RESOLUTION NO. 9174

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:


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

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

(c) **Enterprise Funded Projects.** With regard to the projects identified on pages 53, 54, 56 through 61, 63 through 76, 78, 82 through 85, 87, 88, 91, 92, 94, and 95 of the CIP Book, the Governing Body finds that the improvements to its waterworks system, sanitary and/or stormwater system are necessary and serve the public interest. Accordingly, the Governing Body authorizes such projects, pursuant to TMC Sections A12-1 and A18-3(d) and approves all project budgets, including amended budgets, for 2021, 2022 and 2023. No revenue bonds shall be issued unless the Governing Body enacts a separate resolution and notice of intent to issue revenue bonds in accordance with K.S.A. 10-1201 *et seq.*
(d) **Cash-Funded Projects.** With regard to the projects identified on pages 98 through 106, 108 through 110, 112 through 121, 126 through 130, 132 through 138, 140 through 142, 144 through 149, 151, 153 through 163, 165, 167, 169 through 171, 173 through 175, 177, 179, 181 through 183, 185, 187 through 189, and 191 in the CIP Book, the Governing Body finds that the public improvements are necessary and serve the public interest. Accordingly, the Governing Body authorizes such projects and approves all project budgets, including amended budgets, for 2021, 2022 and 2023. **All projects** funded in whole or in part with the Citywide Half-Cent Sales Tax and with a total project budget of over $250,000.00, including all funding sources, shall have a project budget approved by the Governing Body. For projects $250,000.00 or less, utilizing funds from the City-wide Half-Cent Sales Tax, the Governing Body shall annually approve a list of projects.

4. The City both reasonably expects and intends to finance the costs of said improvements (other than the Cash-Fund Projects in section d) from the proceeds of bonds of the City. The City does hereby express its official intent to reimburse any such pre-issuance original expenditures (as defined in Treas. Reg. l.150-2(c)) made by it on or after the date which is 60 days before the date of this Resolution from the proceeds of such bonds in the estimated maximum principal amount of $178,203,865. The City will issue such bonds for such purposes and make the reimbursements within eighteen (18) months after the date the expenditure to be reimbursed was paid or, if later, eighteen (18) months after the date on which the property resulting from the expenditure was placed in service. Provided, that, in any event, the City must make the reimbursement allocation within three (3) years after the date the expenditure was paid. This Resolution, as the expression of the
This resolution was replaced by Resolution No. 9174-A approved on June 2, 2020

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

5. This Resolution shall become effective upon passage and approval by the
City Governing Body.

ADOPTED and APPROVED by the Governing Body on May 19, 2020.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

ATTEST:

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Brenda Younger, City Clerk
NOTICE OF INTENTION TO ISSUE GENERAL OBLIGATION BONDS TO ACQUIRE FIRE-FIGHTING EQUIPMENT

Notice is hereby given that as provided by Resolution No. 9174 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 19th day of May, 2020.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

ATTEST:

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Brenda Younger, City Clerk