RESOLUTION NO. 8755

A RESOLUTION introduced by City Manager Jim Colson, authorizing and adopting the 2017-2021 Capital Improvement Program and the 2017-2019 Capital Improvement Budget and approving project budgets.

WHEREAS, the 2017-2021 Capital Improvement Program (CIP) has been prepared by staff; and

WHEREAS, the purpose of the CIP is to plan for and prioritize public improvement projects over the next five years; and

WHEREAS, the 2017-2019 Capital Improvement Budget (CIB) has been prepared by staff in addition to budgets for specific projects ready for implementation; and

WHEREAS, the document entitled “2017-2021 Proposed Capital Improvement Plan,” dated March 8, 2016 (“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 City Council should consider and approve the CIP and CIB and the specific CIB project budgets which are ready for implementation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council takes the following actions:

1. **The CIP.** The Council approves and adopts the 2017-2021 Capital Improvement Program contained in the CIP Book at pages 7-9.

2. **The CIB.** The Council also approves and adopts the 2017-2019 Capital Improvement Budget contained in the CIP Book at pages 7-9.
3. **2017-2019 CIB Project Budgets.** Sections A12-17 and A12-25 of the Code of the City of Topeka require Council approval of all project budgets for public improvements.

   (a) **G.O. Bonded Projects.** With regard to the projects identified on pages 20, 21, 28 through 32, 34 through 37, 41, 42, 44 through 47 in the CIP Book, the Council finds that the public improvements described are necessary and serve the public interest. Accordingly, the Council authorizes such projects, pursuant to Section A12-1 of the Code of the City of Topeka, and approves all project budgets, including amended budgets, for 2017, 2018 and 2019. No project budget shall exceed the total budget amount identified in the CIP Book without Council approval.

   (b) **G.O. Bonded Project/Fire Equipment.** With regard to the projects identified on pages 23, 24, and 25 in the CIP Book, the Council finds that the fire equipment described therein is necessary and serves the public interest. Accordingly, the Council authorizes such projects and approves all project budgets, including amended budgets, for 2017, 2018, and 2019. No project budget shall exceed the total budget amount identified in the CIP Book without Council approval.

Moreover, the Council 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 Council 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
49 through 52, 54 through 69, 71 through 79, and 81 through 97 of the CIP Book, the
Council finds that the improvements to its waterworks system, sanitary and/or stormwater
system are necessary and serve the public interest. Accordingly, the Council authorizes
such projects, pursuant to Section A12-1 and A18-3 of the Code of the City of Topeka,
and approves all project budgets, including amended budgets, for 2017, 2018, and 2019.
No project budget shall be exceeded in excess of the budget identified in the CIP Book
without Council approval. 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 40,
99 through 107, 109 through 112, 115 through 123, 125 through 131, and 133 through
137 in the CIP Book, the Council finds that the public improvements are necessary and
serve the public interest. Accordingly, the Council authorizes such projects and approves
all project budgets, including amended budgets, for 2017, 2018, and 2019. No project
budget shall be exceeded in excess of the budget identified in the CIP Book without
Council approval.

4. The City both reasonably expects and intends to finance the costs of said
improvements from the proceeds of general obligation 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 $51,551,033.00. 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 Council.

ADOPTED and APPROVED by the City Council on April 19, 2016.

CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

ATTEST:

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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. 8755 of the City of Topeka, Kansas, (the "City"), the Council intends to acquire fire-fighting equipment, specifically one aerial apparatus (Aerial 8), 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 $1,349,500.00. 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 19th day of April, 2016.

CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk