

RESOLUTION NO. _____

A RESOLUTION introduced by Interim City Manager William E. Cochran, authorizing and adopting the 2023-2032 Capital Improvement Plan and the 2023-2025 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 2023-2025 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 City of Topeka Capital Improvement Plan 2023-2032, ("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, BY THE GOVERNING BODY OF THE CITY OF TOPEKA THAT:

1. The CIP. The Governing Body approves and adopts the 2023-2032 Capital Improvement Plan contained in the CIP Book at pages 7-9.

2. The CIB. The Governing Body approves and adopts the 2023-2025 Capital Improvement Budget contained in the CIP Book at pages 7-9. Approval acknowledges that the Capital Improvement Budget exceeds the \$27,000,000 cap for general obligation bonded projects as established in the Capital Improvement Program policy, codified in Resolution No. 8831, Section 4 (1).

3. **2023-2025 CIB Project Budgets.** Additionally, TMC Sections A12-17 and A12-25 require Governing Body approval of all project budgets and project budget amendments for public improvements that shows the anticipated amount to be spent for construction, engineering, right-of-way, legal fees and administrative expenses.

(a) G.O. Bonded Projects. With regard to the projects identified in the CIP Book for 2023, 2024 and 2025 that have General Obligation Bonds listed as a financing source, the Governing Body finds that the public improvements described are necessary and serve the public interest. Accordingly, pursuant to TMC Section A12-1, the Governing Body authorizes such projects and approves all project budgets, including amended budgets, as described in the individual project pages of the CIP Book, However, projects in the (1) Infill Sidewalk/Pedestrian Plan; (2) Facilities Improvement, Repair and Maintenance Program; and (3) Fleet Replacement Program – Transportation Operations shall be approved annually by the Governing Body, which may be submitted as a single list of projects for each plan or program.

(b) Enterprise Funded Projects. With regard to the projects identified in the CIP Book for 2023, 2024 and 2025 with Revenue Bonds listed as a financing source, the Governing Body finds that the improvements to its waterworks system, sanitary and/or stormwater system are necessary and serve the public interest. Accordingly, pursuant to TMC Sections A12-1 and A18-3(d), the Governing Body authorizes such projects, and approves all project budgets, including amended budgets, as described in the individual project pages of the CIP Book. 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.*

(c) Cash-Funded Projects. With regard to the projects identified in the CIP Book for 2023, 2024 and 2025 with sales tax, operations or federal funds as the financing source, 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, as described in the individual project pages of the CIP Book. However, all programs or projects funded in whole or part with Citywide Half-Cent Sales Tax (Fix Our Streets) with a total project budget of over \$250,000 shall have a project budget approved annually by the Governing Body. For programs and projects with a total project budget of \$250,000 or less, the Governing Body shall annually approve a list of projects.

4. The City both reasonably expects and intends to finance the costs of said improvements (other than the Cash-Fund Projects in section c) 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 \$40,928,587. 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 Governing Body.

ADOPTED and APPROVED by the Governing Body on _____, 2022.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk