

[FORM OF ORDINANCE APPROVING PROJECT PLAN]

(Published in *The Garden City Telegram* on _____, 2025)

ORDINANCE NO. ____-2025

AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS APPROVING
A FIRST AMENDMENT TO A STAR BOND PROJECT PLAN FOR THE
SPORTS OF THE WORLD STAR BOND DISTRICT.

WHEREAS, K.S.A. 12-17,160 through 12-17,179, as amended (“Act”) authorizes the city of Garden City, Kansas (“City”) to create sales tax and revenue (“STAR”) bond project districts, approve STAR bond project district plans for such districts and provide for the financing of eligible costs of STAR bond projects from state and local sales, use and transient guest tax increments collected within the district and allocated to the project and other revenues as allowed by the Act; and

WHEREAS, in Ordinance No. 2677-2014, passed on December 16, 2014, and published on December 20, 2014, the governing body of the City established a STAR bond district pursuant to the Act (the “District”) known as the “Sports of the World” STAR bond district and approved a plan for development of the district (the “District Plan”); and

WHEREAS, according to the Act and after providing notice and public hearing, the City adopted Ordinance No. 2744-2017, passed on October 17, 2017, and published on October 21, 2017, in which the governing body of the City approved a Project Plan (the “Project Plan”) for the Sports of the World project, now known as “The Refinery”; and

WHEREAS, by Ordinance No. 3007-2025, passed on February 18, 2025 and published on February __, 2025 the City approved the expanding the District to include an approximately 116 acre tract of property within the City limits, located north of the existing District at the northeast corner of the intersection of US Highway 83 and East Mary Street (the “Additional Property”), (as used hereinafter, the District and the Additional Property together mean the “District”); and

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

WHEREAS, the City has prepared a First Amendment to the STAR Bond Project Plan (the “Project Plan Amendment”), which describes additional infrastructure and development of a major multi-sport athletic complex and related facilities, to be built and installed in the District; and

WHEREAS, a notice of public hearing stating the City Commission is considering an amendment to the Project Plan was published in the Garden City Telegram on May 24, 2025, and on May 31, 2025, according to the Act; and

WHEREAS, on June 3, 2025, a public hearing on the Project Plan Amendment was opened, public comment was received by the City Commission and the hearing was closed; and

WHEREAS, the City Commission is authorized to by the Act to approve and adopt the Project Plan Amendment by an ordinance passed by not less than two-thirds vote of the City Commission.

NOW, THEREFORE, IT IS ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS:

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

Section 2. Financing; Reimbursement, Amendment of Resolution 3130-2024. The City affirms its previously stated intent in Resolution No. 3130-2024 to issue and sell its Sales Tax Revenue Bonds as permitted by the Act and amends Section 1 of Resolution No. 3130-2024 to read as follows:

“Section 1. The City agrees that Stone Creek Station Foundation, a Kansas not-for-profit corporation and Developer of the SOTW Phase II project (“Project”) will advance funds to pay costs of the SOTW Phase II Project (the “Original Expenditure”), and such costs shall be paid and reimbursed from the proceeds of Obligations issued by the City as authorized by the Act, in an anticipated aggregate principal amount of \$45,126,189.”

Resolution No. 3130-2024 is amended only to the extent provided in this Ordinance and the balance of Resolution No. 3130-2024 shall remain in full force and effect.

Section 3. Notification. The City Clerk or Deputy City Clerk is directed to send copies of this Ordinance to the Board of County Commissioners of Finney County, Kansas and to the County Clerk, the County Treasurer, the County Appraiser, the Board of Education of Unified School District No. 457, the Board of Trustees of Garden City Community College, and to the Kansas Secretary of Commerce.

Section 4. Further Action. The Mayor, City Manager, City Clerk, Deputy City Clerk and other officials and employees of the City, including the City Attorney and the City’s Financial Advisor and Bond Counsel, are further authorized and directed to take other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective upon its passage by a two-third vote of the governing body of the City and publication in the official newspaper of the City.

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PASSED AND APPROVED by the governing body of the City of Garden City, Kansas on June 3, 2025.

CITY OF GARDEN CITY, KANSAS

[Seal]

Roy Cessna, Mayor

ATTEST:

Celyn N. Hurtado, City Clerk

EXCERPT OF MINUTES

The governing body of the City of Garden City, Kansas met in regular session at the usual meeting place in the City on June 3, 2025, at 1:00 p.m., with Mayor Roy Cessna presiding, and the following members of the governing body present:

The following members were absent:

At ____ p.m. Mayor Cessna opened a public hearing on a First Amendment to the Project Plan for a STAR Bond District, formerly known as Sports of the World and now known as The Refinery, as previously authorized by Resolution No. ____-2025 setting the public hearing. All persons present who wished to comment were given the opportunity to do so.

The Mayor closed the public hearing at ____ p.m.

An ordinance was presented to the governing body entitled:

AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS APPROVING
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SPORTS OF THE WORLD STAR BOND DISTRICT.

The Ordinance was considered and discussed; and on motion of _____, seconded by _____, the Ordinance was passed a two-thirds vote of the governing body as shown below:

Yes: _____

No: _____

The ordinance was assigned No. ____-2025.

CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I certify that the foregoing is a true and correct Excerpt of Minutes of the June 3, 2025 meeting of the governing body of the City of Garden City, Kansas.

[seal]

Celyn N. Hurtado, City Clerk