RESOLUTION NO. 9108

A RESOLUTION introduced by City Manager Brent Trout, authorizing and adopting the 2020-2029 Capital Improvement Program and the 2020-2022 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 2020-2022 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 “2020-2029 Adopted Capital Improvement Plan,” proposed April 9, 2019 (“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:

1. **The CIP.** The Governing Body approves and adopts the 2020-2029 Capital Improvement Plan contained in the CIP Book at pages 6-10.

2. **The CIB.** The Governing Body also approves and adopts the 2020-2022 Capital Improvement Budget contained in the CIP Book at pages 6-8 and increases the borrowing cap of 27 million dollars imposed in Resolution No. 8831 to a maximum of 33 million dollars for infrastructure projects for a period of three years.
3. **2020-2022 CIB Project Budgets.** TMC Sections A12-17 and A12-25 of the CIB 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 20, 21, 22, 36, 37, 41 through 50 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 2020, 2021 and 2022.

**(b) G.O. Bonded Project/Fire Equipment.** With regard to the projects identified on pages 26, 30, 31 and 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, pursuant to K.S.A. 12-110c, and approves all project budgets, including amended budgets, for 2020, 2021 and 2022.

**(c) Enterprise Funded Projects.** With regard to the projects identified on pages 139 through 142, 144, 146 through 160, 163, 164, 168, 169, 171 through 179 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 2020, 2021 and 2022. 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 52, 55, 56, 58, 60, 61, 63, 64, 65, 67, 69 through 73, 75 through 78, 83, 84, 85, 87, 88, 91,
92, 94, 96 through 100, 102 through 123 and 135 through 137 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 2020, 2021 and 2022.

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 $138,152,936.00. 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 April 16, 2019.

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 REVENUE BONDS

Notice is hereby given that as provided by Resolution No. 9109 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 as follows:

501037.00  Annual Stormwater Conveyance System
291018.02  Oakland WWTP Solids Handling Upgrades Phase II
291079.00  Annual Sanitary Sewer Interceptor Maintenance & Rehabilitation Program
291077.00  Annual Small Wastewater Pump Station Rehabilitation & Replacement
291073.00  Annual Wastewater Lining & Replacement Program
291075.00  Annual WPC Facility Rehabilitation Program
291050.00  Eastside Interceptor Combined Sewer Overflow #3 to Ash Street
291062.00  Oakland Wastewater Treatment Plant Ultraviolet Expansion
291097.00  WPC SCADA System Upgrade
281160.01  Water Treatment Modification Phase II
281161.00  Central Zone Improvements & Optimizations Phase I
281122.00  Annual Water Main Replacement Program
281194.00  Montara Water Tower
281200.00  Soldier Booster Pump Station (Phase II to Meriden BPS)
281123.00  Annual Water Treatment Plant Rehabilitation Program
281201.00  Supervisory Control and Data Acquisition (SCADA) Upgrades
The estimated cost of the foregoing Projects, including finance costs, interests and reserves, is $37,672,086.

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 $37,672,086 to pay the costs of the Projects.

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 16th day of April 16, 2019.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

ATTEST:

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Brenda Younger, City Clerk