

1 **RESOLUTION NO. 9396**

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3 RESOLUTION introduced by City Manager Stephen Wade, declaring the necessity to
4 repair, alter, reconstruct, enlarge or improve the City’s water, water
5 pollution, and/or stormwater utility system through improvement
6 Projects authorized by Resolution No. 9395 and providing Notice of
7 Intention authorizing the issuance of revenue bonds in the manner
8 required by K.S.A. 10-1201 *et seq.*
9

10 WHEREAS, the City is a municipality as defined by K.S.A. 10-101 and 10-1201 *et*
11 *seq.* and amendments thereto; and

12 WHEREAS, the City is authorized by the laws of the State of Kansas to issue and
13 sell revenue bonds of the City for improvement to its water, water pollution control, and
14 stormwater utility system (the “System”) pursuant to K.S.A. 10-1201 *et seq.* and
15 amendments thereto; and

16 WHEREAS, Resolution No.9395 adopted and approved the budgets for Projects
17 identified in Exhibit A (“Projects”) and incorporated by reference; and

18 WHEREAS, it is found by the Governing Body that such Projects will not cause a
19 duplication of existing utility service furnished by a private utility; and

20 WHEREAS, the City desires to issue and sell revenue bonds to fund the cost of the
21 improvements.

22 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
23 TOPEKA, KANSAS:

24 Section 1. That notice, pursuant to K.S.A.10-1210 and amendments thereto, shall
25 be provided by the Governing Body of its intention to complete the Projects in accordance
26 with the plans, specifications and cost estimates and to issue revenue bonds to pay the
27 costs. Such notice shall be signed by the Mayor and attested by the City Clerk and shall
28 be published in the official City newspaper. Such notice shall describe the nature of the

29 proposed improvements, the estimated cost and amount of revenue bonds proposed to be
30 issued.

31 Section 2. That the City may commence the improvements described in Exhibit A
32 and issue revenue bonds in amounts not exceeding the amounts set forth in Exhibit A to
33 pay the costs unless a written protest signed by not less than twenty percent (20%) of the
34 qualified electors of the City is filed with the City Clerk within fifteen (15) days after
35 publication of the Notice of Intention.

36 Section 3. The City does hereby express its official intent to reimburse any
37 expenditures made in connection with the Projects from System enterprise funds, or
38 obligations incurred by the City, on or after the date which is sixty (60) days before the
39 effective date of this Resolution from the proceeds of its revenue bonds as aforesaid in the
40 maximum principal amount of \$27,090,560 in accordance with U.S. Treasury Regulation
41 1.150-2. This Resolution, as the expression of the governing body's official intent regarding
42 the matters described herein, will be posted on the City's web site at www.topeka.org and
43 is also available for public inspection in the City Clerk's office at City Hall during regular
44 business hours of the City.

45 ADOPTED and APPROVED by at least two-thirds (2/3) vote of the members of the
46 Governing Body on March 21, 2023.

47 CITY OF TOPEKA, KANSAS

48
49
50 _____
51 Michael A Padilla, Mayor

52 ATTEST:

53
54 _____
55 Brenda Younger, City Clerk

EXHIBIT A

<u>Year</u>	<u>Improvement Project No.</u>	<u>Description of Improvement</u>	<u>Projects Cost</u>
2023	701048.01	Polk-Quincy Utility Relocation	\$27,090,560
		TOTAL:	\$27,090,560

(Published in the Topeka Metro News March 27, 2023 and April 3, 2023)

NOTICE OF INTENTION TO ISSUE REVENUE BONDS

Notice is hereby given that as provided by Resolution No. 9396 of the City of Topeka, Kansas, (the "City") that the Governing Body intends to repair, alter, reconstruct, enlarge or improve the City's water, water pollution control, and/or stormwater utility system for Project No. 701048.01 for the Polk-Quincy Utility Relocation project ("Project").

The estimated cost of the foregoing Project(s), including finance costs, interests and reserves, is \$27,090,560.

Notice is further given that the Governing Body intends to issue and sell one or more separate series of revenue bonds of the City pursuant to K.S.A. 10-1201 *et seq.* and amendments thereto in an aggregate principal amount not to exceed \$27,090,560 to pay the costs of the Project(s).

Unless written protests against the Projects are signed by not less than twenty percent (20%) of the qualified electors of the City and are filed with the City Clerk within fifteen (15) days after the publication of this Notice, the governing body will proceed in accordance with the intention as set forth above to complete the Projects and issue and sell its revenue bonds. If the written protests are sufficient, the Governing Body shall submit the Projects and proposed bond issue to the electors of the City at a special election as provided by law.

BY ORDER OF THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS,

On 21st day of March, 2023.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk