two classes, real property and personal property. Real property is divided into seven subclasses; there are six subclasses of personal property. The real property (Class 1) subclasses are: (i) real property used for residential purposes including multi-family mobile or manufactured homes and the real property on which such homes are located, assessed at 11.5%, (ii) agricultural land, valued on the basis of agricultural income or productivity, assessed at 30%, (iii) vacant lots, assessed at 12%, (iv) real property, owned and operated by a not-for-profit organization not subject to federal income taxation, pursuant to Section 501 of the Internal Revenue Code, assessed at 12%, (v) public utility real property, except railroad real property, assessed at the average rate that all other commercial and industrial property is assessed, assessed at 33%, (vi) real property used for commercial and industrial purposes and buildings and other improvements located on land

devoted to agricultural use, assessed at 25%, and (vii) all other urban and real property not otherwise specifically classified, assessed at 30%. Tangible personal property (Class 2) subclasses are: (i) mobile homes used for residential purposes, assessed at 11.5%, (ii) mineral leasehold interests, except oil leasehold interests, the average daily production from which is 5 barrels or less, and natural gas leasehold interests, the average daily production from which is 100 mcf or less, which shall be assessed at 25%, assessed at 30%, (iii) public utility tangible personal property, including inventories thereof, except railroad personal property, including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed, assessed at 33%, (iv) all categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985, assessed at 20%, (v) commercial and industrial machinery and equipment which if its economic life is 7 years or more, shall be valued at its retail cost, when new, less seven-year straight-line depreciation, or which, if its economic life is less than 7 years, shall be valued at its retail cost when new, less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost, when new, of such property, assessed at 25%, and (vi) all other tangible personal property not otherwise specifically classified, assessed at 30%. All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.

The Kansas Legislature (the "Legislature") reduced the applicable assessment rates on motor vehicles from 30% of market value to 20% of market value as of January 1, 2000.

The 2006 Legislature exempted from all property or ad valorem property taxes levied under the laws of the State all commercial, industrial, telecommunications and railroad machinery and equipment acquired by qualified pur or lease after June 30, 2006 or transported into the State after June 30, 2006 for the purpose of expanding an existing business or creation of a new business.

The Legislature may from time to time adopt changes in the property tax system or method of imposing and collecting property taxes within the State. Taxpayers may also challenge the fair market value of property assigned by the county appraiser. The effects of such legislative changes and successful challenges to the appraiser's determination of fair market value could affect the City's property tax collections. If a taxpayer valuation challenge is successful, the liability of the City to refund property taxes previously paid under protest may have a material impact on the City's financial situation.

Assessed Valuation

The following table shows the assessed valuation of the taxable tangible property within the City for the following years:

| <u>Levy Year</u> | <u>Budget Year</u> | <u>Real Property</u> | <u>Personal Property</u> | <u>Utilities</u> | <u>Motor Vehicles</u> | <u>Total Valuation</u> |
|------------------|--------------------|-----------------------------|--------------------------|----------------------------|----------------------------|------------------------|
| 2024 | 2025 | \$47,587,453 ⁽¹⁾ | \$837,778 ⁽¹⁾ | \$2,990,479 ⁽¹⁾ | \$6,896,445 ⁽³⁾ | \$58,312,155 |
| 2023 | 2024 | 45,409,774 ⁽²⁾ | 797,091 ⁽²⁾ | 2,837,729 ⁽²⁾ | 6,896,445 | 55,941,039 |
| 2022 | 2023 | 41,977,866 | 854,367 | 2,729,078 | 7,044,976 | 52,606,287 |
| 2021 | 2022 | 40,263,198 | 2,261,433 | 2,629,592 | 7,378,582 | 52,532,805 |
| 2020 | 2021 | 39,697,091 | 2,618,350 | 2,666,945 | 7,290,851 | 52,273,237 |
| 2019 | 2020 | 39,592,832 | 2,600,634 | 2,584,374 | 7,225,226 | 52,003,066 |

⁽¹⁾ Preliminary valuation figures as of July 15, 2024 for budgeting purposes.

⁽²⁾ Final valuation figures certified as of November 1, 2023.

⁽³⁾ Motor vehicle valuation for 2024 is not yet available. Motor vehicle valuation for 2023 was used for estimation purposes.

Source: County Clerk

Property Tax Levies and Collections

Tax Collections. Tax statements are mailed November 1 each year and may be paid in full or one-half on or before December 20 with the remaining one-half due on or before May 10 of the following year. Taxes that are unpaid on the due dates are considered delinquent and accrue interest at a per annum rate established by State law until paid or until the property is sold for taxes. Real estate bearing unpaid taxes is advertised for sale on or before August 1 of each year and is sold by the County for taxes and all legal charges on the first Tuesday in September. Properties that are sold and not redeemed within two years after the tax sale are subject to foreclosure sale, except homestead properties which are subject to foreclosure sale after three years.

Personal taxes are due and may be paid in the same manner as real estate taxes, with the same interest applying to delinquencies. If personal taxes are not paid when due, and after written notice, warrants are issued and placed in the hands of the Sheriff for

collection. If not paid on or before September 1, legal judgment is entered and the delinquent tax becomes a lien on the property. Unless renewed, a non-enforced lien expires five years after it is entered.

Motor vehicle taxes are collected periodically throughout the year concurrently with the renewal of motor vehicle tags based upon the value of such vehicles. Such tax receipts are distributed to all taxing subdivisions, including the State of Kansas, in proportion to the number of mills levied within each taxpayer's tax levy unit.

Tax Rates. The City may levy taxes in accordance with the requirements of its adopted budget. Property tax levies are based on the adopted budget of the City and the assessed valuations provided by the County appraiser.

The following table shows the City's mill levies by fund (per \$1000 of assessed valuation) for each of the years indicated and the current year:

| <u>Levy Year</u> | <u>Budget Year</u> | <u>General</u> | <u>Bond & Interest</u> | <u>Ambulance & Equipment</u> | <u>Library</u> | <u>Recreation Commission</u> | <u>Total Levy</u> |
|------------------|--------------------|----------------|----------------------------|----------------------------------|----------------|------------------------------|-------------------|
| 2023 | 2024 | 44.062 | 7.490 | 2.034 | 5.086 | 5.790 | 64.462 |
| 2022 | 2023 | 46.822 | 7.146 | 2.000 | 5.000 | 6.258 | 67.226 |
| 2021 | 2022 | 37.891 | 16.083 | 1.999 | 4.998 | 5.845 | 66.816 |
| 2020 | 2021 | 33.994 | 18.186 | 2.000 | 5.000 | 5.891 | 65.071 |
| 2019 | 2020 | 36.372 | 15.748 | 1.999 | 4.998 | 5.890 | 65.007 |

Source: County Clerk

Aggregate Tax Levies. The aggregate tax levies (per \$1000 assessed valuation) of the City and overlapping jurisdictions for the years indicated are included in the following table:

| <u>Tax Year</u> | <u>Budget Year</u> | <u>City</u> | <u>Sumner County</u> | <u>USD No. 353</u> | <u>State</u> | <u>Total</u> |
|-----------------|--------------------|-------------|----------------------|--------------------|--------------|--------------|
| 2023 | 2024 | 64.462 | 52.131 | 53.827 | 1.500 | 171.920 |
| 2022 | 2023 | 67.226 | 52.216 | 54.580 | 1.500 | 175.522 |
| 2021 | 2022 | 66.816 | 52.180 | 50.882 | 1.500 | 171.378 |
| 2020 | 2021 | 65.071 | 52.363 | 54.652 | 1.500 | 173.586 |
| 2019 | 2020 | 65.007 | 52.375 | 54.802 | 1.500 | 173.684 |

Source: County Clerk

Tax Collection Record. The following table sets forth tax collection information (not including special assessments) for the City for the years indicated:

| <u>Levy Year</u> | <u>Budget Year</u> | <u>Total Levy</u> | <u>Total Taxes Levied (\$)</u> | <u>Current Taxes Collected (\$)</u> | <u>Current Taxes Collected (%)</u> |
|------------------|--------------------|-------------------|--------------------------------|-------------------------------------|------------------------------------|
| 2023 | 2024 | 64.462 | \$2,850,185 | \$2,624,046 | 92.07% |
| 2022 | 2023 | 60.968 | 2,782,598 | 2,655,746 | 95.79% |
| 2021 | 2022 | 60.971 | 2,756,244 | \$2,633,171 | 95.67% |
| 2020 | 2021 | 59.180 | 2,683,737 | 2,551,995 | 96.21% |
| 2019 | 2020 | 59.117 | 2,650,088 | 2,563,366 | 97.31% |

Source: County Clerk & Treasurer

Major Taxpayers. The following table sets forth the ten largest taxpayers in the City based on total assessed valuation and total taxes levied in the most recent tax collection period (2023/24):

| <u>Taxpayer</u> | <u>Assessed Valuation</u> | <u>Taxes Levied</u> |
|----------------------------|---------------------------|---------------------|
| 1. Wal-Mart Real Estate | \$1,510,248 | \$259,642 |
| 2. Kansas Gas Service | 1,251,568 | 215,170 |
| 3. BNSF | 971,940 | 167,096 |
| 4. Lodging Properties, LLC | 888,842 | 152,810 |
| 5. Casey's Retail Co | 365,580 | 62,851 |
| 6. Diversified Service | 314,929 | 54,143 |
| 7. Tramek 32 Clark | 303,086 | 52,107 |
| 8. Agree Ltd Part. | 296,343 | 50,947 |
| 9. Comark Equity All | 281,039 | 48,316 |
| 10. NS2 Invest, LLC | 276,701 | 47,570 |

Source: County Clerk

Pension and Employee Retirement Plans

The Issuer participates in the Kansas Public Employees Retirement System (“KPERs”) established in 1962, as an instrumentality of the State, pursuant to K.S.A. 74-4901 *et seq.*, to provide retirement and related benefits to public employees in Kansas. KPERs is governed by a board of trustees consisting of nine members, each of whom serve four-year terms. The board of trustees appoints an executive director to serve as the managing officer of KPERs and manage a staff to carry out daily operations of the system.

As of June 30, 2023, KPERs serves approximately 323,000 members and approximately 1,500 participating employers, including the State, school districts, counties, cities, public libraries, hospitals and other governmental units. KPERs administers the following three statewide, defined benefit retirement plans for public employees:

- (a) Kansas Public Employees Retirement System;
- (b) Kansas Police and Firemen’s Retirement System; and
- (c) Kansas Retirement System for Judges.

These three plans are separate and distinct with different membership groups, actuarial assumptions, experience, contribution rates and benefit options. The Kansas Public Employees Retirement System is the largest of the three plans, accounting for approximately 95% of the members. The Kansas Public Employees Retirement System is further divided into two separate groups, as follows:

- (a) *State/School Group* - includes members employed by the State, school districts, community colleges, vocational-technical schools and educational cooperatives. The State of Kansas makes all employer contributions for this group, the majority of which comes from the State General Fund.
- (b) *Local Group* - all participating cities, counties, library boards, water districts and political subdivisions are included in this group. Local employers contribute at a different rate than the State/School Group rate.

KPERs is currently a qualified, governmental, § 401(a) defined benefit pension plan, and has received IRS determination letters attesting to the plan’s qualified status dated October 14, 1999 and March 5, 2001. KPERs is also a “contributory” defined benefit plan, meaning that employees make contributions to the plan. This contrasts it from noncontributory pension plans, which are funded solely by employer contributions. The City’s employees currently annually contribute 6% of their gross salary to the plan if such employees are KPERs Tier 1 members (covered employment prior to July 1, 2009), KPERs Tier 2 members (covered employment on or after July 1, 2009), or KPERs Tier 3 members (covered employment on or after January 1, 2015).

The City’s contribution varies from year to year based upon the annual actuarial valuation and appraisal made by KPERs, subject to legislative caps on percentage increases. The City’s contribution is 9.26% of the employee’s gross salary for calendar year 2024, and is projected to change to 9.71% of the employee’s gross salary for calendar year 2025. In addition, the City contributes 1% of the employee’s gross salary for Death and Disability Insurance for covered employees.

In 2004, 2015 and 2021, the Kansas Development Finance Authority, on behalf of the State, issued pension obligation bonds and contributed the proceeds thereof to KPERs to assist with improving the status of the unfunded actuarial pension liability. In 2022 the Legislature provided for additional contributions totaling \$1.125 billion in four payments to be deposited into the

KPERS trust fund for the School Group. For more information about the Legislature’s actions related to KPERS, please see the 2022 Valuation Report referenced below.

According to the Valuation Report as of December 31, 2023 (the “2023 Valuation Report”) the KPERS Local Group, of which the Issuer is a member, carried an unfunded accrued actuarial liability (“UAAL”) of approximately \$2.089 billion at the end of 2023. The amount of the UAAL in 2023 changed from the previous year’s amount due to the factors discussed in the 2023 Valuation Report; such report also includes additional information relating to the funded status of the KPERS Local Group, including recent trends in the funded status of the KPERS Local Group. A copy of the 2023 Valuation Report is available on the KPERS website at kpers.org/about/reports. The Issuer has no means to independently verify any of the information set forth on the KPERS website or in the 2023 Valuation Report, which is the most recent financial and actuarial information available on the KPERS website relating to the funded status of the KPERS Local Group. The 2023 Valuation Report sets the employer contribution rate for the period beginning January 1, 2026, for the KPERS Local Group, and KPERS’ actuaries identified that an employer contribution rate of 9.59% of covered payroll would be necessary, in addition to statutory contributions by covered employees, to eliminate the UAAL by the end of the actuarial period set forth in the 2023 Valuation Report. The statutory contribution rate of employers currently equals the 2023 Valuation Report’s actuarial rate. As a result, members of the Local Group are adequately funding their projected actuarial liabilities and the UAAL can be expected to diminish over time. The required employer contribution rate may increase up to the maximum statutorily allowed rate, which is 1.2% in fiscal year 2017 and thereafter.

The City has not implemented GASB 68 – Accounting and Financial Reporting for Pensions – An Amendment of GASB 27, because the City’s financial statements are prepared on a regulatory basis of accounting which is a comprehensive basis of accounting different from accounting principles generally accepted in the United States of America. KPERS, however, has implemented GASB 67 – Financial Reporting for Pension Plans – An Amendment of GASB Statement 25, and is required annually to provide its participants the proportional share of the net pension liability of KPERS allocated to each participant as of the end of the prior fiscal year. The KPERS’ Schedule of Employer and Nonemployer Allocations and Schedules of Pension Amounts by Employer and Nonemployer (the “GASB 68 Report”) provides the net pension liability allocated to each KPERS participant, including the City. The GASB 68 Report is available on the KPERS website at kpers.org/about/reports.html. Because the City has not implemented GASB 68, the net pension liability calculated by KPERS for the City is not reflected as a liability on the City’s financial statements. The City has no means to independently verify any of the information set forth on the KPERS website or in the GASB 68 Report. It is important to note that under existing State law, the City has no legal obligation for the UAAL or the net pension liability calculated by KPERS, and such figures are for informational purposes only.

History of Employment

The following table indicates the history of the City's employment for the years indicated.

| <u>Year</u> | <u>Total Full-Time Employees</u> | <u>Total Part-Time Employees</u> | <u>Total</u> |
|-------------|----------------------------------|----------------------------------|--------------|
| 2023 | 130 | 16 | 146 |
| 2022 | 123 | 18 | 141 |
| 2021 | 134 | 6 | 140 |
| 2020 | 127 | 5 | 132 |
| 2019 | 125 | 9 | 134 |

Source: City Clerk

Risk Management

The City is insured against the risks arising from general liability by Employer’s Mutual Company and employee medical coverage by USI Insurance Services (Allied Health, Surency Vision & Delta Dental). The City is partially self insured as of 2024, with reinsurance through Everlong Captive.

CITY'S AUTHORITY TO INCUR DEBT

Debt Summary

The following table summarizes certain key statistics with respect to the City's general obligation debt, including the Notes:

| | |
|---|--------------|
| Equalized Assessed Valuation of Tangible Valuation for Computation of Bonded Debt Limitations ⁽¹⁾ | \$58,312,155 |
| Legal limitation of Bonded Debt ⁽²⁾ | \$17,493,646 |
| Outstanding general obligation debt anticipated as of October 3, 2024 ⁽³⁾ | \$14,229,095 |
| Exempt Debt | \$10,710,669 |
| Net Debt against Statutory Debt limit capacity | \$3,518,425 |
| Additional debt capacity | \$13,975,220 |
| Direct debt per capita (7,568) | \$1,880 |
| Overlapping Indebtedness..... | \$12,279,013 |
| Direct and overlapping debt..... | \$26,508,108 |
| Direct and overlapping debt per capita | \$3,502 |
| Direct debt as a percentage of Equalized Assessed Valuation..... | 24.40% |
| Direct and overlapping debt as a percentage of Equalized Assessed Valuation | 45.46% |
| Statutory direct debt as a percentage of Equalized Assessed Valuation | 6.03% |

⁽¹⁾ The assessed value of all tangible taxable property within the City, as certified to the County Clerk on the preceding August 25. See K.S.A. 10-301 *et seq.*

⁽²⁾ See K.S.A. 10-301 *et seq.*

⁽³⁾ Includes this issue and subject to change.

Overlapping Indebtedness

The following table sets forth overlapping indebtedness as of October 3, 2024, and the percent attributable (on the basis of assessed valuation not including motor vehicle valuation) to the City:

| <u>Taxing Jurisdiction</u> | <u>2023 Assessed Valuation</u> | <u>Outstanding General Obligation Indebtedness</u> | <u>Percent Applicable to The City</u> | <u>Amount Applicable to The City</u> |
|--------------------------------|--|--|---|--|
| Sumner County | \$312,285,475 | \$13,717,000 | 15.71% | \$ 2,154,262 |
| U.S.D. No. 353 | 80,774,194 | 16,675,000 | 60.72% | <u>10,124,751</u> |
| TOTAL | | | | \$12,279,013 |

Source: County Clerk

DEBT STRUCTURE OF THE CITY

Current Indebtedness of the City

The following tables set forth as of the issue date of the Bonds all outstanding obligations of the City:

**GENERAL OBLIGATION BONDS
(As of October 3, 2024)**

| <u>Description of Indebtedness</u> | <u>Series</u> | <u>Maturity Date</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> | <u>Amount Included in Debt Limitation</u> |
|---|---------------|----------------------|------------------------|---------------------------|---|
| General Obligation Bonds | C, 2011 | 09/22/2031 | \$ 394,200 | \$ 174,095 | \$ 174,095 |
| General Obligation Elec Wtrwks & Sew Util Sys Refunding Bonds | 2015 | 11/01/2027 | 5,035,000 | 3,430,000 | 0 |
| General Obligation Bonds | 2018 | 08/01/2039 | 1,125,000 | 920,000 | 0 |
| General Obligation Bonds | A, 2019 | 11/01/2039 | 1,765,000 | 1,510,000 | 1,184,330 |
| Taxable General Obligation Bonds | B, 2019 | 11/01/2034 | 555,000 | 450,000 | 450,000 |
| General Obligation Bonds | A, 2021 | 03/01/2026 | 500,000 | 200,000 | 0 |
| General Obligation Refunding Bonds | B, 2021 | 09/01/2028 | 1,270,000 | 695,000 | 695,000 |
| General Obligation Bonds | C, 2021 | 09/01/2030 | 7,665,000 | 5,260,000 | 0 |
| General Obligation Bonds | D, 2021 | 11/01/2041 | 630,000 | 575,000 | 0 |
| General Obligation Bonds ⁽¹⁾ | 2024 | 09/01/2039 | 1,015,000 | <u>1,015,000</u> | <u>1,015,000</u> |
| | TOTAL | | | \$14,229,095 | \$3,518,425 |

⁽¹⁾ This issue.

TEMPORARY NOTES

As of October 3, 2024, the City had no temporary notes outstanding.

CERTIFICATES OF PARTICIPATION

As of October 3, 2024, the City had no certificates of participation outstanding.

**REVENUE BONDS OUTSTANDING
(As of October 3, 2024)**

| <u>Description of Indebtedness</u> | <u>Series</u> | <u>Maturity Date</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|--------------------------------------|---------------|----------------------|------------------------|---------------------------|
| Elec Wtrwks & Sew Util Sys Rev Bonds | 2016 | 11/01/2036 | \$4,755,000 | \$3,555,000 |

**CAPITAL LEASE OBLIGATIONS
(As of October 3, 2024)**

| <u>Description</u> | <u>Year</u> | <u>Maturity Date</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|--------------------------|--------------|----------------------|------------------------|---------------------------|
| Fire Engine/Tender Truck | 2015 | 07/05/2025 | \$ 560,435 | \$ 47,579 |
| Refuse Truck | 2019 | 01/22/2025 | 134,766 | 9,659 |
| Bucket Truck | 2020 | 09/25/2025 | 250,000 | 52,751 |
| Street Sweeper | 2021 | 07/08/2025 | 200,000 | 42,780 |
| Rec Comm Parking Lot | 2022 | 12/01/2031 | 70,000 | 56,751 |
| 2023 Ambulance | 2023 | 07/14/2028 | 172,000 | 134,014 |
| Wheel Loader | 2023 | 01/25/2028 | 158,737 | <u>109,854</u> |
| Aerial Fire Truck | 2024 | 08/07/2039 | 1,183,080 | <u>1,174,249</u> |
| | TOTAL | | | \$1,627,636 |

**LOAN OBLIGATIONS
(As of October 3, 2024)**

| <u>Description of Indebtedness</u> | <u>Series</u> | <u>Maturity Date</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|------------------------------------|---------------|----------------------|------------------------|---------------------------|
| KDHE Water Loan (3071) | 2024 | 02/01/2044 | \$486,954 | \$475,958 |

**PUBLIC BUILDING COMMISSION REVENUE BONDS OUTSTANDING
(As of October 3, 2024)**

| <u>Description of Indebtedness</u> | <u>Series</u> | <u>Maturity Date</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|------------------------------------|---------------|----------------------|------------------------|---------------------------|
| Revenue Bonds | 2014 | 12/01/2033 | \$960,000 | \$555,000 |

Debt Payment Record

The City has never been delinquent in any payments of its debt agreements.

Future Indebtedness

The City is currently in discussions to rehabilitate the City’s pool. Exact size, scope, and financing method are yet to be determined.

Periodically, the City will complete issues to: 1) finance public infrastructure needs with ongoing temporary note financing and eventually bonded indebtedness; 2) lease small equipment and such leases may or may not have a purchase option in accordance with the terms of said lease; and 3) will refinance or refund outstanding debt as needed when sufficient savings can be achieved. Other than the potential projects listed above, the City does not have any plans to issue additional debt at this time.

ECONOMIC INFORMATION CONCERNING THE CITY

Population Trends

The following table shows the approximate population of the County and the City in the years indicated:

| <u>Year</u> | <u>County Population</u> | <u>City Population</u> |
|-------------|--------------------------|------------------------|
| 2023 | 22,334 | 7,568 |
| 2022 | 22,473 | 7,640 |
| 2021 | 22,385 | 7,664 |
| 2020 | 22,382 | 7,715 |
| 2019 | 22,836 | 7,662 |
| 2010 | 24,132 | 8,172 |

Source: State of Kansas State of Kansas – Division of Budget (2019, 2021-2023); U.S. Census Bureau (2010, 2020)

Labor Force

The following table sets forth labor force figures for the County and the State of Kansas:

SUMNER COUNTY

| <u>Average For Year</u> | <u>Total Labor Force</u> | <u>Employed</u> | <u>Unemployed</u> | <u>Unemployment Rate</u> |
|-------------------------|--------------------------|-----------------|-------------------|--------------------------|
| 2023 | 10,861 | 10,566 | 295 | 2.7% |
| 2022 | 10,777 | 10,456 | 321 | 3.0% |
| 2021 | 10,735 | 10,293 | 442 | 4.1% |
| 2020 | 11,017 | 10,126 | 891 | 8.1% |
| 2019 | 10,869 | 10,502 | 367 | 3.4% |

STATE OF KANSAS

| <u>Average For Year</u> | <u>Total Labor Force</u> | <u>Employed</u> | <u>Unemployed</u> | <u>Unemployment Rate</u> |
|-------------------------|--------------------------|-----------------|-------------------|--------------------------|
| 2023 | 1,510,988 | 1,470,936 | 40,052 | 2.7% |
| 2022 | 1,504,932 | 1,464,834 | 40,098 | 2.7% |
| 2021 | 1,495,665 | 1,447,323 | 48,342 | 3.2% |
| 2020 | 1,497,013 | 1,409,003 | 88,010 | 5.9% |
| 2019 | 1,491,808 | 1,445,043 | 46,922 | 3.1% |

Currently, the Kansas Department of Labor estimates an unemployment rate of 4.5% for the County and 4.1% for the State of Kansas for the month of July 2024.

Source: Kansas Statistical Abstract (2019 – 2020 data); Kansas Department of Labor (2021 – 2023 data)

Retail Sales and Use Tax Collections

The following table lists State of Kansas sales tax collections (excluding local sales tax) for the years indicated for sales occurring in the County:

| <u>Year</u> | <u>Sales Tax and Use Collections</u> | <u>Per Capita Sales and Use Tax</u> |
|-------------|--------------------------------------|-------------------------------------|
| 2022 | \$19,410,991 | \$829.58 |
| 2021 | 17,824,432 | 742.18 |
| 2020 | 16,138,199 | 760.64 |
| 2019 | 17,094,185 | 748.56 |
| 2018 | 16,132,990 | 701.56 ⁽¹⁾ |

⁽¹⁾ Use tax collections not included.

Source: Kansas Statistical Abstract

Effective July 1, 2015, the statewide sales and use tax was increased to 6.50%.

Oil Production

The oil production (in number of barrels) for the County for the years listed is indicated in the following table:

| <u>Year</u> | <u>Oil Production</u> |
|-------------|-----------------------|
| 2024 | 141,595 |
| 2023 | 338,800 |
| 2022 | 358,510 |
| 2021 | 317,613 |
| 2020 | 311,160 |

⁽¹⁾ Data as of May 2024

Source: Kansas Geological Survey

Financial and Banking Institutions

There are currently 10 banks, with 15 different branch locations, located in the County. During a five-year period, bank deposits of the County's banks are as follows:

| <u>Year</u> | <u>Total Bank Deposits</u> (thousands of dollars) |
|-------------|--|
| 2023 | \$588,927 |
| 2022 | 608,685 |
| 2021 | 588,956 |
| 2020 | 525,752 |
| 2019 | 483,000 |

Source: Kansas Statistical Abstract (2019 data); FDIC (2020 - 2023 data)

Personal Income Trends

The following table lists the County personal and per capita income and State of Kansas per capita income for the years indicated:

| <u>Year</u> | <u>Sumner County Personal Income (\$000)</u> | <u>Sumner County Per Capita Income</u> | <u>State Per Capita Income</u> |
|-------------|--|--|------------------------------------|
| 2022 | \$1,021,966 | \$45,475 | \$60,424 |
| 2021 | 1,089,200 | 48,658 | 58,924 |
| 2020 | 1,002,292 | 44,392 | 56,099 |
| 2019 | 971,070 | 42,524 | 53,426 |
| 2018 | 883,025 | 38,422 | 51,139 |

Source: U.S. Bureau of Economic Analysis

\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

APPENDIX B

AUDITED FINANCIAL STATEMENTS
FISCAL YEAR ENDED DECEMBER 31, 2023

* Subject to change.

CITY OF WELLINGTON, KANSAS
Financial Statements
For the Year Ended December 31, 2023

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CITY OF WELLINGTON, KANSAS
 Financial Statements
 For the Year Ended December 31, 2023
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INDEPENDENT AUDITOR'S REPORT

Mayor and City Council
City of Wellington, Kansas

Adverse and Unmodified Opinions

We have audited the accompanying fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances of the City of Wellington, Kansas and its related municipal entities, the Wellington Public Library, the Public Building Commission of the City of Wellington, Kansas, and the Wellington Health Care Authority (collectively, the City), as of and for the year ended December 31, 2023 and the related notes to the financial statement.

Adverse Opinion on U.S. Generally Accepted Accounting Principles

In our opinion, because of the significance of the matter discussed in the Basis for Adverse and Unmodified Opinions section of our report, the accompanying financial statement referred to above does not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the City as of December 31, 2023, or changes in financial position and cash flows thereof for the year then ended.

Unmodified Opinion on Regulatory Basis of Accounting

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the aggregate cash and unencumbered cash balance of the City as of December 31, 2023, and the aggregate receipts and expenditures for the year then ended in accordance with the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide* described in Note 1.

Basis for Adverse and Unmodified Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the *Kansas Municipal Audit and Accounting Guide*. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statement section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our adverse and unmodified audit opinions.

Matter Giving Rise to Adverse Opinion on U.S. Generally Accepted Accounting Principles

As discussed in Note 1 of the financial statement, the financial statement is prepared by the City on the basis of the financial reporting provisions of the *Kansas Municipal Audit and Accounting Guide*, which is a basis of accounting other than accounting principles generally accepted in the United States of America. The effects on the financial statement of the variances between the regulatory basis of accounting described in Note 1 and accounting principles generally accepted in the United States of America, although not reasonably determinable, are presumed to be material.

Responsibilities of Management for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the *Kansas Municipal Audit and Accounting Guide* as described in Note 1; this includes determining that the regulatory basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.

In preparing the financial statement, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statement

Our objectives are to obtain reasonable assurance about whether the financial statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statement.

In performing an audit in accordance with GAAS, we:

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statement.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the fund summary statement of regulatory basis receipts, expenditures, and unencumbered cash balances (basic financial statement) as a whole. The summary of regulatory basis expenditures-actual and budget, individual fund schedules of regulatory basis receipts and expenditures-actual and budget, summary of receipts and disbursements-agency funds and the schedule of regulatory basis receipts and expenditures-related municipal entity (Schedules 1, 2, 3 and 4) as listed in the table of contents) are presented for analysis and are not a required part of the basic financial statement, however, are required to be presented under the provisions of the *Kansas Municipal Audit and Accounting Guide*. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statement. The information has been subjected to the auditing procedures applied in the audit of the basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statement or to the basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statement as a whole, on the basis of accounting described in Note 1.

Other Matters

Other Matter

The 2022 actual column presented in the individual fund schedules of regulatory basis receipts and expenditures—actual and budget for the year ended December 31, 2022 (Schedule 2 as listed in the table of contents) is presented for purposes of additional analysis and is not a required part of the basic financial statement.

We also previously audited, in accordance with auditing standards generally accepted in the United States of America, the basic financial statement of the City of Wellington, Kansas as of and for the year ended December 31, 2022 (not presented herein), and have issued our report thereon dated July 22, 2023, which contained an unmodified opinion on the basic financial statement. The 2022 basic financial statement and our accompanying report are not presented herein, but are available in electronic form from the web site of the Kansas Department of Administration at the following link <https://admin.ks.gov/offices/oar/municipalservices>. The 2022 actual column (2022 comparative information) presented in the individual fund schedules of regulatory basis receipts and expenditures—actual and budget for the year ended December 31, 2023 (Schedule 2 as listed in the table of contents) is presented for purposes of additional analysis and is not a required part of the basic financial statement. Such 2022 comparative information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the 2022 basic financial statement. The 2022 comparative information was subjected to the auditing procedures applied in the audit of the 2022 basic financial statement and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the 2022 basic financial statement or to the 2022 basic financial statement itself, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the 2022 comparative information is fairly stated in all material respects in relation to the basic financial statement as a whole for the year ended December 31, 2022, on the basis of accounting described in Note 1.

Gordon CPA LLC

Certified Public Accountant
Lawrence, Kansas

July 22, 2024

CITY OF WELLINGTON, KANSAS
Summary Statement of Receipts, Expenditures and Unencumbered Cash
Regulatory Basis
For the Year Ended December 31, 2023

| Funds | Beginning | Prior Year | Receipts | Expenditures | Ending | Add: | Ending |
|---------------------------------------|--------------|--------------|---------------|--------------|--------------|--------------|--------------|
| | Unencumbered | Cancelled | | | Unencumbered | Encumbrances | Cash |
| | Cash Balance | Encumbrances | | | Cash Balance | Payable | Balance |
| General Funds: | | | | | | | |
| General | \$ 2,343,716 | \$ - | \$ 10,051,085 | \$ 9,320,559 | \$ 3,074,242 | 267,331 | \$ 3,341,573 |
| Special Purpose Funds: | | | | | | | |
| Ambulance and Fire Fighting Equipment | 37,175 | - | 276,851 | 207,622 | 106,404 | - | 106,404 |
| Library | 954 | - | 253,345 | 254,560 | [261] | - | [261] |
| Special Highway | 197,047 | - | 373,743 | 385,605 | 185,185 | - | 185,185 |
| Employee Benefit | 210,822 | - | 1,332,761 | 1,400,515 | 143,068 | 17,341 | 160,409 |
| Special Liability | 142,654 | - | 844,681 | 780,128 | 207,207 | - | 207,207 |
| Hospital Sales Tax | - | - | 1,728,028 | 1,728,028 | - | - | - |
| Special Alcohol and Drug | 8,234 | - | 21,191 | 20,000 | 9,425 | - | 9,425 |
| Special Parks and Recreation | 38,465 | - | 22,010 | 31,963 | 28,512 | 3,379 | 31,891 |
| Tourism and Convention | 38,590 | - | 44,292 | 35,000 | 47,882 | - | 47,882 |
| Land Bank | - | - | 2,843 | 472 | 2,371 | - | 2,371 |
| Permanent Cemetery Endowment | 156,029 | - | 7,782 | 6,340 | 157,471 | - | 157,471 |
| Hazmat Response | 5,472 | - | 12,856 | 13,133 | 5,195 | - | 5,195 |
| Fire Prevention and Education | 432 | - | 17 | - | 449 | - | 449 |
| Police VIN | 15,365 | - | 21,866 | 20,135 | 17,096 | 475 | 17,571 |
| Asset Forfeiture | 4,479 | - | 177 | - | 4,656 | - | 4,656 |
| Equipment Reserve | 221,315 | - | 461,009 | 351,213 | 331,111 | - | 331,111 |
| Sanitation Equipment Reserve | 27,336 | - | 31,277 | 26,736 | 31,877 | - | 31,877 |
| Housing Authority Reserve | 121,075 | - | - | - | 121,075 | - | 121,075 |
| SCCDAT Grant | 7,036 | - | 128,381 | 126,695 | 8,722 | 3,311 | 12,033 |
| ARPA Grant | 665,205 | - | - | 83,111 | 582,094 | 75,000 | 657,094 |
| Wellington Airport FAA Grant | [47,556] | - | 74,880 | 38,660 | [11,336] | 11,336 | - |
| Opioid Settlement | 1,855 | - | 21,669 | 700 | 22,824 | - | 22,824 |
| Bond and Interest Funds: | | | | | | | |
| Bond and Interest | 133,308 | - | 667,104 | 697,702 | 102,710 | [2] | 102,708 |
| Capital Project Funds: | | | | | | | |
| Capital Improvements | 1,483,074 | 7,200 | 482,263 | 701,649 | 1,270,888 | 129,662 | 1,400,550 |
| Special Improvements | 101,157 | - | 3,984 | - | 105,141 | - | 105,141 |
| Sanitation Improvement | 95,527 | - | 5,242 | - | 100,769 | - | 100,769 |
| Electric, Waterworks & Sewage | | | | | | | |
| Capital Improvement | 3,136,476 | 305,736 | 2,211,451 | 682,886 | 4,970,777 | 1,980 | 4,972,757 |
| Auditorium A/C | 34,531 | - | 1,360 | - | 35,891 | - | 35,891 |
| Hospital Emergency Department Project | 409,113 | - | - | 100,000 | 309,113 | - | 309,113 |
| Electric, Waterworks & Sewage Project | 229,478 | - | 9,037 | - | 238,515 | - | 238,515 |
| Plum Street Waterline Project | [53,835] | - | 551,187 | 975,387 | [478,035] | 248,220 | [229,815] |
| Business Funds: | | | | | | | |
| Municipal Airport | [1,929] | - | 352,439 | 314,089 | 36,421 | 2,302 | 38,723 |
| Municipal Golf Course | 50,195 | - | 438,264 | 489,161 | [702] | 14,359 | 13,657 |
| Electric, Waterworks & Sewage Utility | 8,055,879 | - | 18,190,968 | 18,241,917 | 8,004,930 | 691,376 | 8,696,306 |
| Sanitation Utility | 28,373 | - | 1,872,214 | 1,729,948 | 170,639 | 70,113 | 240,752 |

The notes to the financial statements are an integral part of this statement.

CITY OF WELLINGTON, KANSAS
Summary Statement of Receipts, Expenditures and Unencumbered Cash - Continued
Regulatory Basis
For the Year Ended December 31, 2023

| <u>Funds</u> | Beginning Unencumbered Cash Balance | Prior Year Cancelled Encumbrances | Receipts | Expenditures | Ending Unencumbered Cash Balance | Add: Encumbrances and Accounts Payable | Ending Cash Balance |
|---|---|---|----------------------|----------------------|--|---|---------------------------|
| Trust Funds: | | | | | | | |
| Public Library Trust | 156,875 | - | 6,178 | - | 163,053 | - | 163,053 |
| Annie Hamilton Trust | 1,744 | - | 69 | - | 1,813 | - | 1,813 |
| Mildred Share McLean Trust | 5,370 | - | 212 | - | 5,582 | - | 5,582 |
| Mausoleum Maintenance Trust | 13,338 | - | 525 | - | 13,863 | - | 13,863 |
| Regional Park Trust | 35,988 | - | 6,432 | 817 | 41,603 | - | 41,603 |
| Memorial Auditorium Renovation Trust | 40,918 | - | 2,756 | - | 43,674 | - | 43,674 |
| Recreation Trust | 30,639 | - | 40,186 | - | 70,825 | - | 70,825 |
| Municipal Golf Course Trust | 16,934 | - | 27,257 | 33,662 | 10,529 | - | 10,529 |
| Ambulance Service Trust | 4,601 | - | 177 | 489 | 4,289 | - | 4,289 |
| Municipal Airport Trust | 1,554 | - | 61 | - | 1,615 | - | 1,615 |
| Nichols Family Trust | 316 | - | 9 | 124 | 201 | - | 201 |
| Drug Tax Distribution Trust | 7,257 | - | 377 | - | 7,634 | - | 7,634 |
| Cemetery Beautification Trust | 15,343 | - | 1,833 | 4,410 | 12,766 | - | 12,766 |
| Cara Saunders Memorial Trust | 530 | - | 21 | - | 551 | - | 551 |
| Drug Awareness Trust | 10,380 | - | 10,321 | 12,887 | 7,814 | 120 | 7,934 |
| Employee Community Service Trust | 3 | - | - | - | 3 | - | 3 |
| Total Primary Government | <u>18,238,837</u> | <u>312,936</u> | <u>40,592,671</u> | <u>38,816,303</u> | <u>20,328,141</u> | <u>1,536,303</u> | <u>21,864,444</u> |
| Related Municipal Entities: | | | | | | | |
| Wellington Public Library | 259,468 | - | 293,858 | 274,609 | 278,717 | 2,569 | 281,286 |
| Wellington Public Building Commission | - | - | 70,525 | 70,525 | - | - | - |
| Wellington Health Care Authority | <u>450,665</u> | <u>-</u> | <u>1,857,120</u> | <u>1,880,000</u> | <u>427,785</u> | <u>-</u> | <u>427,785</u> |
| Total Reporting Entity (excluding Agency Funds) | <u>\$ 18,948,970</u> | <u>\$ 312,936</u> | <u>\$ 42,814,174</u> | <u>\$ 41,041,437</u> | <u>\$ 21,034,643</u> | <u>\$ 1,538,872</u> | <u>\$ 22,573,515</u> |

COMPOSITION OF CASH:

| | |
|---|----------------------|
| Bank of Commerce | |
| Checking | \$ 3,635,753 |
| Checking - Health Care Authority | 427,785 |
| Certificates of Deposit | 1,000,000 |
| Impact Bank | |
| Checking - Library | 281,236 |
| Certificates of Deposit | 7,000,000 |
| Security State Bank | |
| Checking | 1,300 |
| Certificates of Deposit | 1,000,000 |
| RCB Bank | |
| Savings | 10 |
| Kansas Municipal Investment Pool | |
| OMIP Overnight Pool | 9,270,318 |
| Cash on Hand | 2,650 |
| Cash on Hand - Library | 50 |
| Total Cash | <u>22,619,102</u> |
| Less: Agency Funds per Schedule 3 | <u>[45,587]</u> |
| Total Reporting Entity (excluding Agency Funds) | <u>\$ 22,573,515</u> |

The notes to the financial statements are an integral part of this statement.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 1 - Summary of Significant Accounting Policies

The City of Wellington, Kansas (the City) is incorporated as a city of the second class under the provisions of the Kansas Constitution, Article 12, Section 5 and K.S.A. 14-101 et seq. The City operates under a Council - Manager form of government and provides the following services as authorized by its charter:

- | | | |
|----------------------------------|----------------------------|-------------|
| • Highways and Streets | • Public Safety | • Utilities |
| • Public Improvements | Police | Electric |
| • Culture & Recreation | Fire | Water |
| • Planning & Zoning | Emergency Medical Services | Sewer |
| • General Administrative Service | | Refuse |

The financial statement and schedules of the City of Wellington, Kansas have been prepared in order to show compliance with the cash basis and budget laws of the State of Kansas. The Governmental Accounting Standards Board is the principal standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies follow below. Note 1 describes how the City's accounting policies differ from accounting principles generally accepted in the United States of America.

Financial Reporting Entity

The City is a municipal corporation governed by an elected Mayor and six-member Council. This financial statement presents the City (the municipality) and its related municipal entities, the Wellington Public Library, the Public Building Commission of the City of Wellington, Kansas, and the Wellington Health Care Authority (collectively, the City). These related municipal entities are included in the City's reporting entity because they were established to benefit the City and/or its constituents. This financial statement does not include the related municipal entity, The Housing Authority of the City of Wellington, Kansas.

Related Municipal Entities: A related municipal entity is determined by the following criteria. Whether the City exercises oversight responsibility on financial interdependency, selection of governing authority, designation of management, ability to significantly influence operations and accountability for fiscal matters, scope of the public service, and significant operational or financial relationships with the City. Related municipal entities are not required to be included in the City's audit by the *Kansas Municipal Audit and Accounting Guide* (KMAAG). Based upon the application of this criterion, the following is a brief review of potential related municipal entities:

Wellington Housing Authority - The Housing Authority of the City of Wellington, Kansas is a municipal corporation responsible for operating the City's housing projects. The Housing Authority is governed by a City appointed five-member board. The Housing Authority can sue and be sued. Bond ordinances and the purchase of real property must be approved by the City. These financial statements do not include the Housing Authority. Separate audited financial statements are prepared and are available at the Housing Authority's administrative office.

Wellington Public Library - The City of Wellington Library Board operates the City's public library. The Library is governed by a City appointed eight-member board. Acquisition or disposition of real property or bond issuances must be approved by the City. These financial statements include the Library.

Public Building Commission - The Public Building Commission of the City of Wellington, Kansas was created to oversee the construction of public facilities as directed by the City Council. The Commission is governed by a City appointed five-member board. Acquisition or disposition of real property or bond issuances must be approved by the City. The City is acting as the fiduciary agent for the Commission. These financial statements include the Commission.

Wellington Health Care Authority - The Wellington Health Care Authority was created for the purpose of providing integrated hospital and other health care services in the City. The Authority is governed by a City appointed five-member board. Acquisition or disposition of real property or bond issuances must be approved by the City. The City collects and appropriates a dedicated health-care sales tax to the Authority. These financial statements include the Authority.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 1 - Summary of Significant Accounting Policies (Continued)

Basis of Accounting

Regulatory Basis of Accounting and Departure from Accounting Principles Generally Accepted in the United States of America. The *Kansas Municipal Audit and Accounting Guide (KMAAG)* regulatory basis of accounting involves the recognition of cash, cash equivalents, marketable investments, and certain accounts payable and encumbrance obligations to arrive at a net unencumbered cash and investments balance on a regulatory basis for each fund, and the reporting of changes in unencumbered cash and investments of a fund resulting from the difference in regulatory basis receipts and regulatory basis expenditures for the fiscal year. All recognized assets and liabilities are measured and reported at cost, unless they have been permanently impaired and have no future cash value or represent no future obligation against cash. The KMAAG regulatory basis does not recognize capital assets, long-term debt, accrued receivables and payables, or any other assets, liabilities or deferred inflows or outflows, other than those mentioned above.

The City has approved a resolution that is in compliance with K.S.A. 75-1120a(c), waiving the requirement for application of generally accepted accounting principles and allowing the City to use the regulatory basis of accounting.

Regulatory Basis Fund Types

The following types of funds comprise the financial activities of the City for the year ended December 31, 2023:

General Fund - the chief operating fund. Used to account for all resources except those required to be accounted for in another fund.

Special Purpose Fund - used to account for the proceeds of specific tax levies and other specific regulatory basis receipt sources (other than Capital Project and tax levies for long-term debt) that are intended for specified purposes.

Bond and Interest Fund - used to account for the accumulation of resources, including tax levies, transfers from other funds and payment of general long-term debt.

Capital Projects Fund - used to account for the debt proceeds and other financial resources to be used for acquisition or construction of major capital facilities or equipment.

Business Fund - funds financed in whole or in part by fees charged to users of the goods or services (i.e. enterprise and internal service fund, etc.).

Trust Fund - funds used to report assets held in trust for the benefit of the municipal financial reporting entity (i.e. pension funds, investment trust funds, private purpose trust funds which benefit the municipal reporting entity, scholarship funds, etc.).

Agency Funds - to account for assets held by the City in a purely custodial capacity (payroll clearing fund, county treasurer tax collection accounts, etc.).

Budgetary Information

Kansas statutes require that an annual operating budget be legally adopted for the general fund, special purpose funds (unless specifically exempted by statute), bond and interest funds, and business funds. Although directory rather than mandatory, the statutes provide for the following sequence and timetable in the adoption of the legal annual operating budget:

1. Preparation of the budget for the succeeding calendar year on or before August 1st.
2. Publication in local newspaper of the proposed budget and notice of public hearing on the budget on or before August 5th.
3. Public hearing on or before August 15th, but at least ten days after publication of notice of hearing.
4. Adoption of the final budget on or before August 25th.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 1 - Summary of Significant Accounting Policies (Continued)

Budgetary Information (Continued)

If the City is holding a revenue neutral rate hearing, the budget timeline for adoption of the final budget has been adjusted to on or before September 20th. The City did hold a revenue neutral rate hearing for this year.

The statutes allow for the governing body to increase the originally adopted budget for previously unbudgeted increases in regulatory receipts other than ad valorem property taxes. To do this, a notice of public hearing to amend the budget must be published in the local newspaper. At least ten days after publication, the hearing may be held and the governing body may amend the budget at that time. The original budget was amended during the year ended December 31, 2023 for the General, Municipal Airport, Municipal Golf Course and Land Bank funds.

The statutes permit transferring budgeted amounts between line items within an individual fund. However, such statutes prohibit expenditures in excess of the total amount of the adopted budget of expenditures of individual funds. Budget comparison schedules are presented for each fund showing actual receipts and expenditures compared to legally budgeted receipts and expenditures.

All legal annual operating budgets are prepared using the regulatory basis of accounting, in which regulatory receipts are recognized when cash is received and expenditures include disbursements, accounts payable, and encumbrances, with disbursements being adjusted for the prior year's accounts payable and encumbrances. Encumbrances are commitments by the City for future payments and are supported by a document evidencing the commitment, such as a purchase order or contract. Any unused budgeted expenditure authority lapses at year end.

A legal operating budget is not required for capital improvement funds, capital project funds, trust funds and the following special purpose funds:

- Permanent Cemetery Endowment Fund
- Hazmat Response Fund
- Fire Prevention and Education Fund
- Police VIN Fund
- Asset Forfeiture Fund
- Equipment Reserve Fund
- Sanitation Equipment Reserve Fund
- Housing Authority Reserve Fund
- SCCDAT Grant Fund
- CDBG Housing Grant Fund
- ARPA Grant Fund
- Wellington Airport FAA Grant Fund
- Opioid Settlement Fund

Spending in funds which are not subject to the legal annual operating budget requirement is controlled by federal regulations, other statutes, or by the use of internal spending limits established by the city commission.

NOTE 2 - Deposits and Investments

As of December 31, 2023, the City had the following investments and maturities.

| <u>Investment Type</u> | <u>Fair Value</u> | <u>Investment Maturities (in Years)</u> | | <u>Rating U.S.</u> |
|----------------------------------|---------------------|---|--------------------|--------------------|
| | | <u>Less than 1</u> | <u>More than 1</u> | |
| Kansas Municipal Investment Pool | \$ 9,270,318 | \$ 9,270,318 | \$ - | N/A |
| Total Fair Value | <u>\$ 9,270,318</u> | <u>\$ 9,270,318</u> | <u>\$ -</u> | |

Deposits. K.S.A. 9-1401 establishes the depositories which may be used by the City. The statute requires banks eligible to hold the City's funds have a main or branch bank in the county in which the City is located, or in an adjoining county if such institution has been designated as an official depository, and the banks provide an acceptable rate of return on funds. In addition, K.S.A. 9-1402 requires the banks to pledge securities for deposits in excess of FDIC coverage. The City has no other policies that would further limit interest rate risk.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 2 - Deposits and Investments (Continued)

Investments. K.S.A. 12-1675 limits the City's investment of idle funds to time deposits, open accounts, and certificates of deposit with allowable financial institutions; U.S. government securities; temporary notes; no-fund warrants; repurchase agreements; and the Kansas Municipal Investment Pool. The City has no investment policy that would further limit its investment choices. As of December 31, 2023, the City held no such investments.

Concentration of credit risk. State statutes place no limit on the amount the City may invest in any one issuer as long as the investments are adequately secured under K.S.A. 9-1402 and 9-1405. The City's allocation of investments as of December 31, 2023, was as follows:

| <u>Investment</u> | <u>Percentage of Investments</u> |
|----------------------------------|----------------------------------|
| Kansas Municipal Investment Pool | 100% |

Custodial credit risk - deposits. Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. State statutes require the City's deposits in financial institutions to be entirely covered by federal depository insurance or by collateral held under a joint custody receipt issued by a bank within the State of Kansas, the Federal Reserve Bank of Kansas City, or the Federal Home Loan Bank of Topeka, except during designated "peak periods" when required coverage is 50%. The City has no designated "peak periods." All deposits were fully secured as of December 31, 2023.

As of December 31, 2023, the City's carrying amount of deposits was \$12,637,063 and the bank balance was \$5,863,436. The bank balance was held by four banks resulting in a concentration of credit risk. Of the bank balance, \$502,267 was covered by federal depository insurance and \$5,361,169 was collateralized with securities held by the pledging financial institutions' agents in the City's name.

As of December 31, 2023, the Library's carrying amount of deposits was \$281,236 and the bank balance was \$281,236. The bank balance was held by one bank resulting in a concentration of credit risk. Of the bank balance, \$250,000 was covered by federal depository insurance and \$31,236 was collateralized with securities held by the pledging financial institution's agents in the Library's name.

As of December 31, 2023, the Health Care Authority's carrying amount of deposits was \$427,785 and the bank balance was \$427,785. The bank balance was held by one bank resulting in a concentration of credit risk. Of the bank balance, \$250,000 was covered by federal depository insurance and \$177,785 was collateralized with securities held by the pledging financial institution's agents in the City's name.

Custodial credit risk - investments. For an investment, this is the risk that, in the event of the failure of the issuer or counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. State statutes require investments to be adequately secured.

As of December 31, 2023, the Municipality had invested \$9,270,318 in the State's municipal investment pool. The municipal investment pool is under the oversight of the Pooled Money Investment Board. The board is comprised of the State Treasurer and four additional members appointed by the State Governor. The board reports annually to the Kansas legislature. State pooled monies may be invested in direct obligations of, or obligations that are insured as to principal and interest, by the U.S. government or any agency thereof, with maturities up to four years. No more than ten percent of those funds may be invested in mortgage-backed securities. In addition, the State pool may invest in repurchase agreements with Kansas banks or with primary government securities dealers.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 3 - Defined Benefit Pension Plan

Plan Description. The City and Library participate in the Kansas Public Employees Retirement System (KPERS), a cost-sharing, multiple-employer defined benefit pension plan as provided by K.S.A. 74-4901, et. seq. Kansas law establishes and amends benefit provisions. KPERS issues a publicly available financial report that includes financial statements and required supplementary information. KPERS' financial statements are included in its Comprehensive Annual Financial Report which can be found on the KPERS website at www.kpers.org by writing to KPERS (611 South Kansas, Suite 100, Topeka, KS 66603) or by calling 1-888-275-5737.

Contributions. K.S.A. 74-4919 and K.S.A. 74-49,210 establish the KPERS member-employee contribution rates. KPERS has multiple benefit structures and contribution rates depending on whether the employee is a KPERS 1, KPERS 2 or KPERS 3 member. KPERS 1 members are active and contributing members hired before July 1, 2009. KPERS 2 members were first employed in a covered position on or after July 1, 2009, and KPERS 3 members were first employed in a covered position on or after January 1, 2015. Effective January 1, 2015, Kansas law established the KPERS member-employee contribution rate at 6% of covered salary for KPERS 1, KPERS 2 and KPERS 3 members. K.S.A. 74-4975 establishes KP&F member-employee contribution rate at 7.15% of covered salary. Member contributions are withheld by their employer and paid to KPERS according to the provisions of Section 414(h) of the Internal Revenue Code.

State law provides that the employer contribution rates for KPERS 1, KPERS 2, KPERS 3 and KP&F be determined based on the results of each annual actuarial valuation. Kansas law sets a limitation on annual increases in the employer contribution rates. The actuarially determined employer contribution rate (not including the 1% contribution rate for the Death and Disability Program) and the statutory contribution rate was 8.43% for KPERS and 22.86% for KP&F for the fiscal year ended December 31, 2023. Contributions to the pension plan from the City were \$370,322 for KPERS and \$484,969 for KP&F for the year ended December 31, 2023. Contributions to the pension plan from the Library were \$11,815.

Net Pension Liability. As of December 31, 2023, the City's proportionate share of the collective net pension liability reported by KPERS was \$4,347,530 and \$4,854,890 for KP&F. The Library's proportionate share of the collective net pension liability reported by KPERS was \$130,720. The net pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of December 31, 2022, which was rolled forward to June 30, 2023. The City's proportion of the net pension liability was based on the ratio of the City's contributions to KPERS, relative to the total employer and non-employer contributions of the Local subgroup within KPERS. Since the KMAAG regulatory basis of accounting does not recognize long-term debt, this liability is not reported in this financial statement.

The complete actuarial valuation report, including all actuarial assumptions and methods, and the report on the allocation of the KPERS collective net pension liability to all participating employers are publicly available on the KPERS website at www.kpers.org or can be obtained as described above.

NOTE 4 - Other Long-Term Obligations from Operations

Other Post-Employment Benefits. As provided by K.S.A. 12-5040, the City allows retirees to participate in the group health insurance plan. While each retiree pays the full amount of the applicable premium, conceptually, the City is subsidizing the retirees because each participant is charged a level of premium regardless of age. However, the cost of this subsidy has not been quantified in this financial statement.

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City makes health care benefits available to eligible former employees and eligible dependents. Certain requirements are outlined by the federal government for this coverage. The premium is paid in full by the insured. There is no cost to the City under this program.

Death and Disability Other Post-Employment Benefits. As provided by K.S.A. 74-4927, disabled members in the Kansas Public Employees Retirement System (KPERS) receive long-term disability benefits and life insurance benefits. The plan is administered through a trust held by KPERS that is funded to pay annual benefit payments. The employer contribution rate is set at 1% for the year ended December 31, 2023.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 5 - Compensated Absences

Each full-time employee of the service of the City shall accrue paid time off with each pay date. The number of hours accrued per pay period is based on the employee's years of service and shift length as detailed by the following table:

| Years of Service | Regular (80/Hr Pay Period) | | Law Enforcement (86/Hr Pay Period) | | Fire & EMS (106/Hr Pay Period) | |
|------------------|----------------------------|-----------------|------------------------------------|-----------------|--------------------------------|-----------------|
| | Per Pay Period | Maximum Accrual | Per Pay Period | Maximum Accrual | Per Pay Period | Maximum Accrual |
| 1 - 10 | 4 | 144 | 4.5 | 155 | 7.385 | 264 |
| 11 - 12 | 4.75 | 164 | 5.25 | 176 | 8.135 | 284 |
| 13 - 15 | 5.25 | 177 | 5.75 | 190 | 8.635 | 297 |
| 16 + | 5.5 | 192 | 6 | 207 | 8.885 | 312 |

Employees separating from the City with more than 6 months of service are entitled to payment for all accrued but unused vacation earned prior to separation up to the maximum accrual. An employee's maximum accrual is based on the employee's years of service and shift length as detailed by the above table.

All employees accumulate sick leave based on shift length as detailed by the below table. This sick leave accumulates first in a short- term sick leave account up to a maximum accrual based on shift length as detailed by the below table, then into a reserve sick leave account, with a maximum accrual based on shift length as detailed by the below table. The short- term account can be replenished during the year from the reserve sick leave account when the balance falls below the applicable short- term maximum. If an employee has used less than the applicable short- term maximum hours during a calendar year, they have the option of receiving one half of the balance of those remaining hours in cash with their last paycheck of the year.

| | Per Pay Period | Short-Term Maximum | Reserve Maximum | Maximum Payout |
|------------------------------------|----------------|--------------------|-----------------|----------------|
| Regular (80/Hr Pay Period) | 4 | 64 | 960 | 104 |
| Law Enforcement (86/Hr Pay Period) | 4.5 | 69 | 1,032 | 112 |
| Fire & EMS (106/Hr Pay Period) | 7.385 | 120 | 1,771 | 180 |

Upon termination of employment for medical reasons, retirement, or death, an employee or the employee's beneficiary receives payment at their regular hourly rate of pay for the balance in the short- term and reserve sick leave accounts, up to a maximum number of hours based on shift length as detailed by the above table.

The City has not estimated the liability for paid time off or sick leave which has been earned, but not taken, by City employees, as the amount cannot be reasonably estimated.

NOTE 6 - Contingencies

The City receives significant financial assistance from numerous federal and state governmental agencies in the form of grants and state pass-through aid. The disbursement of funds received under these programs generally requires compliance with the terms and conditions specified in the grant agreements and is subject to audit. Any disallowed claims resulting from such audits could become a liability of the General Fund or other applicable funds. However, in the opinion of management, any such disallowed claims would not have a material effect on any of the financial statements of the City as of December 31, 2023.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 7 - Interfund Transfers

Operating transfers were as follows during the year ended December 31, 2023:

| <u>From</u> | <u>To</u> | <u>Amount</u> |
|---|--|---------------------|
| Electric, Waterworks and Sewage Utility | General | \$ 1,766,364 |
| Electric, Waterworks and Sewage Utility | Electric, Waterworks, Sewage Capital Improvement | 1,935,844 |
| Sanitation Utility | General | 36,955 |
| Sanitation Utility | Sanitation Equipment Reserve | 30,000 |
| General | Equipment Reserve | 322,445 |
| General | Land Bank | 2,500 |
| General | Airport | 81,000 |
| General | Municipal Golf Course | 150,000 |
| General | Capital Improvements | 350,000 |
| Sanitation Utility | Bond and Interest | 120,160 |
| Permanent Cemetery Endowment | General | 6,340 |
| | | <u>\$ 4,801,608</u> |

NOTE 8 - Interfund Charges

The City uses interfund charges to share the cost of certain activities and projects across funds. Interfund charges are reported as interfund revenue in the reimbursed fund and as expenses in the reimbursing fund according to the underlying expense's natural function and department.

The General Fund is used to account for various administrative functions, which are partially allocated to other funds. Utility billing and collection, financial and management services were paid through the General Fund and reimbursed by other funds as detailed by the following table during the year ended December 31, 2023:

| <u>Reimbursing Fund</u> | <u>Amount</u> |
|--|---------------------|
| Special Highway | \$ 135,000 |
| Electric, Waterworks, and Sewage Utility | 944,578 |
| Sanitation Utility | 92,143 |
| | <u>\$ 1,171,721</u> |

The Employee Benefit Fund is used to account for various employee benefit expenses which are partially allocated to other funds. Health care benefits were paid through the Employee Benefit Fund and reimbursed by other funds as detailed by the following table during the year ended December 31, 2023:

| <u>Reimbursing Fund</u> | <u>Amount</u> |
|--|---------------------|
| General | \$ 619,621 |
| Municipal Golf Course | 29,830 |
| Electric, Waterworks, and Sewage Utility | 277,634 |
| Sanitation Utility | 65,568 |
| Municipal Airport | 9,924 |
| Liability Insurance | <u>\$ 1,002,577</u> |

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 8 - Interfund Charges (Continued)

The Special Liability Fund is used to account for various insurance expenses which are partially allocated to other funds. Insurance premiums were paid through the Special Liability Fund and reimbursed by other funds as detailed by the following table during the year ended December 31, 2023:

| | Reimbursing Fund | Amount |
|--|------------------|------------|
| General | | \$ 144,079 |
| Municipal Golf Course | | 8,585 |
| Electric, Waterworks, and Sewage Utility | | 452,965 |
| Sanitation Utility | | 23,050 |
| Municipal Airport | | 9,854 |
| | | \$ 638,533 |

The City meters but does not bill other City funds for utility services.

NOTE 9 - Long-Term Debt

The following table summarizes changes in the City's long-term debt for the year ended December 31, 2023:

| <u>Type of Issue</u> | <u>Beginning Principal Outstanding</u> | <u>Additions to Principal</u> | <u>Reductions of Principal</u> | <u>Ending Principal Outstanding</u> | <u>Interest Paid</u> |
|---|--|---------------------------------------|--|---|----------------------|
| Primary Government: | | | | | |
| General Obligation Bonds | \$ 16,775,668 | \$ - | \$ 2,300,379 | \$ 14,475,289 | \$ 328,248 |
| Revenue Bonds | 3,755,000 | - | 200,000 | 3,555,000 | 116,280 |
| KDHE Loans | 57,265 | 246,641 | - | 303,906 | 455 |
| Finance Leases | 641,257 | 330,737 | 318,149 | 653,844 | 19,834 |
| Total Primary Government | 21,229,190 | 577,378 | 2,818,528 | 18,988,039 | 464,817 |
| Related Municipal Entity: | | | | | |
| Public Building Commission Revenue Bonds | 600,000 | - | 45,000 | 555,000 | 25,525 |
| Total Reporting Entity | \$ 21,829,190 | \$ 577,378 | \$ 2,863,528 | \$ 19,543,039 | \$ 490,342 |

General Obligation Bonds. The following table details the City's outstanding general obligation debt as of December 31, 2023:

| <u>Issue</u> | <u>Date of Issue</u> | <u>Final Maturity</u> | <u>Interest Rate</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|---|--------------------------|---------------------------|----------------------|----------------------------|-------------------------------|
| General Obligation Bonds, Series 2011-C | 9/22/2011 | 9/22/2031 | 4.00% | \$ 394,200 | \$ 195,289 |
| General Obligation Elec Wtrwks & Sew Util Sys Refunding Bonds, Series 2015 | 8/1/2015 | 11/1/2027 | 2.00 - 3.00% | 5,035,000 | 3,430,000 |
| General Obligation Refunding Bonds, Series 2015-B | 12/15/2015 | 10/1/2024 | 2.00% | 1,495,000 | 80,000 |
| General Obligation Bonds, Series 2018 | 11/6/2018 | 8/1/2039 | 3.00 - 4.00% | 1,125,000 | 970,000 |
| General Obligation Bonds, Series 2019-A | 4/9/2019 | 11/1/2039 | 2.50 - 3.00% | 1,765,000 | 1,510,000 |
| Taxable General Obligation Bonds, Series 2019-B | 4/9/2019 | 11/1/2034 | 3.50 - 4.00% | 555,000 | 450,000 |
| General Obligation Bonds, Series 2021 | 3/1/2021 | 3/1/2026 | 0.00% | 500,000 | 300,000 |
| General Obligation Refunding Bonds, Series 2021-B | 6/8/2021 | 9/1/2028 | 1.00 - 2.00% | 1,270,000 | 860,000 |
| General Obligation Bonds, Series 2021-C | 7/27/2021 | 9/1/2030 | 1.00 - 1.10% | 7,665,000 | 6,105,000 |
| General Obligation Bonds, Series 2021-D | 7/27/2021 | 11/1/2041 | 0.30 - 2.10% | 630,000 | 575,000 |
| | | | | | \$ 14,475,289 |

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 9 - Long-Term Debt (Continued)

Annual debt service requirements to maturity for the City's outstanding general obligation debt is as follows:

| <u>Ending December 31,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|----------------------|---------------------|----------------------|
| 2024 | \$ 2,226,194 | \$ 286,448 | \$ 2,512,642 |
| 2025 | 2,187,042 | 241,760 | 2,428,802 |
| 2026 | 2,217,924 | 197,943 | 2,415,867 |
| 2027 | 2,163,841 | 155,271 | 2,319,112 |
| 2028 | 1,294,794 | 111,412 | 1,406,206 |
| 2029 - 2033 | 2,990,494 | 340,836 | 3,331,330 |
| 2034 - 2038 | 1,100,000 | 142,981 | 1,242,981 |
| 2039 - 2041 | 295,000 | 10,031 | 305,031 |
| | <u>\$ 14,475,289</u> | <u>\$ 1,486,682</u> | <u>\$ 15,961,971</u> |

Revenue Bonds. The following table details the City's outstanding revenue bond debt as of December 31, 2023:

| <u>Issue</u> | <u>Date of Issue</u> | <u>Final Maturity</u> | <u>Interest Rate</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|---|--------------------------|---------------------------|----------------------|----------------------------|-------------------------------|
| Elec, Wtrwks & Sew Util Sys Revenue Bonds, Series 2016 | 4/7/2016 | 11/1/2036 | 2.00 - 3.50% | <u>\$ 4,755,000</u> | <u>\$ 3,555,000</u> |

Annual debt service requirements to maturity for the City's outstanding revenue bond debt is as follows:

| <u>December 31,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|---------------------|---------------------|-------------------|---------------------|
| 2024 | \$ 200,000 | \$ 112,280 | \$ 312,280 |
| 2025 | 230,000 | 108,280 | 338,280 |
| 2026 | 240,000 | 101,380 | 341,380 |
| 2027 | 250,000 | 94,180 | 344,180 |
| 2028 | 260,000 | 85,430 | 345,430 |
| 2029 - 2033 | 1,415,000 | 299,300 | 1,714,300 |
| 2034 - 2036 | 960,000 | 67,280 | 1,027,280 |
| | <u>\$ 3,555,000</u> | <u>\$ 868,130</u> | <u>\$ 4,423,130</u> |

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 9 - Long-Term Debt (Continued)

Finance Leases. The following table details the City's outstanding finance leases as of December 31, 2023:

| <u>Issue</u> | <u>Date of Issue</u> | <u>Final Maturity</u> | <u>Interest Rate</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|--------------------------|----------------------|-----------------------|----------------------|------------------------|---------------------------|
| Fire Engine/Tender Truck | 1/5/2015 | 7/5/2025 | 2.40% | \$ 560,435 | \$ 89,653 |
| Directional Drill | 4/19/2019 | 6/3/2024 | 2.90% | 228,935 | 20,414 |
| Refuse Truck | 1/22/2020 | 4/1/2025 | 3.40% | 134,766 | 31,024 |
| Bucket Truck | 9/25/2020 | 9/25/2025 | 2.60% | 250,000 | 91,424 |
| Street Sweeper | 7/8/2021 | 7/8/2025 | 1.65% | 200,000 | 76,575 |
| Rec Comm Parking Lot | 2/18/2022 | 12/1/2031 | 1.75% | 70,000 | 56,751 |
| 2023 Ambulance | 7/14/2023 | 7/14/2028 | 3.40% | 172,000 | 156,084 |
| Wheel Loader | 2/8/2023 | 1/25/2028 | 4.46% | 158,737 | 131,919 |
| | | | | | <u>\$ 653,844</u> |

Annual debt service requirements to maturity for the City's finance lease obligations are as follows:

| Year Ending <u>December 31,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|---------------------------------------|-------------------|------------------|-------------------|
| 2024 | \$ 276,883 | \$ 14,861 | \$ 291,744 |
| 2025 | 173,937 | 9,282 | 183,219 |
| 2026 | 74,904 | 5,850 | 80,754 |
| 2027 | 77,738 | 3,020 | 80,758 |
| 2028 | 28,158 | 779 | 28,937 |
| 2029 - 2031 | <u>22,225</u> | <u>793</u> | <u>23,018</u> |
| | <u>\$ 653,844</u> | <u>\$ 34,585</u> | <u>\$ 688,429</u> |

On February 8, 2023, the City entered into a lease purchase agreement with a local financial institution in the amount of \$172,000. Proceeds from the agreement were used to finance the purchase of a wheel loader. The agreement carries an interest rate of 4.46%, requires monthly payments of \$2,961 and is scheduled for final maturity on July 14, 2028.

On July 14, 2023, the City entered into a lease purchase agreement with a local financial institution in the amount of \$158,737. Proceeds from the agreement were used to finance the purchase of an ambulance. The agreement carries an interest rate of 3.40%, requires monthly payments of \$3,121 and is scheduled for final maturity on July 14, 2028.

Revolving Loan. On February 1, 2022, the City Council authorized the execution of a loan agreement between the City and the Kansas Department of Health and Environment (KDHE). Proceeds from the loan will be used to finance the cost of the water system improvements. The loan is for a maximum principal of \$634,706 and carries a gross interest rate of 1.31%. As of December 31, 2023, the City has drawn \$303,906 on the loan. An amortization schedule for the loan is not yet available since the loan has not been finalized.

Related Municipal Entity - Revenue Bond. The following table details the Public Building Commission's outstanding revenue bond debt as of December 31, 2023:

| <u>Issue</u> | <u>Date of Issue</u> | <u>Final Maturity</u> | <u>Interest Rate</u> | <u>Original Amount</u> | <u>Amount Outstanding</u> |
|--|----------------------|-----------------------|----------------------|------------------------|---------------------------|
| Public Building Commission Revenue Bonds, Series 2014 | 1/1/2014 | 12/1/2033 | 3.00 - 4.50% | <u>\$ 960,000</u> | <u>\$ 555,000</u> |

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 9 - Long-Term Debt (Continued)

Annual debt service requirements to maturity for the Public Building Commission's outstanding revenue bond debt are as follows:

| Year Ending December 31, | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|-------------------|-------------------|-------------------|
| 2024 | \$ 45,000 | \$ 23,725 | \$ 68,725 |
| 2025 | 50,000 | 21,925 | 71,925 |
| 2026 | 50,000 | 19,925 | 69,925 |
| 2027 | 50,000 | 17,925 | 67,925 |
| 2028 | 55,000 | 15,925 | 70,925 |
| 2029 - 2033 | <u>305,000</u> | <u>42,300</u> | <u>347,300</u> |
| | <u>\$ 555,000</u> | <u>\$ 141,725</u> | <u>\$ 696,725</u> |

NOTE 10 - Landfill Closure Costs and Post-Closure Costs

In 2006, the City entered into an agreement with Sumner County to purchase the municipal landfill formerly operated by Sumner County. The municipal solid waste landfill was closed and capped in 1994. State and federal laws and regulations require certain maintenance and monitoring functions to continue for 30 years after closure. Estimates of future costs are not maintained for this closed landfill. The City continues to operate the transfer station and construction and demolition disposal site at this location.

NOTE 11 - Health Care Authority

The Wellington Health Care Authority (HCA) is a separate legal entity of the City. The City owns a hospital building which it previously leased to the HCA. The HCA operated a hospital at this location under the name of Sumner Regional Medical Center. The HCA sold its hospital business to a private entity in October 2018. The private entity leased a portion of the hospital building from the City until it ceased operations in March 2020. The City has since leased a portion of the hospital building to a different private entity who operates the emergency department.

In 2015, the citizens of Wellington authorized a 1% dedicated sales tax which is collected by the City and remitted to the HCA. The HCA continues to use the 1% dedicated sales tax for payments on HCA debts and improvements and the maintenance of the hospital building. The amount of sales tax collected by the City and remitted to the HCA during the year ended December 31, 2023, was \$1,728,028.

City Forbearance Agreement. The HCA received financial assistance from the City in the form of utility services, bond payments, loans, and a loan guarantee prior to selling its hospital business in 2018. This financial support was codified in a forbearance agreement dated September 1, 2015, between the City and HCA. The total sum covered by the agreement was \$1,519,343. The agreement called for the HCA to repay this amount at 3.00% interest before December 31, 2017. The HCA made no payments against the agreement until August 2021 when the HCA began repaying \$40,000 per month against the agreement. The balance of the forbearance agreement as of December 31, 2023, was \$359,343 plus accrued and unpaid interest.

KPERS Unfunded Actuarial Liability. Prior to selling its hospital business in 2018, the HCA participated in KPERS. Upon withdrawing from KPERS the HCA's unfunded actuarial liability became due and payable. The HCA has made no payments against this liability. The balance of the liability as of December 31, 2023, was \$2,918,099. The HCA is negotiating with KPERS to have this liability discharged.

KPERS Reporting Liability. Prior to selling its hospital business in 2018, the HCA incurred both employer and employee reporting liabilities to KPERS. The original balance of this liability was approximately \$1,400,000. The HCA reached an agreement with KPERS to make monthly payments against the balance. The balance of the liability as of December 31, 2023, was \$211,107.

CITY OF WELLINGTON, KANSAS
Notes to the Financial Statements
For the Year Ended December 31, 2023

NOTE 11 - Health Care Authority (Continued)

Accounts Payable. Prior to selling its hospital business in 2018 the HCA incurred accounts payable due to vendors. The HCA did not remit payment to these vendors due to an insufficiency of cash. Should a vendor pursue repayment, the HCA would consider repayment based on current financial resources. Management estimates the balance of potential accounts payable as of December 31, 2023, was \$619,288. These balances are not reported as accounts payable as the vendors are not pursuing repayment.

Vendor Settlement. On March 28, 2019, the HCA entered into a settlement with a vendor to settle an outstanding balance. At the time of settlement, the balance was \$2,418,134. The settlement calls for the HCA to make monthly payments of \$20,000 to the vendor and for the vendor to discharge any outstanding balance upon the expiration of the dedicated sales tax in 2025.

Pledge to City. During 2020, the HCA pledged to appropriate \$20,000 per month to the City for improvements and the maintenance of the Hospital Building. These appropriations will continue until the dedicated sales tax expires in 2025. The HCA also made a one-time \$100,000 appropriation to the City during 2021. The total appropriated to the City by the HCA during the year ended December 31, 2023, was \$240,000.

NOTE 12 - Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; employees' health and life; and natural disasters. The City manages these risks of loss through the purchase of various insurance policies.

The City has been unable to obtain workers' compensation insurance at a cost it considers to be economically justifiable. For this reason, the City has joined together with other cities in the State to participate in Kansas Municipal Insurance Trust (KMIT), a public entity risk pool currently operating as a common risk management and insurance program for participating members. The City pays annual premium to KMIT for its workers' compensation insurance coverage. The agreement to participate provides that KMIT will be self-sustaining through member premiums and will reinsure through commercial companies for claims in excess of a stated dollar amount for each insurance event. Additional premiums may be due if total claims for the pool are different than what has been anticipated by KMIT management.

During the ordinary course of its operations, the City is a party to various claims, legal actions and complaints. In the opinion of management and legal counsel, no such claims, legal actions or complaints would not have a material effect on any of the financial statements of the City as of December 31, 2023.

NOTE 13 - Statutory Violation

Actual exceeded budgeted expenditures in the Municipal Airport Fund, which is a violation of K.S.A. 79-2935.

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CITY OF WELLINGTON, KANSAS
 Summary of Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023

| <u>Funds</u> | <u>Certified Budget</u> | <u>Adjustment for Qualifying Budget Credits</u> | <u>Total Budget for Comparison</u> | <u>Expenditures Chargeable to Current Year</u> | <u>Variance Over [Under]</u> |
|------------------------------|-----------------------------|---|--|--|--------------------------------------|
| General Funds: | | | | | |
| General | \$ 10,843,039 | \$ - | \$ 10,843,039 | \$ 9,320,559 | \$ [1,522,480] |
| Special Purpose Funds: | | | | | |
| Ambulance and Fire | | | | | |
| Fighting Equipment | 133,977 | 172,000 | 305,977 | 207,622 | [98,355] |
| Library | 254,560 | - | 254,560 | 254,560 | - |
| Special Highway | 339,815 | 158,737 | 498,552 | 385,605 | [112,947] |
| Employee Benefit | 1,516,045 | - | 1,516,045 | 1,400,515 | [115,530] |
| Special Liability | 875,780 | - | 875,780 | 780,128 | [95,652] |
| Hospital Sales Tax | 1,900,000 | - | 1,900,000 | 1,728,028 | [171,972] |
| Special Alcohol and Drug | 22,976 | - | 22,976 | 20,000 | [2,976] |
| Special Parks and Recreation | 45,301 | - | 45,301 | 31,963 | [13,338] |
| Tourism and Convention | 55,557 | - | 55,557 | 35,000 | [20,557] |
| Land Bank | 2,824 | - | 2,824 | 472 | [2,352] |
| Bond and Interest Funds: | | | | | |
| Bond and Interest | 762,702 | - | 762,702 | 697,702 | [65,000] |
| Business Funds: | | | | | |
| Municipal Airport | 295,297 | - | 295,297 | 314,089 | 18,792 |
| Municipal Golf Course | 484,176 | 5,685 | 489,861 | 489,161 | [700] |
| Electric, Waterworks & | | | | | |
| Sewage Utility | 19,732,853 | 55,390 | 19,788,243 | 18,241,917 | [1,546,326] |
| Sanitation Utility | 1,886,372 | - | 1,886,372 | 1,729,948 | [156,424] |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 General Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|----------------------------------|--------------------------------|-------------------|----------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Receipts | | | | |
| Ad Valorem Property Tax | \$ 1,586,878 | \$ 1,984,489 | \$ 2,250,326 | \$ [265,837] |
| NRP Rebate | [41,316] | [42,818] | [55,000] | 12,182 |
| Delinquent Tax | 54,440 | 98,584 | 98,584 | - |
| Motor Vehicle Tax | 213,363 | 235,109 | 232,069 | 3,040 |
| Recreational Vehicle Tax | 3,293 | 3,637 | 2,704 | 933 |
| 16/20 M Vehicle Tax | 1,106 | 527 | 1,000 | [473] |
| Commercial Vehicle Tax | 4,845 | 5,875 | 5,705 | 170 |
| Watercraft Tax | 14 | 141 | - | 141 |
| Weed Tax | 11,743 | 7,343 | 8,250 | [907] |
| Franchise Tax | 240,841 | 256,304 | 255,500 | 804 |
| Sales Tax | 1,323,368 | 1,402,017 | 1,316,492 | 85,525 |
| Compensating Use Tax | 257,506 | 326,714 | 278,427 | 48,287 |
| Intergovernmental | | | | |
| Local Alcohol Liquor Tax | 20,873 | 20,841 | 20,155 | 686 |
| Special Highway Tax | 84,710 | 84,710 | 84,000 | 710 |
| Federal Grants | 36,545 | 84,968 | 85,000 | [32] |
| State Grants | 23,312 | 34,145 | 33,750 | 395 |
| County Shared Revenue | 334,727 | 332,878 | 329,700 | 3,178 |
| Licenses and Permits | 399,493 | 318,448 | 313,050 | 5,398 |
| Fines, Forfeitures and Penalties | 58,363 | 70,958 | 67,500 | 3,458 |
| Charges for Services | | | | |
| Ambulance Fees | 922,406 | 852,931 | 776,777 | 76,154 |
| Other Charges for Service | 36,846 | 44,866 | - | 44,866 |
| Use of Money and Property | | | | |
| Interest Income | 45,549 | 245,044 | 146,885 | 98,159 |
| Property Sale/Rent | 46,922 | 46,866 | 38,500 | 8,366 |
| Other Receipts | | | | |
| Reimbursed Expense | 55,213 | 91,105 | 83,000 | 8,105 |
| Miscellaneous | 361,974 | 564,024 | 500,500 | 63,524 |
| Interfund Revenue | 1,154,786 | 1,171,721 | 1,171,681 | 40 |
| Operating Transfers In | <u>2,076,816</u> | <u>1,809,658</u> | <u>3,564,638</u> | <u>[1,754,980]</u> |
| Total Receipts | <u>9,314,616</u> | <u>10,051,085</u> | <u>\$ 11,609,193</u> | <u>\$ [1,558,108]</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 General Fund (Continued)
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance- Over [Under] |
|------------------------|--------------------------------|----------------|----------------|------------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Expenditures | | | | |
| Mayor and City Council | | | | |
| Personal Services | \$ 10,348 | \$ 10,563 | \$ 10,412 | \$ 151 |
| Contractual Services | 2,464 | 1,629 | 2,950 | [1,321] |
| Commodities | 344 | 301 | 882 | [581] |
| | <u>13,156</u> | <u>12,493</u> | <u>14,244</u> | <u>[1,751]</u> |
| City Manager's Office | | | | |
| Personal Services | 274,718 | 275,393 | 285,732 | [10,339] |
| Contractual Services | 8,533 | 6,330 | 7,050 | [720] |
| Commodities | 2,047 | 305 | 2,050 | [1,745] |
| | <u>285,298</u> | <u>282,028</u> | <u>294,832</u> | <u>[12,804]</u> |
| City Clerk's Office | | | | |
| Personal Services | 275,118 | 301,571 | 283,403 | 18,168 |
| Contractual Services | 34,796 | 40,220 | 49,841 | [9,621] |
| Commodities | 5,880 | 3,756 | 2,950 | 806 |
| | <u>315,794</u> | <u>345,547</u> | <u>336,194</u> | <u>9,353</u> |
| Utility Collections | | | | |
| Personal Services | 247,519 | 262,445 | 258,545 | 3,900 |
| Contractual Services | 54,549 | 64,931 | 62,080 | 2,851 |
| Commodities | 15,059 | 19,547 | 21,956 | [2,409] |
| | <u>317,127</u> | <u>346,923</u> | <u>342,581</u> | <u>4,342</u> |
| General Services | | | | |
| Contractual Services | 92,954 | 73,149 | 434,460 | [361,311] |
| Commodities | 31,248 | 27,218 | 50,725 | [23,507] |
| | <u>124,202</u> | <u>100,367</u> | <u>485,185</u> | <u>[384,818]</u> |
| Janitorial | | | | |
| Personal Services | 44,618 | 48,026 | 45,090 | 2,936 |
| Contractual Services | 5,269 | 5,395 | 7,410 | [2,015] |
| Commodities | 6,422 | 9,071 | 6,410 | 2,661 |
| | <u>56,309</u> | <u>62,492</u> | <u>58,910</u> | <u>3,582</u> |
| IT/GIS | | | | |
| Personal Services | 77,634 | 81,278 | 81,984 | [706] |
| Contractual Services | 626 | 440 | 6,396 | [5,956] |
| Commodities | 517 | 542 | 2,520 | [1,978] |
| | <u>78,777</u> | <u>82,260</u> | <u>90,900</u> | <u>[8,640]</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 General Fund (Continued)
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance- Over [Under] |
|--------------------------|--------------------------------|------------------|------------------|------------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Expenditures - Continued | | | | |
| Police Department | | | | |
| Personal Services | \$ 1,560,107 | \$ 1,532,215 | \$ 1,715,038 | \$ [182,823] |
| Contractual Services | 153,058 | 210,235 | 161,480 | 48,755 |
| Commodities | 90,790 | 79,987 | 104,650 | [24,663] |
| Capital Outlay | - | - | 10,700 | [10,700] |
| | <u>1,803,955</u> | <u>1,822,437</u> | <u>1,991,868</u> | <u>[169,431]</u> |
| Fire Department | | | | |
| Personal Services | 1,939,085 | 1,951,049 | 2,296,096 | [345,047] |
| Contractual Services | 175,588 | 198,236 | 171,450 | 26,786 |
| Commodities | 209,502 | 183,694 | 173,800 | 9,894 |
| | <u>2,324,175</u> | <u>2,332,979</u> | <u>2,641,346</u> | <u>[308,367]</u> |
| Municipal Auditorium | | | | |
| Contractual Services | 45,568 | 34,098 | - | 34,098 |
| Commodities | 15,657 | 9,641 | - | 9,641 |
| Capital Outlay | 5,000 | 5,000 | - | 5,000 |
| | <u>66,225</u> | <u>48,739</u> | <u>-</u> | <u>48,739</u> |
| Park Department | | | | |
| Personal Services | 188,692 | 267,823 | 256,222 | 11,601 |
| Contractual Services | 36,566 | 28,742 | 45,273 | [16,531] |
| Commodities | 36,093 | 54,351 | 43,100 | 11,251 |
| | <u>261,351</u> | <u>350,916</u> | <u>344,595</u> | <u>6,321</u> |
| Swimming Pool | | | | |
| Contractual Services | 41,237 | 53,730 | - | 53,730 |
| Commodities | 2,213 | 5,518 | - | 5,518 |
| | <u>43,450</u> | <u>59,248</u> | <u>-</u> | <u>59,248</u> |
| Street Department | | | | |
| Personal Services | 640,738 | 614,338 | 751,078 | [136,740] |
| Contractual Services | 153,111 | 170,490 | 198,610 | [28,120] |
| Commodities | 233,605 | 191,540 | 219,860 | [28,320] |
| Capital Outlay | 1,747 | - | - | - |
| | <u>1,029,201</u> | <u>976,368</u> | <u>1,169,548</u> | <u>[193,180]</u> |
| Cemetery | | | | |
| Personal Services | 110,950 | 126,908 | 120,663 | 6,245 |
| Contractual Services | 18,435 | 7,283 | 14,195 | [6,912] |
| Commodities | 30,038 | 29,282 | 28,025 | 1,257 |
| Capital Outlay | - | 25,698 | 25,500 | 198 |
| | <u>159,423</u> | <u>189,171</u> | <u>188,383</u> | <u>788</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 General Fund (Continued)
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance- Over <u>[Under]</u> |
|---|--------------------------------|---------------------|----------------------|-------------------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Expenditures - Continued | | | | |
| Engineering, Planning and Inspection | | | | |
| Personal Services | 211,518 | 239,713 | 289,445 | [49,732] |
| Contractual Services | 25,176 | 30,042 | 38,350 | [8,308] |
| Commodities | 12,790 | 8,608 | 8,100 | 508 |
| | <u>249,484</u> | <u>278,363</u> | <u>335,895</u> | <u>[57,532]</u> |
| Legal and Police Court | | | | |
| Personal Services | \$ 150,323 | \$ 159,061 | \$ 155,703 | \$ 3,358 |
| Contractual Services | 52,568 | 59,904 | 66,811 | [6,907] |
| Commodities | 831 | 2,387 | 1,340 | 1,047 |
| | <u>203,722</u> | <u>221,352</u> | <u>223,854</u> | <u>[2,502]</u> |
| Lake Recreation | | | | |
| Personal Services | 229,866 | 255,597 | 278,871 | [23,274] |
| Contractual Services | 16,730 | 14,011 | 15,310 | [1,299] |
| Commodities | 44,899 | 49,708 | 48,400 | 1,308 |
| Capital Outlay | 2,398 | 5,065 | 6,000 | [935] |
| | <u>293,893</u> | <u>324,381</u> | <u>348,581</u> | <u>[24,200]</u> |
| Facilities | | | | |
| Personal Services | 88,319 | 90,509 | 91,030 | [521] |
| Contractual Services | 166,459 | 183,976 | 107,800 | 76,176 |
| Commodities | 17,581 | 12,723 | 94,997 | [82,274] |
| | <u>272,359</u> | <u>287,208</u> | <u>293,827</u> | <u>[6,619]</u> |
| Appropriations | | | | |
| Appropriation to Chisholm Trail Museum | 7,500 | 7,500 | - | 7,500 |
| Appropriation to Senior Citizens Center | 11,500 | 5,000 | - | 5,000 |
| Appropriation to Futures Unlimited | 12,500 | 12,500 | - | 12,500 |
| Miscellaneous Appropriation | 12,000 | 12,000 | - | 12,000 |
| | <u>43,500</u> | <u>37,000</u> | <u>-</u> | <u>37,000</u> |
| Non-Departmental | | | | |
| Contractual Services | 159,171 | 249,768 | 10,450 | 239,318 |
| Commodities | [886] | 4,574 | - | 4,574 |
| | <u>158,285</u> | <u>254,342</u> | <u>10,450</u> | <u>243,892</u> |
| Operating Transfers Out | <u>763,242</u> | <u>905,945</u> | <u>1,671,846</u> | <u>[765,901]</u> |
| Total Expenditures | <u>8,862,928</u> | <u>9,320,559</u> | <u>\$ 10,843,039</u> | <u>\$ [1,522,480]</u> |
| Receipts Over [Under] Expenditures | 451,688 | 730,526 | | |
| Unencumbered Cash, Beginning | <u>1,892,028</u> | <u>2,343,716</u> | | |
| Unencumbered Cash, Ending | <u>\$ 2,343,716</u> | <u>\$ 3,074,242</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Library Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|-----------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Receipts | | | | |
| Ad Valorem Property Tax | \$ 209,135 | \$ 211,959 | \$ 227,811 | \$ [15,852] |
| NRP Rebate | [5,450] | [4,572] | [4,495] | [77] |
| Delinquent Tax | 7,858 | 13,472 | 7,000 | 6,472 |
| Motor Vehicle Tax | 31,298 | 31,133 | 32,379 | [1,246] |
| Recreational Vehicle Tax | 484 | 481 | 444 | 37 |
| 16/20 M Vehicle Tax | 152 | 78 | 152 | [74] |
| Commercial Vehicle Tax | 712 | 775 | 587 | 188 |
| Watercraft Tax | 2 | 19 | 124 | [105] |
| Total Receipts | <u>244,191</u> | <u>253,345</u> | <u>\$ 264,002</u> | <u>\$ [10,657]</u> |
| Expenditures | | | | |
| Appropriation to Library Board | <u>252,350</u> | <u>254,560</u> | <u>\$ 254,560</u> | <u>\$ -</u> |
| Total Expenditures | <u>252,350</u> | <u>254,560</u> | <u>\$ 254,560</u> | <u>\$ -</u> |
| Receipts Over [Under] Expenditures | [8,159] | [1,215] | | |
| Unencumbered Cash, Beginning | <u>9,113</u> | <u>954</u> | | |
| Unencumbered Cash, Ending | <u>\$ 954</u> | <u>\$ [261]</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Ambulance and Fire Fighting Equipment Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|--|--------------------------------|-------------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Receipts | | | | |
| Ad Valorem Property Tax | \$ 81,466 | \$ 84,784 | \$ 91,115 | \$ [6,331] |
| NRP Rebate | - | [1,829] | [1,798] | [31] |
| Delinquent Tax | 3,146 | 5,389 | 2,500 | 2,889 |
| Motor Vehicle Tax | 12,519 | 12,452 | 12,952 | [500] |
| Recreational Vehicle Tax | 194 | 193 | 177 | 16 |
| 16/20 M Vehicle Tax | 61 | 31 | 61 | [30] |
| Commercial Vehicle Tax | 285 | 310 | 235 | 75 |
| Watercraft Tax | 1 | 7 | 50 | [43] |
| Use of Money and Property Lease Proceeds | - | 172,000 | - | 172,000 |
| Use of Money and Property Interest Income | 712 | 3,514 | 133 | 3,381 |
| Total Receipts | <u>98,384</u> | <u>276,851</u> | <u>\$ 105,425</u> | <u>\$ 171,426</u> |
| Expenditures | | | | |
| Capital Outlay | 108,282 | 207,622 | \$ 96,502 | \$ 111,120 |
| Contingency | - | - | 37,475 | [37,475] |
| Adjustment for Qualifying Budget Credit | - | - | 172,000 | [172,000] |
| Total Expenditures | <u>108,282</u> | <u>207,622</u> | <u>\$ 305,977</u> | <u>\$ [98,355]</u> |
| Receipts Over [Under] Expenditures | [9,898] | 69,229 | | |
| Unencumbered Cash, Beginning | <u>47,073</u> | <u>37,175</u> | | |
| Unencumbered Cash, Ending | <u>\$ 37,175</u> | <u>\$ 106,404</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Special Highway Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over Under <u>[Under]</u> |
|---|--------------------------------|-------------------|-------------------|---|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Intergovernmental | | | | |
| Fuel Tax | \$ 205,757 | \$ 206,934 | \$ 213,030 | \$ [6,096] |
| Use of Money and Property | | | | |
| Interest Income | 1,455 | 8,072 | 301 | 7,771 |
| Property Sale/Rent | 27,000 | - | - | - |
| Other Receipts | | | | |
| Lease Proceeds | - | 158,737 | - | 158,737 |
| Total Receipts | <u>234,212</u> | <u>373,743</u> | <u>\$ 213,331</u> | <u>\$ 160,412</u> |
| Expenditures | | | | |
| Contractual Services | 135,000 | 135,000 | \$ 135,000 | \$ - |
| Capital Outlay | 51,729 | 250,605 | 107,044 | 143,561 |
| Contingency | - | - | 97,771 | [97,771] |
| Adjustment for qualifying budget credit | - | - | 158,737 | [158,737] |
| Total Expenditures | <u>186,729</u> | <u>385,605</u> | <u>\$ 498,552</u> | <u>\$ [112,947]</u> |
| Receipts Over [Under] Expenditures | 47,483 | [11,862] | | |
| Unencumbered Cash, Beginning | <u>149,564</u> | <u>197,047</u> | | |
| Unencumbered Cash, Ending | <u>\$ 197,047</u> | <u>\$ 185,185</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Employee Benefit Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|--|--------------------------------|-------------------|---------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Use of Money and Property | | | | |
| Interest Income | \$ 1,621 | \$ 8,580 | \$ 345 | \$ 8,235 |
| Other Receipts | | | | |
| Employee Contributions | 300,786 | 279,995 | 355,926 | [75,931] |
| COBRA and Component Unit Contributions | 40,972 | 41,609 | 49,273 | [7,664] |
| Miscellaneous | 174 | - | - | - |
| Interfund Revenue | <u>1,070,656</u> | <u>1,002,577</u> | <u>1,044,292</u> | <u>[41,715]</u> |
| Total Receipts | <u>1,414,209</u> | <u>1,332,761</u> | <u>\$ 1,449,836</u> | <u>\$ [117,075]</u> |
| Expenditures | | | | |
| Insurance Premiums | 1,317,504 | 1,365,220 | \$ 1,445,386 | \$ [80,166] |
| Contractual Services | 15,451 | 35,295 | 47,872 | [12,577] |
| Miscellaneous | - | - | 22,787 | [22,787] |
| Total Expenditures | <u>1,332,955</u> | <u>1,400,515</u> | <u>\$ 1,516,045</u> | <u>\$ [115,530]</u> |
| Receipts Over [Under] Expenditures | 81,254 | [67,754] | | |
| Unencumbered Cash, Beginning | <u>129,568</u> | <u>210,822</u> | | |
| Unencumbered Cash, Ending | <u>\$ 210,822</u> | <u>\$ 143,068</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Special Liability Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|-------------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Use of Money and Property | | | | |
| Interest Income | \$ 922 | \$ 9,665 | \$ 284 | \$ 9,381 |
| Other Receipts | | | | |
| Reimbursed Expense | 76,862 | 87,756 | 731,782 | [644,026] |
| Interfund Revenue | <u>638,533</u> | <u>747,260</u> | <u>-</u> | <u>747,260</u> |
| Total Receipts | <u>716,317</u> | <u>844,681</u> | <u>\$ 732,066</u> | <u>\$ 112,615</u> |
| Expenditures | | | | |
| Contractual Services | 721,775 | 777,568 | \$ 736,781 | \$ 40,787 |
| Contingency | <u>2,447</u> | <u>2,560</u> | <u>138,999</u> | <u>[136,439]</u> |
| Total Expenditures | <u>724,222</u> | <u>780,128</u> | <u>\$ 875,780</u> | <u>\$ [95,652]</u> |
| Receipts Over [Under] Expenditures | [7,905] | 64,553 | | |
| Unencumbered Cash, Beginning | <u>150,559</u> | <u>142,654</u> | | |
| Unencumbered Cash, Ending | <u>\$ 142,654</u> | <u>\$ 207,207</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Hospital Sales Tax Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|--|--------------------------------|------------------|---------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Revenue | | | | |
| Sales Tax | \$ 1,323,185 | \$ 1,401,314 | \$ 1,500,000 | \$ [98,686] |
| Compensating Use Tax | <u>257,525</u> | <u>326,714</u> | <u>400,000</u> | <u>[73,286]</u> |
| Total Receipts | <u>1,580,710</u> | <u>1,728,028</u> | <u>\$ 1,900,000</u> | <u>\$ [171,972]</u> |
| Expenditures | | | | |
| Appropriation to Health Care Authority | <u>1,580,710</u> | <u>1,728,028</u> | <u>\$ 1,900,000</u> | <u>\$ [171,972]</u> |
| Total Expenditures | <u>1,580,710</u> | <u>1,728,028</u> | <u>\$ 1,900,000</u> | <u>\$ [171,972]</u> |
| Receipts Over [Under] Expenditures | - | - | | |
| Unencumbered Cash, Beginning | - | - | | |
| Unencumbered Cash, Ending | <u>\$ -</u> | <u>\$ -</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Special Alcohol and Drug Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|-----------------|------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Intergovernmental | | | | |
| Local Alcohol Liquor Tax | \$ 20,873 | \$ 20,841 | \$ 20,155 | \$ 686 |
| Use of Money and Property | | | | |
| Interest Income | <u>57</u> | <u>350</u> | <u>9</u> | <u>341</u> |
| Total Receipts | <u>20,930</u> | <u>21,191</u> | <u>\$ 20,164</u> | <u>\$ 1,027</u> |
| Expenditures | | | | |
| Miscellaneous Appropriation | <u>17,250</u> | <u>20,000</u> | <u>\$ 22,976</u> | <u>\$ [2,976]</u> |
| Total Expenditures | <u>17,250</u> | <u>20,000</u> | <u>\$ 22,976</u> | <u>\$ [2,976]</u> |
| Receipts Over [Under] Expenditures | 3,680 | 1,191 | | |
| Unencumbered Cash, Beginning | <u>4,554</u> | <u>8,234</u> | | |
| Unencumbered Cash, Ending | <u>\$ 8,234</u> | <u>\$ 9,425</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Special Parks and Recreation Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|------------------|------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Intergovernmental | | | | |
| Local Alcohol Liquor Tax | \$ 20,873 | \$ 20,841 | \$ 20,231 | \$ 610 |
| Use of Money and Property | | | | |
| Interest Income | 315 | 1,169 | - | 1,169 |
| Total Receipts | <u>21,188</u> | <u>22,010</u> | <u>\$ 20,231</u> | <u>\$ 1,779</u> |
| Expenditures | | | | |
| Capital Outlay | 23,160 | 31,963 | \$ 37,800 | \$ [5,837] |
| Contingency | - | - | 7,501 | [7,501] |
| Total Expenditures | <u>23,160</u> | <u>31,963</u> | <u>\$ 45,301</u> | <u>\$ [13,338]</u> |
| Receipts Over [Under] Expenditures | [1,972] | [9,953] | | |
| Unencumbered Cash, Beginning | <u>40,437</u> | <u>38,465</u> | | |
| Unencumbered Cash, Ending | <u>\$ 38,465</u> | <u>\$ 28,512</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Tourism and Convention Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|------------------|------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Revenue | | | | |
| Transient Guest Tax | \$ 52,870 | \$ 42,651 | \$ 36,000 | \$ 6,651 |
| Use of Money and Property | | | | |
| Interest Income | 225 | 1,641 | 37 | 1,604 |
| Operating Transfers In | <u>150,580</u> | <u>-</u> | <u>-</u> | <u>-</u> |
| Total Receipts | <u>203,675</u> | <u>44,292</u> | <u>\$ 36,037</u> | <u>\$ 8,255</u> |
| Expenditures | | | | |
| Contractual Services | 15,000 | 15,000 | \$ - | \$ 15,000 |
| Miscellaneous Appropriation | 170,580 | 20,000 | 30,557 | [10,557] |
| Contingency | <u>-</u> | <u>-</u> | <u>25,000</u> | <u>[25,000]</u> |
| Total Expenditures | <u>185,580</u> | <u>35,000</u> | <u>\$ 55,557</u> | <u>\$ [20,557]</u> |
| Receipts Over [Under] Expenditures | 18,095 | 9,292 | | |
| Unencumbered Cash, Beginning | <u>20,495</u> | <u>38,590</u> | | |
| Unencumbered Cash, Ending | <u>\$ 38,590</u> | <u>\$ 47,882</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Land Bank Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|---------------|---------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Other Receipts | | | | |
| Reimbursed Expense | \$ - | \$ 343 | \$ 343 | \$ - |
| Operating Transfers In | - | 2,500 | 2,500 | - |
| Total Receipts | - | 2,843 | 2,843 | - |
| Expenditures | | | | |
| Contractual Services | - | 472 | 2,824 | [2,352] |
| Total Expenditures | - | 472 | 2,824 | [2,352] |
| Receipts Over [Under] Expenditures | - | 2,371 | | |
| Unencumbered Cash, Beginning | - | - | | |
| Unencumbered Cash, Ending | \$ - | \$ 2,371 | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Non-Budgeted Special Purpose Funds
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | Permanent Cemetery Endowment Fund | Hazmat Response Fund | Fire Prevention and Education Fund | Police VIN Fund | Asset Forfeiture Fund | Equipment Reserve Fund | Sanitation Equipment Reserve Fund | Housing Authority Reserve Fund |
|---------------------------------------|--|----------------------------|--|-----------------------|-----------------------------|------------------------------|--|---|
| Receipts | | | | | | | | |
| Fees | \$ - | \$ - | \$ - | \$ 21,074 | \$ - | \$ - | \$ - | \$ - |
| Use of Money and Property | | | | | | | | |
| Interest Income | 6,115 | 214 | 17 | 792 | 177 | - | 1,277 | - |
| Property Sale/Rent | 1,667 | - | - | - | - | - | - | - |
| Other Receipts | | | | | | | | |
| Reimbursed Expense | - | 12,642 | - | - | - | 138,564 | - | - |
| Operating Transfers In | - | - | - | - | - | 322,445 | 30,000 | - |
| Total Receipts | <u>7,782</u> | <u>12,856</u> | <u>17</u> | <u>21,866</u> | <u>177</u> | <u>461,009</u> | <u>31,277</u> | <u>-</u> |
| Expenditures | | | | | | | | |
| Commodities | - | 13,133 | - | 20,135 | - | - | - | - |
| Capital Outlay | - | - | - | - | - | 351,213 | 26,736 | - |
| Operating Transfers Out | 6,340 | - | - | - | - | - | - | - |
| Total Expenditures | <u>6,340</u> | <u>13,133</u> | <u>-</u> | <u>20,135</u> | <u>-</u> | <u>351,213</u> | <u>26,736</u> | <u>-</u> |
| Receipts Over [Under] Expenditures | 1,442 | [277] | 17 | 1,731 | 177 | 109,796 | 4,541 | - |
| Unencumbered Cash, Beginning | <u>156,029</u> | <u>5,472</u> | <u>432</u> | <u>15,365</u> | <u>4,479</u> | <u>221,315</u> | <u>27,336</u> | <u>121,075</u> |
| Unencumbered Cash, Ending | <u>\$ 157,471</u> | <u>\$ 5,195</u> | <u>\$ 449</u> | <u>\$ 17,096</u> | <u>\$ 4,656</u> | <u>\$ 331,111</u> | <u>\$ 31,877</u> | <u>\$ 121,075</u> |

* - These funds are not required to be budgeted.

CITY OF WELLINGTON, KANSAS
Grant Funds
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2023

| | SCCDAT Grant Fund | ARPA Grant Fund | Wellington Airport FAA Grant Fund | Opioid Settlement Fund |
|------------------------------------|-------------------------|-----------------------|--|------------------------------|
| Receipts | | | | |
| Intergovernmental | | | | |
| Federal Grants | \$ 128,058 | \$ - | \$ 74,880 | \$ - |
| Other Receipts | | | | |
| Miscellaneous | - | - | - | 21,073 |
| Use of Money and Property | | | | |
| Interest Income | <u>323</u> | <u>-</u> | <u>-</u> | <u>596</u> |
| Total Receipts | <u>128,381</u> | <u>-</u> | <u>74,880</u> | <u>21,669</u> |
| Expenditures | | | | |
| Personal Services | 91,125 | - | - | - |
| Contractual Services | 32,973 | 77,111 | 38,660 | - |
| Commodities | 2,597 | - | - | 700 |
| Capital Outlay | <u>-</u> | <u>6,000</u> | <u>-</u> | <u>-</u> |
| Total Expenditures | <u>126,695</u> | <u>83,111</u> | <u>38,660</u> | <u>700</u> |
| Receipts Over [Under] Expenditures | 1,686 | [83,111] | 36,220 | 20,969 |
| Unencumbered Cash, Beginning | <u>7,036</u> | <u>665,205</u> | <u>[47,556]</u> | <u>1,855</u> |
| Unencumbered Cash, Ending | <u>\$ 8,722</u> | <u>\$ 582,094</u> | <u>\$ [11,336]</u> | <u>\$ 22,824</u> |

* - These funds are not required to be budgeted.

CITY OF WELLINGTON, KANSAS
 Bond and Interest Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|-------------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Taxes and Shared Receipts | | | | |
| Ad Valorem Property Tax | \$ 672,234 | \$ 303,306 | \$ 325,563 | \$ [22,257] |
| NRP Rebate | [17,537] | [6,535] | [6,424] | [111] |
| Special Assessments | 110,804 | 89,876 | 93,682 | [3,806] |
| Delinquent Tax | 25,596 | 42,373 | 20,000 | 22,373 |
| Motor Vehicle Tax | 113,256 | 100,671 | 104,194 | [3,523] |
| Recreational Vehicle Tax | 1,755 | 1,555 | 1,428 | 127 |
| 16/20 M Vehicle Tax | 479 | 282 | 489 | [207] |
| Commercial Vehicle Tax | 2,589 | 2,497 | 1,888 | 609 |
| Watercraft Tax | 8 | 60 | 400 | [340] |
| Use of Money and Property | | | | |
| Interest Income | 4,641 | 12,859 | 1,016 | 11,843 |
| Operating Transfers In | <u>171,850</u> | <u>120,160</u> | <u>120,160</u> | <u>-</u> |
| Total Receipts | <u>1,085,675</u> | <u>667,104</u> | <u>\$ 662,396</u> | <u>\$ 4,708</u> |
| Expenditures | | | | |
| Debt Service | | | | |
| Principal | 989,595 | 560,379 | \$ 5,000 | \$ 555,379 |
| Interest | 161,397 | 137,323 | 560,379 | [423,056] |
| Costs of Issuance | - | - | 137,323 | [137,323] |
| Contingency | <u>-</u> | <u>-</u> | <u>60,000</u> | <u>[60,000]</u> |
| Total Expenditures | <u>1,150,992</u> | <u>697,702</u> | <u>\$ 762,702</u> | <u>\$ [65,000]</u> |
| Receipts Over [Under] Expenditures | [65,317] | [30,598] | | |
| Unencumbered Cash, Beginning | <u>198,625</u> | <u>133,308</u> | | |
| Unencumbered Cash, Ending | <u>\$ 133,308</u> | <u>\$ 102,710</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Capital Improvement Funds
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | Capital Improvements Fund | Special Improvements Fund | Sanitation Improvement Fund | Electric, Waterworks & Sewage Capital Improvement Fund | Memorial A/C Fund |
|------------------------------------|---------------------------------|---------------------------------|-----------------------------------|---|-------------------------|
| Receipts | | | | | |
| Intergovernmental | | | | | |
| State Grants | \$ 94,023 | \$ - | \$ - | \$ - | \$ - |
| Use of Money and Property | | | | | |
| Interest Income | - | 3,984 | 5,242 | 160,961 | 1,360 |
| Other Receipts | | | | | |
| Miscellaneous | 38,240 | - | - | 114,646 | - |
| Operating Transfers In | <u>350,000</u> | <u>-</u> | <u>-</u> | <u>1,935,844</u> | <u>-</u> |
| Total Receipts | <u>482,263</u> | <u>3,984</u> | <u>5,242</u> | <u>2,211,451</u> | <u>1,360</u> |
| Expenditures | | | | | |
| Contractual Services | 98,763 | - | - | 7,000 | - |
| Capital Outlay | <u>602,886</u> | <u>-</u> | <u>-</u> | <u>675,886</u> | <u>-</u> |
| Total Expenditures | <u>701,649</u> | <u>-</u> | <u>-</u> | <u>682,886</u> | <u>-</u> |
| Receipts Over [Under] Expenditures | [219,386] | 3,984 | 5,242 | 1,528,565 | 1,360 |
| Unencumbered Cash, Beginning | 1,483,074 | 101,157 | 95,527 | 3,136,476 | 34,531 |
| Prior Year Cancelled Encumbrances | <u>7,200</u> | <u>-</u> | <u>-</u> | <u>305,736</u> | <u>-</u> |
| Unencumbered Cash, Ending | <u>\$ 1,270,888</u> | <u>\$ 105,141</u> | <u>\$ 100,769</u> | <u>\$ 4,970,777</u> | <u>\$ 35,891</u> |

* - These funds are not required to be budgeted.

CITY OF WELLINGTON, KANSAS
 Capital Project Funds
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | Hospital Emergency Department Project Fund | Electric, Waterworks & Sewage Project Fund | Plum Street Waterline Project Fund |
|------------------------------------|---|---|---|
| Receipts | | | |
| Use of Money and Property | | | |
| Interest Income | \$ - | \$ 9,037 | \$ - |
| Intergovernmental | | | |
| Federal Grants | - | - | 305,000 |
| Other Receipts | | | |
| Pledge from HCA | - | - | - |
| Loan Proceeds | - | - | 246,187 |
| Total Receipts | <u>-</u> | <u>9,037</u> | <u>551,187</u> |
| Expenditures | | | |
| Contractual Services | - | - | 461,392 |
| Capital Outlay | - | - | 513,995 |
| Principal | 100,000 | - | - |
| Total Expenditures | <u>100,000</u> | <u>-</u> | <u>975,387</u> |
| Receipts Over [Under] Expenditures | [100,000] | 9,037 | [424,200] |
| Unencumbered Cash, Beginning | <u>409,113</u> | <u>229,478</u> | <u>[53,835]</u> |
| Unencumbered Cash, Ending | <u>\$ 309,113</u> | <u>\$ 238,515</u> | <u>\$ [478,035]</u> |

* - These funds are not required to be budgeted.

CITY OF WELLINGTON, KANSAS
Municipal Airport Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|------------------------------------|--------------------------------|------------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Charges for Service | | | | |
| Fuel Sales | \$ 223,246 | \$ 203,547 | \$ 294,837 | \$ [91,290] |
| Use of Money and Property | | | | |
| Interest Income | [29] | - | 100 | [100] |
| Property Sale/Rent | 10,049 | - | - | - |
| Land Rent | 29,204 | 32,966 | - | 32,966 |
| Hangar Rent | 34,115 | 34,445 | - | 34,445 |
| Other Receipts | | | | |
| Reimbursed Expense | 265 | 381 | 380 | 1 |
| Miscellaneous | 275 | 100 | - | 100 |
| Operating Transfers In | 68,950 | 81,000 | - | 81,000 |
| Total Receipts | <u>366,075</u> | <u>352,439</u> | <u>\$ 295,317</u> | <u>\$ 57,122</u> |
| Expenditures | | | | |
| Personal Services | 74,949 | 78,878 | \$ 78,188 | \$ 690 |
| Contractual Services | 33,467 | 37,772 | 25,000 | 12,772 |
| Commodities | 5,559 | 5,333 | 6,750 | [1,417] |
| Cost of Goods Sold | 201,773 | 192,106 | 185,359 | 6,747 |
| Operating Transfers Out | 52,450 | - | - | - |
| Total Expenditures | <u>368,198</u> | <u>314,089</u> | <u>\$ 295,297</u> | <u>\$ 18,792</u> |
| Receipts Over [Under] Expenditures | [2,123] | 38,350 | | |
| Unencumbered Cash, Beginning | 194 | [1,929] | | |
| Unencumbered Cash, Ending | <u>\$ [1,929]</u> | <u>\$ 36,421</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Municipal Golf Course Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|--|--------------------------------|-----------------|-------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Charges for Service | | | | |
| Golf licenses | \$ 82,050 | \$ 64,163 | \$ 187,276 | \$ [123,113] |
| Golf green fees | 111,699 | 113,068 | 100,000 | 13,068 |
| Golf cart licenses and fees | 22,953 | 20,719 | - | 20,719 |
| Golf cart storage and rental | 78,896 | 81,426 | - | 81,426 |
| Use of Money and Property | | | | |
| Interest Income | 940 | 2,353 | 3,211 | [858] |
| Property Sale/Rent | 200 | 450 | 250 | 200 |
| Other Receipts | | | | |
| Miscellaneous | 4,541 | 400 | 52 | 348 |
| Reimbursed Expense | 50 | 5,685 | - | 5,685 |
| Operating Transfers In | <u>166,496</u> | <u>150,000</u> | <u>150,000</u> | <u>-</u> |
| Total Receipts | <u>467,825</u> | <u>438,264</u> | <u>\$ 440,789</u> | <u>\$ [2,525]</u> |
| Expenditures | | | | |
| Personal Services | 263,033 | 276,806 | \$ 275,512 | \$ 1,294 |
| Contractual Services | 71,035 | 90,181 | 52,661 | 37,520 |
| Commodities | 115,882 | 122,174 | 125,800 | [3,626] |
| Capital Outlay | 60,200 | - | - | - |
| Miscellaneous | - | - | 11,550 | [11,550] |
| Contingency | - | - | 18,653 | [18,653] |
| Adjustment for Qualifying Budget Credits | - | - | 5,685 | [5,685] |
| Total Expenditures | <u>510,150</u> | <u>489,161</u> | <u>\$ 489,861</u> | <u>\$ [700]</u> |
| Receipts Over [Under] Expenditures | [42,325] | [50,897] | | |
| Unencumbered Cash, Beginning | <u>92,520</u> | <u>50,195</u> | | |
| Unencumbered Cash, Ending | <u>\$ 50,195</u> | <u>\$ [702]</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Electric, Waterworks, and Sewage Utility Fund
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance Over [Under] |
|--------------------------------|--------------------------------|-------------------|----------------------|-----------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Receipts | | | | |
| Charges for Service | | | | |
| Water Sales | \$ 1,682,500 | \$ 2,120,415 | \$ 4,203,839 | \$ [2,083,424] |
| Sewer Sales | 2,063,971 | 2,099,406 | - | 2,099,406 |
| Electric Sales | 15,160,073 | 12,945,207 | 12,354,474 | 590,733 |
| Penalties | 150,465 | 127,545 | 106,000 | 21,545 |
| Intergovernmental | | | | |
| Federal Grants | - | 62,376 | 1,260 | 61,116 |
| Community Improvement District | 18,347 | 16,568 | - | 16,568 |
| Use of Money and Property | | | | |
| Interest Income | 87,218 | 365,345 | 27,656 | 337,689 |
| Property Sale/Rent | 39,866 | 15,449 | 2,050 | 13,399 |
| Other Receipts | | | | |
| Reimbursed Expense | 17,840 | 55,390 | 192,527 | [137,137] |
| Miscellaneous | <u>355,623</u> | <u>383,267</u> | <u>18,856</u> | <u>364,411</u> |
| Total Receipts | <u>19,575,903</u> | <u>18,190,968</u> | <u>\$ 16,906,662</u> | <u>\$ 1,284,306</u> |
| Expenditures | | | | |
| Electric Production | | | | |
| Personal Services | 627,923 | 664,519 | \$ 2,657,259 | \$ [1,992,740] |
| Contractual Services | 10,737,107 | 6,749,598 | 7,784,779 | [1,035,181] |
| Commodities | <u>79,378</u> | <u>50,258</u> | <u>1,087,975</u> | <u>[1,037,717]</u> |
| | <u>11,444,408</u> | <u>7,464,375</u> | <u>11,530,013</u> | <u>[4,065,638]</u> |
| Electric Distribution | | | | |
| Personal Services | 711,362 | 668,772 | - | 668,772 |
| Contractual Services | 125,122 | 180,352 | - | 180,352 |
| Commodities | <u>367,338</u> | <u>335,185</u> | <u>-</u> | <u>335,185</u> |
| | <u>1,203,822</u> | <u>1,184,309</u> | <u>-</u> | <u>1,184,309</u> |
| Electric Non-Departmental | | | | |
| Contractual Services | 752,828 | 768,132 | - | 768,132 |
| Commodities | <u>5,339</u> | <u>12,387</u> | <u>-</u> | <u>12,387</u> |
| | <u>758,167</u> | <u>780,519</u> | <u>-</u> | <u>780,519</u> |
| Water Production | | | | |
| Personal Services | 266,774 | 316,132 | - | 316,132 |
| Contractual Services | 59,100 | 59,614 | - | 59,614 |
| Commodities | 244,713 | 300,912 | - | 300,912 |
| Capital Outlay | <u>-</u> | <u>1,908</u> | <u>-</u> | <u>1,908</u> |
| | <u>570,587</u> | <u>678,566</u> | <u>-</u> | <u>678,566</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Electric, Waterworks, and Sewage Utility Fund (Continued)
 Schedule of Receipts and Expenditures - Actual and Budget
 Regulatory Basis
 For the Year Ended December 31, 2023
 (With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year <u>Actual</u> | Current Year | | Variance- Over [Under] |
|---|--------------------------------|---------------------|----------------------|------------------------------|
| | | <u>Actual</u> | <u>Budget</u> | |
| Expenditures - Continued | | | | |
| Water Distribution | | | | |
| Personal Services | \$ 371,108 | \$ 379,314 | \$ - | \$ 379,314 |
| Contractual Services | 37,104 | 23,393 | - | 23,393 |
| Commodities | 206,654 | 192,717 | - | 192,717 |
| Capital Outlay | <u>3,590</u> | <u>7,517</u> | <u>42,900</u> | <u>[35,383]</u> |
| | <u>618,456</u> | <u>602,941</u> | <u>42,900</u> | <u>560,041</u> |
| Water Treatment | | | | |
| Personal Services | 273,527 | 294,285 | - | 294,285 |
| Contractual Services | 93,591 | 136,337 | - | 136,337 |
| Commodities | <u>77,450</u> | <u>125,647</u> | <u>-</u> | <u>125,647</u> |
| | <u>444,568</u> | <u>556,269</u> | <u>-</u> | <u>556,269</u> |
| Water Non-Departmental | | | | |
| Contractual Services | <u>176,636</u> | <u>179,601</u> | <u>-</u> | <u>179,601</u> |
| Non-Departmental | | | | |
| Personal Services | 156,419 | 169,651 | 948,738 | [779,087] |
| Contractual Services | 621,348 | 773,395 | - | 773,395 |
| Commodities | <u>3,768</u> | <u>2,878</u> | <u>-</u> | <u>2,878</u> |
| | <u>781,535</u> | <u>945,924</u> | <u>948,738</u> | <u>[2,814]</u> |
| Debt Service | | | | |
| Principal | 1,720,000 | 1,840,000 | 2,147,205 | [307,205] |
| Interest | <u>339,533</u> | <u>307,205</u> | <u>-</u> | <u>307,205</u> |
| | <u>2,059,533</u> | <u>2,147,205</u> | <u>2,147,205</u> | <u>-</u> |
| Operating Transfers Out | 3,053,734 | 3,702,208 | 4,163,997 | [461,789] |
| Contingency | - | - | 900,000 | [900,000] |
| Adjustments for Qualifying Budget Credits | <u>-</u> | <u>-</u> | <u>55,390</u> | <u>[55,390]</u> |
| Total Expenditures | <u>21,111,446</u> | <u>18,241,917</u> | <u>\$ 19,788,243</u> | <u>\$ [1,546,326]</u> |
| Receipts Over [Under] Expenditures | [1,535,543] | [50,949] | | |
| Unencumbered Cash, Beginning | 9,591,422 | 8,055,879 | | |
| Unencumbered Cash, Ending | <u>\$ 8,055,879</u> | <u>\$ 8,004,930</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Sanitation Utility Fund
Schedule of Receipts and Expenditures - Actual and Budget
Regulatory Basis
For the Year Ended December 31, 2023
(With Comparative Actual Amounts For the Year Ended December 31, 2022)

| | Prior Year Actual | Current Year | | Variance Over [Under] |
|------------------------------------|-------------------------|-------------------|---------------------|-----------------------------|
| | | Actual | Budget | |
| Receipts | | | | |
| Charges for Service | | | | |
| Sanitation Sales | \$ 1,731,249 | \$ 1,841,979 | \$ 1,854,856 | \$ [12,877] |
| Intergovernmental | | | | |
| Federal Grants | - | 1,816 | 300 | 1,516 |
| Use of Money and Property | | | | |
| Interest Income | 957 | 5,899 | 299 | 5,600 |
| Property Sale/Rent | 19,438 | 17,172 | 11,840 | 5,332 |
| Other Receipts | | | | |
| Reimbursed Expense | 130 | - | 4,000 | [4,000] |
| Miscellaneous | 7,803 | 5,348 | 12,330 | [6,982] |
| Total Receipts | <u>1,759,577</u> | <u>1,872,214</u> | <u>\$ 1,883,625</u> | <u>\$ [11,411]</u> |
| Expenditures | | | | |
| Collections | | | | |
| Personal Services | 419,621 | 434,920 | \$ 659,199 | \$ [224,279] |
| Contractual Services | 291,142 | 313,791 | 808,840 | [495,049] |
| Commodities | 66,528 | 43,216 | 80,200 | [36,984] |
| | <u>777,291</u> | <u>791,927</u> | <u>1,548,239</u> | <u>[756,312]</u> |
| Transfer Station | | | | |
| Personal Services | 154,345 | 165,336 | 89,485 | 75,851 |
| Contractual Services | 559,248 | 569,494 | - | 569,494 |
| Commodities | 26,043 | 16,076 | - | 16,076 |
| | <u>739,636</u> | <u>750,906</u> | <u>89,485</u> | <u>661,421</u> |
| Operating Transfers Out | 316,080 | 187,115 | 248,648 | [61,533] |
| Total Expenditures | <u>1,833,007</u> | <u>1,729,948</u> | <u>\$ 1,886,372</u> | <u>\$ [156,424]</u> |
| Receipts Over [Under] Expenditures | [73,430] | 142,266 | | |
| Unencumbered Cash, Beginning | <u>101,803</u> | <u>28,373</u> | | |
| Unencumbered Cash, Ending | <u>\$ 28,373</u> | <u>\$ 170,639</u> | | |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
Trust Funds
Schedule of Receipts and Expenditures - Actual*
Regulatory Basis
For the Year Ended December 31, 2023

| | Public Library Trust Fund | Annie Hamilton Trust Fund | Mildred Share McLean Trust Fund |
|------------------------------------|---------------------------------|---------------------------------|---------------------------------------|
| Receipts | | | |
| Use of Money and Property | | | |
| Interest Income | \$ 6,178 | \$ 69 | \$ 212 |
| Property Sale/Rent | - | - | - |
| Other Receipts | | | |
| Donations | - | - | - |
| Miscellaneous | - | - | - |
| Total Receipts | <u>6,178</u> | <u>69</u> | <u>212</u> |
| Expenditures | | | |
| Contractual Services | - | - | - |
| Commodities | - | - | - |
| Capital Outlay | - | - | - |
| Total Expenditures | <u>-</u> | <u>-</u> | <u>-</u> |
| Receipts Over [Under] Expenditures | 6,178 | 69 | 212 |
| Unencumbered Cash, Beginning | <u>156,875</u> | <u>1,744</u> | <u>5,370</u> |
| Unencumbered Cash, Ending | <u>\$ 163,053</u> | <u>\$ 1,813</u> | <u>\$ 5,582</u> |

* - These funds are not required to be budgeted.

| Mausoleum Maintenance Trust Fund | Regional Park Trust Fund | Memorial Auditorium Renovation Trust Fund | Recreation Trust Fund | Municipal Golf Course Trust Fund |
|--|--------------------------------|--|--------------------------|--|
| \$ 525 | \$ 1,532 | \$ 1,635 | \$ 2,358 | \$ 957 |
| - | 4,900 | - | - | - |
| - | - | 1,121 | 37,828 | 26,300 |
| - | - | - | - | - |
| <u>525</u> | <u>6,432</u> | <u>2,756</u> | <u>40,186</u> | <u>27,257</u> |
| - | 817 | - | - | - |
| - | - | - | - | 33,662 |
| - | - | - | - | - |
| <u>-</u> | <u>817</u> | <u>-</u> | <u>-</u> | <u>33,662</u> |
| 525 | 5,615 | 2,756 | 40,186 | [6,405] |
| <u>13,338</u> | <u>35,988</u> | <u>40,918</u> | <u>30,639</u> | <u>16,934</u> |
| <u>\$ 13,863</u> | <u>\$ 41,603</u> | <u>\$ 43,674</u> | <u>\$ 70,825</u> | <u>\$ 10,529</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Trust Funds (Continued)
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | Ambulance Service Trust Fund | Municipal Airport Trust Fund | Nichols Family Trust Fund |
|---|------------------------------------|------------------------------------|---------------------------------|
| Receipts | | | |
| Use of Money and Property | | | |
| Interest Income | \$ 177 | \$ 61 | \$ 9 |
| Property Sale/Rent | - | - | - |
| Other Receipts | | | |
| Donations | - | - | - |
| Miscellaneous | - | - | - |
| Total Receipts | 177 | 61 | 9 |
| Expenditures | | | |
| Contractual Services | - | - | - |
| Commodities | - | - | 124 |
| Capital Outlay | 489 | - | - |
| Total Expenditures | 489 | - | 124 |
| Receipts Over [Under] Expenditures | [312] | 61 | [115] |
| Unencumbered Cash, Beginning | 4,601 | 1,554 | 316 |
| Unencumbered Cash, Ending | \$ 4,289 | \$ 1,615 | \$ 201 |

* - These funds are not required to be budgeted.

Schedule 2 - 21 (Continued)

| Drug Tax Distribution Trust Fund | Cemetery Beautification Trust Fund | Cara Saunders Memorial Trust Fund | Drug Awareness Trust Fund | Employee Community Service Trust Fund |
|--|--|---|---------------------------------|--|
| \$ 287 | \$ 553 | \$ 21 | \$ 296 | \$ - |
| - | - | - | - | - |
| - | - | - | 10,025 | - |
| 90 | 1,280 | - | - | - |
| <u>377</u> | <u>1,833</u> | <u>21</u> | <u>10,321</u> | <u>-</u> |
| - | 4,410 | - | 1,996 | - |
| - | - | - | 10,891 | - |
| - | - | - | - | - |
| <u>-</u> | <u>4,410</u> | <u>-</u> | <u>12,887</u> | <u>-</u> |
| 377 | [2,577] | 21 | [2,566] | - |
| <u>7,257</u> | <u>15,343</u> | <u>530</u> | <u>10,380</u> | <u>3</u> |
| <u>\$ 7,634</u> | <u>\$ 12,766</u> | <u>\$ 551</u> | <u>\$ 7,814</u> | <u>\$ 3</u> |

See independent auditor's report on the financial statements.

Schedule 3

CITY OF WELLINGTON, KANSAS
 Agency Funds
 Summary of Receipts and Disbursements
 Regulatory Basis
 For the Year Ended December 31, 2023

| <u>FUNDS</u> | <u>Beginning Cash Balance</u> | <u>Receipts</u> | <u>Disbursements</u> | <u>Ending Cash Balance</u> |
|-------------------------|-----------------------------------|---------------------|----------------------|--------------------------------|
| Claims | \$ 27,691 | \$ 1,084,949 | \$ 1,073,663 | \$ 38,977 |
| Fire Insurance Proceeds | <u>16,071</u> | <u>421</u> | <u>9,882</u> | <u>6,610</u> |
| Total Agency Funds | <u>\$ 43,762</u> | <u>\$ 1,085,370</u> | <u>\$ 1,083,545</u> | <u>\$ 45,587</u> |

See independent auditor's report on the financial statements.

CITY OF WELLINGTON, KANSAS
 Related Municipal Entity - Wellington Public Library
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | <u>Actual</u> |
|------------------------------------|-------------------|
| Receipts | |
| Intergovernmental | |
| City Appropriations | \$ 254,560 |
| SCKLS Grants | 27,057 |
| Use of Money and Property | |
| Interest Income | 338 |
| Royalty Income | 5,699 |
| Other Receipts | |
| Donations | 4,650 |
| Miscellaneous | 1,554 |
| Total Receipts | <u>293,858</u> |
| Expenditures | |
| Personal Services | 180,709 |
| Contractual Services | 72,682 |
| Commodities | 13,880 |
| Capital Outlay | 7,338 |
| Total Expenditures | <u>274,609</u> |
| Receipts Over [Under] Expenditures | 19,249 |
| Unencumbered Cash, Beginning | <u>259,468</u> |
| Unencumbered Cash, Ending | <u>\$ 278,717</u> |

* - This fund is not required to be budgeted.

CITY OF WELLINGTON, KANSAS
 Related Municipal Entity - Wellington Public Building Commission
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | <u>Actual</u> |
|------------------------------------|---------------|
| Receipts | |
| Use of Money and Property | |
| Property Sale/Rent | \$ 70,525 |
| Total Receipts | <u>70,525</u> |
| | |
| Expenditures | |
| Debt Service | |
| Principal | 45,000 |
| Interest | <u>25,525</u> |
| Receipts Over [Under] Expenditures | <u>70,525</u> |
| | |
| Receipts Over [Under] Expenditures | - |
| | |
| Unencumbered Cash, Beginning | <u>-</u> |
| | |
| Unencumbered Cash, Ending | <u>\$ -</u> |

* - This fund is not required to be budgeted.

CITY OF WELLINGTON, KANSAS
 Related Municipal Entity - Wellington Health Care Authority
 Schedule of Receipts and Expenditures - Actual*
 Regulatory Basis
 For the Year Ended December 31, 2023

| | <u>Actual</u> |
|------------------------------------|-------------------|
| Receipts | |
| Taxes and Shared Revenue | |
| Appropriation from City | \$ 1,855,613 |
| Use of Money and Property | |
| Interest Income | <u>1,507</u> |
| Total Receipts | <u>1,857,120</u> |
| Expenditures | |
| Contractual | 180,000 |
| Payment to City - EMS Funding | 200,000 |
| Pledge to City | 240,000 |
| Payments On | |
| City Forbearance Agreement | 480,000 |
| KPERs Reporting Liability | 360,000 |
| Vendor Settlement | <u>420,000</u> |
| Receipts Over [Under] Expenditures | <u>1,880,000</u> |
| Receipts Over [Under] Expenditures | [22,880] |
| Unencumbered Cash, Beginning | <u>450,665</u> |
| Unencumbered Cash, Ending | <u>\$ 427,785</u> |

* - This fund is not required to be budgeted.

\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

APPENDIX C

SUMMARY OF FINANCING DOCUMENTS

* Subject to change.

APPENDIX C

SUMMARY OF FINANCING DOCUMENTS

The following is a summary of certain provisions contained in the Bond Resolution authorizing the issuance of the Bonds. This summary does not purport to be complete and is qualified by reference to the entirety of the foregoing document.

THE BOND RESOLUTION

DEFINITIONS

In addition to words and terms defined elsewhere in this Official Statement, the following words and terms as used herein 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. 10-620 *et seq.* and K.S.A. Article 12, Section 5 of the Kansas Constitution, K.S.A. 12-101 and Charter Ordinance No. 32 of the Issuer, all as amended and supplemented.

“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 its successors and assigns.

“Bond Resolution” means collectively, the Ordinance passed by the governing body of the Issuer and the resolution adopted by the governing body of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

“Bonds” means the General Obligation Bonds, Series 2024, authorized and issued by the Issuer pursuant to the 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 with respect to the Bonds.

“City” means the City of Wellington, Kansas.

“Clerk” means the duly appointed and acting Clerk of the Issuer or, in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk of the Issuer.

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

“Consulting Engineer” means an independent engineer or engineering firm, or architect or architectural firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by the Bond Resolution.

“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 account by that name created by the Bond Resolution.

“Dated Date” means October 3, 2024.

“Debt Service Account” means the account by that name created within the Bond and Interest Fund by the Bond Resolution.

“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, New York, New York.

“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 the Bond Resolution (other than the covenants relating to continuing disclosure contained in the Bond Resolution and 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 for the Bonds, dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the governing body of the Issuer to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

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

“Fitch” means Fitch Ratings, 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, “Fitch” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Funds and Accounts” means funds and accounts created by or referred to in the Bond Resolution.

“Improvement Fund” means the fund by that name created in the Bond Resolution.

“Improvements” means the improvements referred to in the preamble to the Ordinance and any Substitute Improvements.

“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 the 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, 2025.

“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.

“Kroll” means Kroll Bond Rating Agency, Inc., 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, “Kroll” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“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 in the Bond Resolution provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

“Mayor” means the duly elected and acting Mayor of the Issuer, 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.

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

“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 the Bond Resolution; 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 the 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.

“Purchaser” means the financial institution or investment banking firm that is original purchaser of the Bonds.

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

“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 the Bond Resolution.

“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 the Bond Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

“Replacement Bonds” means Bonds issued to the Beneficial Owners of the Bonds in accordance with the Bond Resolution.

“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.

“Special Record Date” means the date fixed by the Paying Agent for the payment of Defaulted Interest.

“Standard & Poor’s” 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 of the State 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 the Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in the Bond Resolution.

[**“ ___ Term Bonds”** means the Bonds scheduled to mature in the year _____.]

[**“Term Bonds”** means collectively, the ___ 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.

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

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) Improvement Fund.
- (b) Debt Service Account (within the Bond and Interest Fund).
- (c) Costs of Issuance Account.

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

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 received from the sale of the Bonds shall be deposited in the Debt Service Account.
- (b) An amount necessary to pay the Costs of Issuance 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 Improvement Fund.

Application of Moneys in the Improvement Fund. Moneys in the Improvement Fund shall be used for the sole purpose of paying the costs of the Improvements. Withdrawals from the Improvement Fund shall be made only when authorized by the governing body of the Issuer. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Mayor (or designate) stating that such payment is being made for a purpose within the scope of the Bond Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Mayor (or designate) stating that such payment is being made for a purpose within the scope of the Bond Resolution. Upon completion of the Improvements, any surplus remaining in the Improvement Fund shall be deposited in the Debt Service Account.

Substitution of Improvements; Reallocation of Proceeds. The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Bonds provided the following conditions are met: (a) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the governing body of the Issuer in accordance with the laws of the State; (b) a resolution authorizing the use of the proceeds of the Bonds to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the governing body of the Issuer pursuant to this Section, (c) the Attorney General of the State has approved the amendment made by such resolution to the transcript of proceedings for the Bonds to include the Substitute Improvements; and (d) the use of the proceeds of the Bonds to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax status of the Bonds under State or federal law.

The Issuer may reallocate expenditure of Bond proceeds among all Improvements financed by the Bonds; provided the following conditions are met: (a) the reallocation is approved by the governing body of the Issuer; (b) the reallocation shall not cause the proceeds of the Bonds allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (c) the reallocation will not adversely affect the tax status of the Bonds under State or federal law.

Application of Moneys in the 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 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 the 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.

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.

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 Improvement Fund until completion of the Improvements and thereafter to the Debt Service Account.

DEPOSIT AND INVESTMENT OF MONEYS

Deposits. Moneys in each of the Funds and Accounts shall be deposited in a bank, savings and loan association or savings bank which are members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law, and which meet certain guidelines of State law. All such deposits shall be held in cash or invested in Permitted Investments or shall be adequately secured as provided by the laws of the State.

Investments. Moneys held in any Fund or Account may be invested in accordance with the 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; provided that, during the period of construction of the Improvements, earnings on the investment of such funds shall be credited to the Debt Service Account.

DEFAULT AND REMEDIES

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.

Limitation on Rights of Owners. The covenants and agreements of the Issuer contained in the Bond Resolution 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 of any series shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the Funds and Accounts 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 the 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 in the Bond Resolution, or to enforce any right, except in the manner provided in the Bond Resolution, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of such Outstanding Bonds.

Remedies Cumulative. No remedy conferred 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. 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.

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 the Bond Resolution and all other rights granted thereby 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 the 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 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.

TAX COVENANTS

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 Issuer will take such 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.

Survival of Covenants. The covenants contained in the Bond Resolution and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds or any other provision of the Bond Resolution until such time as is set forth in the Federal Tax Certificate.

CONTINUING DISCLOSURE REQUIREMENTS

Disclosure Requirements. The Issuer covenants in the Bond Resolution 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 and to make the provisions of the Disclosure Undertaking applicable to the Bonds. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

Failure to Comply with Continuing Disclosure Requirements. In the event the Issuer fails to comply in a timely manner with its continuing disclosure covenants contained in the Bond Resolution, 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 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 the Bond Resolution, failure of the Issuer to comply with its continuing disclosure covenants contained in the Bond Resolution shall not be considered an Event of Default under the Bond Resolution.

MISCELLANEOUS PROVISIONS

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 annual audit, a copy thereof shall be filed in the office of the Clerk. Such audits shall at all times during the usual business hours be open to the examination and inspection by any Owner of any of the Bonds, or by anyone acting for or on behalf of such user or Owner.

Levy and Collection of Annual Tax. The governing body of the Issuer shall annually make provision for the payment of Debt Service Requirements on the Bonds as the same become due by 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 deposited in 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.

Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of the Bond Resolution, may be amended or modified at any time in any respect by 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 the Bond Resolution.

Any provision of the Bonds or of the Bond Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the Issuer 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 the Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity, 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 more precisely identify the Improvements, to reallocate proceeds of the Bonds among Improvements, to provide for Substitute Improvements, to conform the 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.

Notices, Consents and Other Instruments by Owners. Any notice, request, complaint, demand or other communication required or desired to be given or filed under the Bond Resolution shall be in writing, 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.

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.

Severability. If any section or other part of the 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 the Bond Resolution.

Governing Law. The Bonds and the Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

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\$1,015,000*
CITY OF WELLINGTON, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2024

APPENDIX D

FORM OF DISCLOSURE UNDERTAKING

* Subject to change.

APPENDIX D

FORM OF CONTINUING DISCLOSURE UNDERTAKING

This **CONTINUING DISCLOSURE UNDERTAKING** dated as of October 3, 2024 (the “Continuing Disclosure Undertaking”), is executed and delivered by **THE CITY OF WELLINGTON, 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 its General Obligation Bonds, Series 2024 (the “Bonds”), pursuant to an Ordinance and Resolution adopted by the governing body of the Issuer (collectively the “Bond 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 Bond 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, which may include the Issuer's Annual Comprehensive Financial Report, if any, so long as the Annual Comprehensive Financial Report contains the financial information and operating data described in **Section 2(a)(1)** and **(2)**.

“**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 the last day of the eighth month after the end of the Issuer’s Fiscal Year, commencing with the year ending December 31, 2024, 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, in substantially the format contained in the Official Statement relating to the Bonds. A more detailed explanation of the accounting basis and method of preparation of the financial statements is contained in the Official Statement relating to the Bonds. 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 financial statements 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**, and the Annual Report deadline provided above shall automatically become the first day of the eighth month after the end of the Issuer's new Fiscal Year.

(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 Bond 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 Bond 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.

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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 WELLINGTON, KANSAS

(SEAL)

Mayor

Clerk

EXHIBIT A

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

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

FINANCIAL INFORMATION CONCERNING THE CITY

- Assessed Valuation
- Property Tax Levies and Collections
 - Tax Rates
 - Aggregate Tax Levies
 - Tax Collection Record
 - Major Taxpayers
- Overlapping Indebtedness

DEBT STRUCTURE OF THE ISSUER

- Current Indebtedness of the City*
 - General Obligation Bonds
 - Temporary Notes
 - Certificates of Participation
 - Revenue Bonds Outstanding
 - Capital Lease Obligations
 - Loan Obligations
 - Public Building Commission Revenue Bonds Outstanding

* This Operating Data is also available in the Issuer's financial information portion of its Annual Report.