

**RESOLUTION NO. 2022-5**

**A RESOLUTION OF THE CITY OF WATHENA, KANSAS APPROVING AN AMEDMENT ADDING THE CITY TO THE SECONDAMENDED AND RESTATED AGREEMENT CREATING THE KANSAS MUNICIPAL ENERGY AGENCY AND APPROVING AND AUTHORIZING THE FORM OF THE BYLAWS OF THE AGENCY.**

**WHEREAS**, K.S.A. 12-885 *et seq.* (the "Act") provides that two or more cities may create a municipal energy agency for the purpose of planning, studying and developing supply, transmission and distribution facilities and programs, and for the purpose of securing an adequate, economical and reliable supply of electricity and other energy, and transmitting the same for distribution through the distribution systems of such cities; and

**WHEREAS**, certain cities have heretofore by agreement (the "Agreement") created the Kansas Municipal Energy Agency (the "Agency"); and

**WHEREAS**, the City of WATHENA, KANSAS (the "City") is qualified for membership in the Agency as a city organized and existing under the laws of Kansas and authorized by such laws to engage in the local distribution and sale of electrical energy; and

**WHEREAS**, the City has passed an ordinance authorizing its membership in the Agency and it is hereby deemed advisable that the City further adopt a resolution approving and authorizing the execution of an amendment to the Agreement adding the City to the Agreement and approving and authorizing the Bylaws of the Agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:**

**SECTION 1.** The Agreement and an amendment adding the City to the Agreement is hereby approved and the Mayor and City Clerk are hereby authorized and directed to execute such an amendment in substantially the form presented to the governing body with this Resolution.

**SECTION 2.** The City hereby approves the form of the Bylaws of the Agency, in substantially the form presented to the governing body with this Resolution, and consents to and ratifies the adoption thereof by the Board of Directors of the Agency


**SECTION 3.** This Resolution 2022-5 shall be in force and take effect from and after its adoption

**ADOPTION** by the governing body of the City of WATHENA, Kansas on August 15, 2022, and **SIGNED** by the Mayor.

  
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Mayor

John Cluck  
\_\_\_\_\_  
Printed Name

ATTEST:

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

Tammy Bembridge  
\_\_\_\_\_  
Printed Name