

RESOLUTION NO. 1, 2018

A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF ATTICA, INDIANA, AUTHORIZING THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF CERTAIN IMPROVEMENTS TO THE SEWAGE WORKS SYSTEM OF THE CITY, THE ISSUANCE OF REVENUE BONDS TO PROVIDE FOR THE COST THEREOF, AND OTHER MATTERS CONNECTED THEREWITH.

WHEREAS, the City of Attica Board of Public Works and Safety (the "Board of Public Works") operates a municipal sewage works system for the purpose of providing for the collection and treatment of wastewater from the residents and users (the "System") pursuant to IC 36-9-23-1 et seq., as in effect on the issue date of the bonds which are authorized herein (the "Act"); and

WHEREAS, the Board of Public Works hereby finds: (i) that the acquisition, construction, extension and installation of certain improvements for the System, as set forth in Exhibit A (the "Project"), are necessary; (ii) that plans, specifications and cost estimates for the Project (the "Engineering Reports") have been prepared by the engineers employed by the City (the "Engineers"), for plans, specifications, detailed descriptions and estimates of the costs of the necessary improvements and extensions to the System; and (iii) that the Engineering Reports have been previously adopted and have been or will be submitted to all government authorities having jurisdiction, particularly the Indiana Department of Environmental Management ("IDEM"), if and to the extent IDEM approval is required under Indiana law, and has been approved by the aforesaid government authorities; and

WHEREAS, the estimates prepared and delivered by the engineers with respect to the costs of the Project, and including all authorized expenses relating thereto, including the costs of issuance of bonds on account thereof, will be in the estimated amount not to exceed Five Million Four Hundred Sixty-One Thousand Dollars (\$5,461,000), to be financed by a combination of a grant from OCRA in the amount of Five Hundred Fifty Thousand Dollars ((\$550,000), cash on hand in the amount of Three Hundred Seventy-Seven Thousand Dollars (\$377,000), and the issuance of revenue bonds in an amount not to exceed Four Million Seven Hundred Fifty Thousand Dollars (\$4,750,000); and

WHEREAS, the Board of Public Works finds that there are insufficient funds available to pay the cost of the Project, and that the cost of the Project is to be financed in part from the issuance of its sewage works revenue bonds, in one or more series (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF ATTICA, INDIANA, THAT:

SECTION 1. Authorization of Project. The Board of Public Works shall proceed with the completion of the Project in accordance with the Engineering Report, which is now on file in the office of the Clerk-Treasurer of the City (the "Clerk-Treasurer"), and is hereby adopted and approved, and by reference made a part of this Resolution as fully as if the same were attached hereto and incorporated herein. Two (2) copies of the Engineering Report are on file in the office of the

Clerk-Treasurer and open for public inspection pursuant to IC 36-1-5-4. The aggregate cost of the Project shall not exceed the sum of \$5,461,000, plus investment earnings on the proceeds of the Bonds, without further authorization from the Board of Public Works. The term "System," "works", "utility", "sewage works" and other like terms where used in this Resolution shall be construed to mean the existing Sewage Works system and all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions, additions and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired, and all other items as defined in IC 36-9-23, as amended. The Project is hereby approved and shall be constructed, and the Bonds shall be issued pursuant to and in accordance with the Act.

SECTION 2. Issuance of Bonds.

(a) The City shall issue the Bonds, in one or more series, in an aggregate principal amount not to exceed Four Million Seven Hundred Fifty Thousand Dollars (\$4,750,000) to be designated "Sewage Works Revenue Bonds, Series 2018," for the purpose of procuring funds to pay the cost of the Project and the issuance costs of the Bonds.

SECTION 3. Use of Proceeds. The proceeds from the sale of the Bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the City, in a special account to be designated as "City of Attica, Sewage Works Construction Account 2018" (the "Construction Account"). The funds in such account shall be deposited, held, secured or invested in accordance with the laws of the State relating to the depositing, holding, securing or investing of public funds, including particularly IC 5-13, 4-4-11 and 13-18-13, as amended or supplemented, and the acts amendatory thereof and supplemental thereto. The funds in such special account or accounts shall be expended only for the purpose of paying the costs of issuance of the Bonds, the cost of the Project, or as otherwise required by the Act.

SECTION 4. Schedule of Fees. The fees for the use of the System are set forth in City Ordinance No. 2, 2018.

SECTION 5. Ordinance of Common Council. The Board of Public works hereby requests that the Common Council of the City pass an ordinance, not inconsistent herewith, setting forth such addition provisions as the Common Council deems necessary or appropriate in connection with the issuance of the bonds.

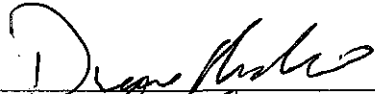
SECTION 6. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

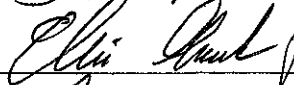
SECTION 7. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this Resolution.

SECTION 8. Conflicting Resolutions. All prior resolutions and parts of prior resolutions, insofar as they are in conflict herewith, are hereby repealed.

SECTION 9. Effective Date. This Resolution shall be in full force and effect from and after its passage and compliance with the procedures required by law.

DULY PASSED on this 11th day of January 2018, by the Board of Public Works and Safety of the City of Attica, Indiana.





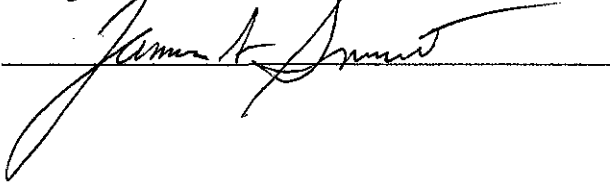


EXHIBIT A

PROJECT DESCRIPTION

City of Attica
CSO LTCP Phase II & Wastewater Treatment Improvements
Project Description

The project includes replacing the Yount Street lift station as well as improvements to the wastewater treatment facility, including but not limited to constructing a new Influent Screening & Diversion Structure, Oxidation Ditch treatment tank, and Clarifier Splitter Structure. The project also includes converting the existing Chlorine Contact Tank to UV Disinfection, the existing Primary Clarifiers to new Secondary Clarifiers, the existing Grit Tank to a new Sludge Withdrawal Wet Well, and the existing Trickling Filter Tanks to CSO Storage Tanks. Additionally, a new CSO pumping system, RAS/WAS pumping system, Chemical Feed system for phosphorus removal, SCADA integration system, and Diffused Aeration system for the existing Sludge Holding Tank will be installed as part of the project. The existing Sludge Stabilization and Maintenance Buildings will be demolished, and a new Maintenance Garage will be constructed. Incidental work, including site work, piping and electrical will also be required to complete the project.

**NOTICE OF DETERMINATION TO CONSTRUCT AND FINANCE IMPROVEMENTS
TO THE SEWAGE WORKS OF THE CITY OF ATTICA, INDIANA AND THE
ADOPTION AND PURPORT OF THE ORDINANCE AND RESOLUTION
AUTHORIZING THE SAME**

Property owners and other interested parties in the City of Attica, Indiana (the "City") are hereby notified that on January 8, 2018, the Common Council of the City of Attica adopted an Ordinance (the "Ordinance") and on January 11, 2018, the City's Board of Public Works and Safety adopted a Resolution, each thereby making a determination and order to finance and undertake the acquisition, construction and equipping of improvements to the City's sewage works, together with expenses incurred in connection with or on account of the issuance of bonds for such purpose (collectively, the "Project").

The cost of the Project, including incidental expenses, is estimated to be not in excess of \$5,461,000, which will be funded by a combination of grant funds from OCRA, cash on hand of the City, and bond proceeds in an amount not to exceed \$4,750,000. The Ordinance and the Resolution further directed and ordered the cost of the Project to be financed in part by the issuance of sewage works revenue bonds in one or more series in an amount not to exceed \$4,750,000. The bonds will be payable solely from the net revenues of the sewage works. The bonds will be sold at public sale pursuant to IC 5-1-11 (or by private negotiation if sold to the Indiana Finance Authority), at an interest rate not to exceed five percent (5.0%) per annum (or two and five-tenths percent (2.5%) per annum if sold to the Indiana Finance Authority) to be determined by bidding (or negotiation, if the bonds are sold to the Indiana Finance Authority). The bonds will mature over a period not to exceed twenty-five (25) years after the estimated date of substantial completing of the Project.

A copy of the Ordinance and Resolution may be examined at the office of the City Clerk-Treasurer, 305 East Main Street, Attica, Indiana 47918. Objections to the Project and the bonds may be filed in the time and manner provided by IC 36-9-23.

Dated this 16th day of January, 2018.

Clerk-Treasurer, City of Attica, Indiana

(Publish one time in the Fountain County Neighbor)