

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION introduced by Interim City Manager Douglas Gerber, authorizing and adopting the 2018-2027 Capital Improvement Program and the 2018-2020 Capital Improvement Budget and approving project budgets .

WHEREAS, the 2018-2027 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 ten years with the understanding that the projects in the CIP could change; and

WHEREAS, the 2018-2020 Capital Improvement Budget (CIB) has been prepared by staff in addition to budgets for specific projects ready for implementation; and

WHEREAS, the document entitled "2018-2027 Proposed Capital Improvement Plan," dated March 14, 2017 ("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 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 2018-2027 Capital Improvement Plan contained in the CIP Book at pages 7-9 and 13-14.

**2. The CIB.** The Council also approves and adopts the 2018-2020 Capital Improvement Budget contained in the CIP Book at pages 7-9.

26           **3.     2018-2020 CIB Project Budgets.** Sections A12-17 and A12-25 of the Code  
27 of the City of Topeka require Council approval of all project budgets for public  
28 improvements.

29           **(a)   G.O. Bonded Projects.** With regard to the projects identified on pages 22,  
30 23, 31, 32, 33 through 36, 38 through 42, 47 through 52, 54 and 56 in the CIP Book, the  
31 Council finds that the public improvements described are necessary and serve the public  
32 interest. Accordingly, the Council authorizes such projects, pursuant to Section A12-1 of  
33 the Code of the City of Topeka, and approves all project budgets, including amended  
34 budgets, for 2018, 2019 and 2020 [to be financed with the proceeds of General Obligation](#)  
35 [bonds and/or other legally available funds](#). No project budget shall exceed the total  
36 budget amount identified in the CIP Book without Council approval.

37           **(b)   G.O. Bonded Project/Fire Equipment.** With regard to the projects identified  
38 on pages 25 through 27 in the CIP Book, the Council finds that the fire equipment  
39 described therein is necessary and serves the public interest. Accordingly, the Council  
40 authorizes such projects and approves all project budgets, including amended budgets,  
41 for 2018, 2019 and 2020 [to be financed with the proceeds of General Obligation bonds](#)  
42 [and/or other legally available funds](#). No project budget shall exceed the total budget  
43 amount identified in the CIP Book without Council approval.

44           Moreover, the Council intends to acquire the fire-fighting equipment and pay the  
45 cost by issuing general obligation bonds maturing not more than 15 years from their date  
46 of issuance as authorized by K.S.A. 12-110c. Pursuant to K.S.A. 12-110c, the Council  
47 directs the City Clerk to publish a notice of its intention to acquire equipment that has not  
48 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 58 through 73, 77 through 82, 84 through 91, 93 and 95 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 2018, 2019 and 2020 to be financed with the proceeds of bonds (General Obligation and/or Revenue) and/or other legally available funds. 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 99 through 105, 107 through 109, 112, 114 through 120, 122 through 140, 142 through 144, 146 through 150, and 152 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 2018, 2019 and 2020. No project budget shall be exceeded in excess of the budget identified in the CIP Book without Council approval.

4. General Obligation Bonds. 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. I.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 \$271,567,599. 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 \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk

(Published in the Topeka Metro News\_\_\_\_\_)

NOTICE OF INTENTION TO ISSUE GENERAL OBLIGATION BONDS TO ACQUIRE  
FIRE-FIGHTING EQUIPMENT

Notice is hereby given that as provided by Resolution No. \_\_\_\_\_ of the City of Topeka, Kansas, (the "City"), the Council intends to acquire fire-fighting equipment, specifically two engine apparatuses (Engines 8 and 10), 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 \$1,345,500.00. 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  
\_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk