

1 **RESOLUTION NO. 9356**

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3 A RESOLUTION introduced by Interim City Manager William E. Cochran authorizing
4 the completion of an application to the Kansas Department of Health
5 and Environment regarding a loan from the Kansas Public Water
6 Supply Loan Fund.
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8 WHEREAS, the Topeka, Kansas (the "City") is a duly incorporated City of the First
9 Class, organized under the laws of the state of Kansas (the "State") which operates a
10 public water supply and distribution system (the "System"); and
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12 WHEREAS, the Governing Body of the City has heretofore determined in to be in
13 the best needs of the customers of the System to undertake certain modifications and
14 improvements (the "Project") to the System; and
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16 WHEREAS, pursuant to K.S.A. 65-163c et seq. (the "Act"), the Kansas Department
17 of Health and Environment ("KDHE") administers the Kansas Public Water Supply Loan
18 Fund (the "Fund") from which loans are made to certain qualified Municipalities (as said
19 term is defined in the Act) to finance modification and improvements to public water supply
20 systems; and
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22 WHEREAS, the City has heretofore made an application to KDHE for a loan in an
23 amount not to exceed \$39,105,205 (the "Loan") to finance the Project; and
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25 WHEREAS, the Governing Body has conducted a public hearing on September 6,
26 2022 on the advisability of proceeding with the completion of the application for the Loan
27 and desires to authorize the appropriate officials of the City to accomplish the completion
28 process.
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30 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
31 CITY OF TOPEKA, KANSAS, that

32 Section 1. Loan Application. The Mayor, City Clerk and City Manager or designee
33 are hereby authorized to cause to be prepared and to execute a Loan Application,
34 including all attachments thereto (jointly, the "Application"); in substantially the form
35 presented to the Governing Body this date, in order to provide financing for the Project.
36 The Application shall be forwarded to KDHE as soon as possible.

37 Section 2. Further Proceedings. The Mayor, City Clerk, City Manager and the other
38 officers and representatives of the City are hereby authorized and directed to take such

39 other action as may be necessary to complete the Application and to coordinate processing
40 of a loan agreement for the Loan (the "Loan Agreement"); provided that the authorization to
41 execute the Loan Agreement shall be subject to further resolution of the Governing Body.

42 Section 3. Further Authority. This Resolution shall be in full force and effect from
43 and after its adoption.

44 ADOPTED and APPROVED by the Governing Body on September 6, 2022.

45 CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

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51 ATTEST:

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Brenda Younger, City Clerk