RESOLUTION NO. 9006

A RESOLUTION introduced by City Manager Brent Trout, authorizing and adopting the 2019-2028 Capital Improvement Program and the 2019-2021 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 2019-2021 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 document entitled "2019-2028 Proposed Capital Improvement Plan," dated March 13, 2018 ("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 2019-2021 Capital Improvement Budget contained in the CIP Book at pages 7-9.

3. **2019-2021 CIB Project Budgets.** TMC Sections A12-17 and A12-25 of the 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 21 through 23, 37, 40, 47 through 49, 51, 54 through 58, and 60 through 62 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 2019, 2020 and 2021.

(b) **G.O. Bonded Project/Fire Equipment.** With regard to the projects identified on pages 28 through 32 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 and approves all project budgets, including amended budgets, for 2019, 2020 and 2021.

Moreover, the Governing Body intends to acquire the fire-fighting equipment and pay the cost by issuing general obligation bonds maturing not more than 15 years from their date of issuance as authorized by K.S.A. 12-110c. Pursuant to K.S.A. 12-110c, the Governing Body directs the City Clerk to publish a notice of its intention to acquire equipment that has not previously been the subject of a notice of intention, stating the cost and the City’s intention to issue general obligation bonds. The 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.
(c) **Enterprise Funded Projects.** With regard to the projects identified on pages 64 through 67, 68, 69, 71, 72, 74 through 81, 83, 84, 86 through 88, 90, 92, 95 through 102, and 104 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 2019, 2020 and 2021. 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 43, 85, 107, 109, 111 through 113, 115 through 118, 120, 121, 123 through 134, 136 through 139, 141-143, 148 through 150, 154 through 169, and 171 through 174 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 2019, 2020 and 2021.

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 $156,095,110. 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 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 1, 2018.

CITY OF TOPEKA, KANSAS

ATTEST:

Michelle De La Isla, Mayor

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. 9006 of the City of Topeka, Kansas, (the "City"), the Governing Body intends to acquire fire-fighting equipment, specifically aerial apparatus for Station 8 (1500), 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 $1,300,000.00. 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 1st day of May 2018.

CITY OF TOPEKA, KANSAS

ATTEST:

Brenda Younger, City Clerk

NOI FF Equipment 2019 Aerial Apparatus Station 8