

216.807 Agreements by authority for financing of projects.

If the authority deems it suitable, feasible, necessary or expedient that any project or projects be financed or refinanced and constructed by the authority, the authority may make one or more written agreements in which the parties may include provisions as to any of the following:

- (1) Identify the project to be financed by the authority, setting forth in general terms, subject to necessary revision from time to time as the work progresses, the amount of space, the type of facility, and any other information which is deemed necessary and proper for the development of the project;
- (2) Set forth what portions, if any, of the cost of the project have been or shall thereafter be contributed by the authority from the funds and other resources available to it during the then current biennium and not previously obligated, which may include engineering and any other services performed by the staff of the cabinet; and that the cabinet, if deemed desirable, shall supervise construction on behalf of the authority upon terms which are mutually acceptable;
- (3) Set forth agreements for planning, design, acquisition of property, soliciting construction bids, awarding construction contracts, issuing of work orders, and such other steps as may be necessary or incidental to the construction of the project, and authorizing and selling bonds for the project;
- (4) Agree that upon completion of the project the lessee will continuously pay all or part of the cost of repairing, maintaining and operating the project;
- (5) Agree that upon the happening of stated events and the performance of stated conditions not inconsistent with law, the authority shall convey the project to the lessee;
- (6) Set forth the terms and provisions of lease or sale proposed to be entered into by and between the authority and the cabinet, federal government, county, city, or any private person or corporation;
- (7) Agree that upon determination of the amount of bonds to be issued by the authority for the project and the interest rate or rates the bonds are to bear, and prior to the delivery of any bonds to the purchaser thereof, the rental to be paid during the term of the lease and each annual or biennial term for which the lease may be renewed shall be established according to a method of computation set forth therein and in the proposed lease, and that the authority and the cabinet or other lessee, each by authorized persons, shall execute such lease and file the original or a signed counterpart thereof in the office of the authority, and the Secretary of State of the Commonwealth; and
- (8) Agree to establish any method of interim financing by the authority during the construction of any project, with borrowed funds from any bank, trust company, or banking institution, such funds to be amortized from money obtained through the sale of revenue bonds before, during, or at completion of the construction of such project or projects.

Effective: June 13, 1968

History: Created 1968 Ky. Acts ch. 132, sec. 4, effective June 13, 1968.