RESOLUTION NO. 8665

A RESOLUTION introduced by City Manager Jim Colson, amending and authorizing the project budget approved by Resolution No. 8625 for Improvement Project No. T-291003.01 which provides for Phase II of the South Kansas Pump Station Rehabilitation and providing Notice of Intention regarding the issuance of revenue bonds pursuant to K.S.A. 10-1201 et seq.

WHEREAS, Resolution No. 8625, adopted and approved June 3, 2014, authorizing Improvement Project No. T-291003.01; and

WHEREAS, Resolution No. 8626 authorized the issuance of the Notice of Intention of the City to sell revenue bonds in an amount not to exceed seven hundred fifty-two thousand seven hundred twenty-four dollars ($752,724.00) for said project; and

WHEREAS, the project has exceeded the original budgeted cost; thus requiring approval of the amended project budget by the Governing Body.

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

Section 1. That the budget for Project No. T-291003.01 approved by Resolution No. 8625 in the amount of seven hundred fifty-two thousand seven hundred twenty-four dollars ($752,724.00) is increased to the amount of one million four hundred forty-nine thousand seven hundred forty dollars ($1,449,740.00), as set forth in the revised project budget attached hereto.

Section 2. That this project is described as follows:

This project includes construction for rehabilitation and/or demolition efforts of the Potwin Pump Station. Corrective measures to minimize or eliminate sanitary overflows, as required by the Environmental Protection Agency (EPA) regulatory standards, will be
implemented to include required upgrades associated with both sanitary sewer and combined sewer overflow (CSO) structures that convey both wastewater and stormwater in a single system. The project may also include the construction of a new sanitary sewer interceptor, and all necessary pipe routing modifications, to divert wastewater flow from the Potwin Pump Station to the South Kansas River Pump Station (SKRPS). The efforts of both phases will allow the City to eliminate CSO #5 and provide more cost-effective wastewater maintenance and operations activities. This project is in accordance with the Kansas Department of Health and Environment (KDHE) proposed Consent Order for the City’s CSO Long-term Control Plan (LTCP).

Section 3. That notice, pursuant to K.S.A.10-1210 and amendments thereto, shall be provided by the Governing Body of its intention to complete the Project in accordance with the revised project budget and to issue revenue bonds to pay the costs. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official City newspaper. Such notice shall describe the nature of the proposed improvements, the estimated cost and amount of revenue bonds proposed to be issued.

Section 4. That the City may commence the improvements described in the revised project budget and issue revenue bonds to pay the costs unless a written protest signed by not less than twenty percent (20%) of the qualified electors of the City is filed with the City Clerk within fifteen (15) days after publication of the Notice of Intention.

Section 5. The City does hereby express its official intent to reimburse any expenditures made in connection with the Project from the City’s utility funds, or obligations incurred by, on or after the date which is sixty (60) days before the effective date of this Resolution from the proceeds of its revenue bonds as aforesaid in the maximum principal
amount previously described in accordance with U.S. Treasury Regulation 1.150-2. This Resolution, as the expression of the governing body's official intent regarding the matters described herein, will be posted on the City's web site at www.topeka.org and is also available for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

Section 6. That the cost estimate and any other part of the project budget approved by Resolution No. 8625 which is in conflict with this Resolution and revised project budget is hereby specifically repealed.

Section 7. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body of the City by at least a two-thirds (2/3) vote of the members thereof and publication in the official City newspaper.

ADOPTED and APPROVED by the Governing Body February 10, 2015.

CITY OF TOPEKA, KANSAS

ATTEST:

Larry E. Wolgast, Mayor

Brenda Younger, City Clerk