

RESOLUTION NO. 9174-A

A RESOLUTION introduced by City Manager Brent Trout, authorizing and adopting the 2021-2030 Capital Improvement Program and the 2021-2023 Capital Improvement Budget and approving project budgets.

WHEREAS, the purpose of a Capital Improvement Program (CIP) is to plan for and prioritize public improvement projects over the next ten years; and

WHEREAS, the 2021-2023 Capital Improvement Budget (CIB) identifies specific projects and their budgets for consideration and approval by the Governing Body as required by Topeka Municipal Code (TMC) Sec. A12-17; and

WHEREAS, the City of Topeka Capital Improvement Plan 2021-2030, (“CIP Book”) contains the CIP, CIB, and all associated project budgets and is attached herein and incorporated by reference; and

WHEREAS, for purposes of planning and allocating resources the Governing Body should consider and approve the CIP and CIB and the specific project budgets contained therein.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body takes the following actions:

1. The CIP. The Governing Body approves and adopts the 2021-2030 Capital Improvement Plan contained in the CIP Book at pages 10-15.

2. The CIB. The Governing Body also approves and adopts the 2021-2023 Capital Improvement Budget contained in the CIP Book at pages 10-15.

3. 2021-2023 CIB Project Budgets. TMC Sections A12-17 and A12-25 require Governing Body approval of all project budgets and project budget amendments for public improvements.

27 **(a) G.O. Bonded Projects.** With regard to the projects identified on pages 27
28 through 29, 32 through 38, 40, 42, 45 through 49, and 51, 116 through 119 and 126 in the
29 CIP Book, the Governing Body finds that the public improvements described are
30 necessary and serve the public interest. Accordingly, the Governing Body authorizes
31 such projects, pursuant to TMC Section A12-1 and approves all project budgets, including
32 amended budgets, for 2021, 2022 and 2023. All projects listed on pages 27, 28 and 32
33 shall be approved by the Governing Body annually and may be submitted for approval as
34 a single list for each of the following areas: 1) Facilities; 2) Sidewalks; and 3) Fleet
35 Replacement.

36 **(b) G.O. Bonded Project/Fire Equipment.** With regard to the projects identified
37 on page 31 in the CIP Book, the Governing Body finds that the fire equipment described
38 therein is necessary and serves the public interest. Accordingly, the Governing Body
39 authorizes such projects, pursuant to K.S.A. 12-110c, and approves all project budgets,
40 including amended budgets, for 2021, 2022 and 2023.

41 **(c) Enterprise Funded Projects.** With regard to the projects identified on pages
42 53, 54, 56 through 61, 63 through 76, 78, 82 through 85, 87, 88, 91, 92, 94, and 95 of the
43 CIP Book, the Governing Body finds that the improvements to its waterworks system,
44 sanitary and/or stormwater system are necessary and serve the public interest.
45 Accordingly, the Governing Body authorizes such projects, pursuant to TMC Sections
46 A12-1 and A18-3(d) and approves all project budgets, including amended budgets, for
47 2021, 2022 and 2023. No revenue bonds shall be issued unless the Governing Body
48 enacts a separate resolution and notice of intent to issue revenue bonds in accordance
49 with K.S.A. 10-1201 *et seq.*

50 **(d) Cash-Funded Projects.** With regard to the projects identified on pages 98
51 through 106, 108 through 110, 112 through 121, 126 through 130, 132 through 138, 140
52 through 142, 144 through 149, 151, 153 through 163, 165, 167, 169 through 171, 173
53 through 175, 177, 179, 181 through 183, 185, 187 through 189 and 191 in the CIP Book,
54 the Governing Body finds that the public improvements are necessary and serve the
55 public interest. Accordingly, the Governing Body authorizes such projects and approves
56 all project budgets, including amended budgets, for 2021, 2022 and 2023, except that all
57 projects funded in whole or in part with the Citywide Half-Cent Sales Tax and with a total
58 project budget of over \$250,000, including all funding sources, shall have a project
59 budget approved by the Governing Body. For projects \$250,000 or less, utilizing funds
60 from the Citywide Half-Cent Sales Tax, the Governing Body shall annually approve a list
61 of projects.

62 **4.** The City both reasonably expects and intends to finance the costs of said
63 improvements (other than the Cash-Fund Projects in section d) from the proceeds of bonds
64 of the City. The City does hereby express its official intent to reimburse any such pre-
65 issuance original expenditures (as defined in Treas. Reg. I.150-2(c)) made by it on or after
66 the date which is 60 days before the date of this Resolution from the proceeds of such
67 bonds in the estimated maximum principal amount of \$178,203,865. The City will issue
68 such bonds for such purposes and make the reimbursements within eighteen (18) months
69 after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months
70 after the date on which the property resulting from the expenditure was placed in service.
71 Provided, that, in any event, the City must make the reimbursement allocation within three
72 (3) years after the date the expenditure was paid. This Resolution, as the expression of the

73 governing body's official intent regarding the matters described herein, will be available for
74 public inspection in the City Clerk's office at City Hall during regular business hours of the
75 City.

76 **5.** This Resolution replaces Resolution No. 9174 and shall become effective
77 upon passage and approval by the City Governing Body.

78 ADOPTED and APPROVED by the Governing Body on June 2, 2020.

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CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

(Published in the Topeka Metro News on June 8, 2020 and June 15, 2020)

NOTICE OF INTENTION TO ISSUE GENERAL OBLIGATION BONDS
TO ACQUIRE FIRE-FIGHTING EQUIPMENT

Notice is hereby given that as provided by Resolution No. 9174A of the City of Topeka, Kansas, (the "City"), the Governing Body intends to acquire fire-fighting equipment, specifically Fire Department Fleet Replacement, and pay the cost thereof by issuing general obligation bonds maturing not more than 15 years from their date of issuance as authorized by K.S.A. 12-110c. The cost of the fire-fighting equipment shall not exceed the amount of \$1,640,000.00. This notice shall be published once each week for two consecutive weeks in the official City newspaper. If, within 60 days following the last date of publication, a petition signed by not less than 5% of the qualified electors of the City of Topeka is filed with the City Clerk, no such bonds shall be issued until the matter of whether to issue general obligation bonds has been approved by a majority of the qualified electors of the City voting at an election called pursuant to the general bond law.

BY ORDER OF THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, on
this 2nd day of June, 2020.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk