

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF TOPEKA, KANSAS  
HELD ON OCTOBER 5, 2021**

The governing body met in regular session at the CITY COUNCIL CHAMBERS, in the City, at 6:00 p.m., the following members being present and participating, to-wit: Councilmembers Hiller, Valdivia-Alcala, Emerson, Padilla, Dobler, Duncan and Lesser- 7; and the following Councilmembers participating remotely: Councilmember Ortiz -1. Mayor De La Isla presided -1.

Absent: Councilmember Naeger -1.

The Mayor declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

After prior business, there was presented a Resolution entitled:

**A RESOLUTION APPROVING THE ISSUANCE BY THE CITY OF WICHITA, KANSAS OF ITS HEALTH CARE FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF SENIOR LIVING AND HEALTH CARE FACILITIES LOCATED IN THE CITY OF TOPEKA, KANSAS**

Thereupon, Councilmember Padilla moved that said Resolution be adopted. The motion was seconded by Councilmember Lesser. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: 9.

Nay: 0.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 9266 and was signed by the Mayor and attested by the City Clerk.

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(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Topeka, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

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City Clerk

**RESOLUTION NO. 9266**

**A RESOLUTION APPROVING THE ISSUANCE BY THE CITY OF WICHITA, KANSAS OF ITS HEALTH CARE FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF SENIOR LIVING AND HEALTH CARE FACILITIES LOCATED IN THE CITY OF TOPEKA, KANSAS**

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**WHEREAS**, on September 14, 2021, the governing body of the City of Wichita, Kansas (the “Issuer”) adopted a resolution stating its intent to issue certain Health Care Facilities Revenue Bonds in the not to exceed principal amount of \$200,000,000 (the “Bonds”), as more particularly set forth in said resolution; and

**WHEREAS**, Presbyterian Manors, Inc., a Kansas not-for-profit corporation (the “Corporation”) with a health care facility within the boundaries of the City of Topeka, Kansas (the “City”), previously requested that the City and certain other participating cities in the State of Kansas (the “Participants”) facilitate the refunding of certain outstanding revenue bonds and the financing of construction of improvements and additions to existing facilities of the Corporation in the State of Kansas (the “Facilities”) located within the boundaries of the respective Participants in order to secure to the Participants and to the Corporation the economic and other benefits to be derived through the orderly and efficient financing of such facilities leased by the Issuer to the Corporation; and

**WHEREAS**, a portion of the proceeds of the Bonds may be used to fund the costs of refinancing or financing construction of improvements and additions to the Facilities, including the Corporation’s facility located within the limits of the City at 4712 SW Sixth, Topeka, Kansas 66606 (collectively, the “Project”); and

**WHEREAS**, the approval of the governing body of the City of Topeka, Kansas (the “Governing Body”) is requested before the Issuer issues bonds for the Project pursuant to the provisions of K.S.A. 12-1741a, as amended; and

**WHEREAS**, the Governing Body hereby finds and determines that the Project and issuance of the Bonds would serve the public purposes stated in the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.*, including particularly K.S.A. 12-1741a (the “Act”); and

**WHEREAS**, the Governing Body hereby finds and determines that issuance of the Bonds will not create, and is not intended to create, any financial liability upon the Bonds on the part of the City;

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

**Section 1.** The issuance of the Bonds by the Issuer pursuant to the Act to pay the costs of the Project, as set forth in the resolution of intent of the Issuer and subsequent ordinance(s), resolution(s) and documents of the Issuer setting the dates, terms, maturities and other provisions of the Bonds and authorizing their issuance, is hereby approved.

**Section 2.** The Bonds will be special limited obligations of the Issuer payable solely from the money and revenue derived by the Issuer from the Facilities and not from any other fund or source. The Bonds will not be general obligations of the Issuer or the City, nor constitute a pledge of the faith and credit of the Issuer or the City, and will not be payable in any manner by taxation.

**Section 3.** The Mayor is hereby authorized and directed to execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the purposes and intent of this Resolution and deliver the same for and on behalf of and as the act and deed of the City. The City Clerk or any Deputy or Assistant Clerk of the City is hereby authorized and directed to attest the execution of such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 4.** This Resolution shall be in full force and effect after its adoption by the Governing Body.

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**ADOPTED AND APPROVED** by the Governing Body of the City of Topeka, Kansas, this 5<sup>th</sup> day of October, 2021.

**CITY OF TOPEKA, KANSAS**

(SEAL)

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Michelle De La Isla, Mayor

ATTEST:

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Brenda Younger, City Clerk