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City Council Agenda

City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 31, 2010
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Bunten

Councilmembers

Karen A. Hiller	**District No. 1**	**Deborah Swank**	**District No. 6**
John Alcala	**District No. 2**	**Robert E. Archer**	**District No. 7**
Sylvia E. Ortiz	**District No. 3**	**Jeff Preisner**	**District No. 8**
Jack Woelfel	**District No. 4**	**Richard Harmon**	**District No. 9**
Larry Wolgast	**District No. 5**		

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council

Persons addressing the City Council will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accomodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room 166 and on the City's web site at http://www.topeka.org)

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:
"None scheduled at this time."

2. PRESENTATIONS:
"None scheduled at this time."

3. ROLL CALL:

4. CONSENT AGENDA:

A. Resolution - American Red Cross - Noise Exception ATTACHMENTS

A RESOLUTION introduced by Councilmember Karen Hiller granting the American Red Cross an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 1)*

(The Ride for Red event will take place during the hours of 2:00 p.m. and 11:59 p.m. on September 11, 2010 at Kansas Avenue between 7th and 9th Streets.)

B. Resolution - Chic-A-Dee Cafe - Noise Exception ATTACHMENTS

A RESOLUTION introduced by Councilmember Sylvia Ortiz granting Chic-A-Dee Cafe an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 3)*

(An anniversary event will take place during the hours of 7:00 p.m. and 10:00 p.m. on October 2, 2010 at 3036 SE 6th Street.)

C. Board Appointment - Board of Mechanical Examiners

BOARD APPOINTMENT recommending the re-appointment of Robert Beaver to the Board of Mechanical Examiners for a term ending August 31, 2012. *(Council District No. 8)*

D. Board Appointment - Topeka/Shawnee County Riverfront Authority Board

BOARD APPOINTMENT recommending the re-appointment of Ralph Skoog to the Topeka/Shawnee County Riverfront Authority Board for a term ending August 31, 2013. *(Council District No. 1)*

E. MINUTES of the regular meeting of August 24, 2010

F. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Ordinance - Ride for Red ATTACHMENTS

AN ORDINANCE introduced by Councilmember Karen Hiller authorizing the sale, consumption and possession of alcoholic liquor at a specified location and time for the Ride For Red event on September 11, 2010. Final Reading. *(Council District No. 1)*

(Approval would allow state-licensed vendors to serve alcoholic beverages at the barricaded portion of SW 8th Street between Jackson and Kansas Avenue on September 11, 2010 between the hours of 1:00 p.m. and 11:59 p.m.)

B. Ordinance - Unlawful possession or consumption of alcoholic liquor or cereal malt beverages ATTACHMENTS

AN ORDINANCE introduced by Councilmember Karen Hiller amending City of Topeka

Code Section 9.15.020, concerning the unlawful possession or consumption of alcoholic liquor or cereal malt beverages and specifically repealing said original section. Final Reading.

(Approval would allow an exemption for possession or consumption of alcoholic liquor or cereal malt beverages at a special event held at any City building or facility as specifically authorized by a resolution approved by the city council setting forth the time and date for which the liquor and/or cereal malt beverages may be possessed or consumed.)

C. **Resolution - ARTSConnect - Noise Exception**

ATTACHMENTS

A RESOLUTION introduced by Councilmember Karen Hiller granting ARTSConnect an exception to the provisions of City of Topeka Code Section 9.45.150. et seq., concerning noise prohibitions. *(Council District No. 1)*

(The 2nd Annual Arty Party will take place during the hours of 6:00 p.m. and 11:00 p.m. on October 2, 2010 at 719 S. Kansas Avenue.)

D. **Ordinance - General Obligation Bonds Series 2010-A and Series 2010-B**

ATTACHMENTS

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the issuance of $1,635,000 aggregate principal amount of General Obligation Bonds, Series 2010-A, and $34,655,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2010-B of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 10-427 et seq., and K.S.A. 12-6a01 et seq., all as amended. Final Reading.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would authorize the issuance of general obligation bonds. The proceeds of Series A would provide permanent financing for several improvement district projects that have been previously approved by the City Council. Special assessments on the affected property would pay the debt service. Series B are refunding bonds that would refinance several prior bond issues. NOTE: The above quoted par bond amounts may change slightly due to variances in the structure of the bond sale.)

E. **Ordinance - General Obligation Bonds Series 2010-C**

ATTACHMENTS

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the issuance of $4,590,000 aggregate principal amount of Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive K.S.A. 12-110c, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, and Charter Ordinance No. 89 of the City, all as amended. Final Reading.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The ordinance would approve issuing general obligation bonds to provide permanent financing for public improvements that have been previously authorized by the City Council. The bonds would be issued as Build America Bonds (BAB) to take advantage of this federal program's interest rebate. NOTE: The above quoted par bond amount may change slightly due to variances in the structure of the bond sale.)

6. NEW BUSINESS:

A. **Resolution - General Obligation Bonds Series 2010-A and Series 2010-B**

ATTACHMENTS

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., prescribing the form and details of General Obligation Bonds, Series 2010-A and General Obligation Refunding Bonds, Series 2010-B of the City of Topeka, Kansas, in the aggregate principal amount of $34,655,000 the issuance of which were authorized by the City pursuant to its Ordinance adopted and approved August 31, 2010; authorizing the execution of an escrow trust agreement by and between the City and Security Bank of Kansas City, Kansas City, Kansas, and authorizing certain other documents and actions in connection with the issuance of the bonds.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would establish the form and details of general obligation bonds authorized by the accompanying ordinance. The proceeds of Series A would provide permanent financing for several improvement district projects that have been previously approved by the City Council. Special assessments on the affected property would pay the debt service. Series B would are refunding bonds that would refinance several prior bond issues. NOTE: The above quoted par bond amounts may change slightly due to variances in the structure of the bond sale.)

B. **Resolution - General Obligation Bonds Series 2010-C**

ATTACHMENTS

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. Prescribing the form and details of Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C in the aggregate principal amount of $4,590,000 the issuance of which were authorized by the City pursuant to it Ordinance adopted and approved August 31, 2010; and authorizing certain other documents and actions in connection with the issuance of the bonds.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The ordinance would establish the form and details of general obligation bonds providing permanent financing for public improvements that have been previously authorized by the City Council. The bonds would be issued as Build America Bonds (BAB) to take advantage of this federal program's interest rebate. NOTE: The above quoted par bond amount may change slightly due to variances in the structure of the bond sale.)

C. **Resolution - City of Topeka Temporary Notes, Series 2010-A**

ATTACHMENTS

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. authorizing and directing the issuance of Temporary Notes, Series 2010-A (Combined Utility Projects) of the City of Topeka, Kansas, in the aggregate principal amount of $2,945,000 for the purpose of providing funds to pay the cost of renewing a portion of the principal amount of the Series 2009-B temporary notes of said City, dated October 28, 2009.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The resolution would approve issuance of temporary notes to provide interim financing for previously approved City utility projects that will eventually be permanently financed with Combined Utility Revenue Bonds.)

D. **Resolution - City of Topeka Temporary Notes, Series 2010-B**

ATTACHMENTS

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. authorizing and directing the issuance of Temporary Notes, Series 2010-B (General Improvements) of the City of Topeka, Kansas, in the aggregate principal amount of $24,995,000 for the purpose of providing funds to pay the cost of (i) renewing a portion of the principal amount of the Series 2009-B temporary notes of said City, dated October 28, 2009, and (ii) pay a portion of the cost of certain improvements in said City.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The resolution would approve issuance of temporary notes to provide interim financing for previously approved City public improvement projects and improvement district projects.)

E. **Resolution - Law Enforcment Fund**

ATTACHMENTS

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Law Enforcement Fund to support the Third Judicial District Drug Court program.

(Approval would authorize expenditure of $14,000 from tobacco paraphernalia and novelty item license fees to support the District Drug Court program.)

F. **Applications - Retail Cereal Malt Beverage License**

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

G. Ordinance - Weekly Expenditures - August 9-15, 2010 ATTACHMENTS

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of August 9 2010, through August 15, 2010, and enumerating said expenditures therein. First and Final Reading.

H. Final Plat - Echo Ridge Subdivision (P10/9) ATTACHMENTS

A FINAL PLAT for Echo Ridge Subdivision lying approximately 500 feet east of SE California Avenue between SE 13th and SE 21st Streets, all being within the City of Topeka. *(P10/9)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow a 5-lot, 3-block subdivision for up to 68 dwelling unit, single story duplexes with associated green space/community building.)

7. ZONING:

A. Ordinance - Echo Ridge Master PUD Plan (PUD10/6) ATTACHMENTS

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located approximately 500 feet east of SE California Avenue located between SE 13th and SE 21st Streets from "M-1" Two Family Dwelling District TO PUD Planned Unit Development District ("M-1" use group). Final Reading. *(PUD10/6) (Council District No. 3)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for up to 68 dwelling units of single-story duplex buildings with associated green space and a community building.)

8. MISCELLANEOUS:

-

9. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

10. PUBLIC COMMENT:

-

11. ADJOURNMENT:

-

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 3, 2010

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DATE:	**August 31, 2010**		
CONTACT PERSON:		**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #1

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August 3, 2010

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SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #2

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Topeka, Kansas 66603

August 3, 2010

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SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #3

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August 3, 2010

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SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #4

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Topeka, Kansas 66603

August 3, 2010

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SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #5

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 5, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**HR Cook**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Karen Hiller granting the American Red Cross an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 1)*

(The Ride for Red event will take place during the hours of 2:00 p.m. and 11:59 p.m. on September 11, 2010 at Kansas Avenue between 7th and 9th Streets.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for a live band and amplified music during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

ATTACHMENTS:

Resolution

Item #6

RESOLUTION NO. ________

A RESOLUTION introduced by Councilmember Karen Hiller granting the American Red Cross an exception to the provisions of City of Topeka Code Section 9.45.150. et seq. concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150, et seq. makes it unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 9.45.170, et seq. authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq., and

WHEREAS, the American Red Cross has requested that it be granted an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of the American Red Cross, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that the American Red Cross is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for a live band and amplified music during its Ride for the Red event during the hours of 2 p.m. and 11:59 p.m. on September 11, 2010.

The event will take place on Kansas Avenue between 7th Street and 9th Street.

ADOPTED and APPROVED by the City Council ____________________.

____
William W. Bunten, Mayor

____
Brenda Younger, City Clerk

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 2, 2010

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Sylvia Ortiz**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Ken McDonald**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Sylvia Ortiz granting Chic-A-Dee Cafe an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 3)*

(An anniversary event will take place during the hours of 7:00 p.m. and 10:00 p.m. on October 2, 2010 at 3036 SE 6th Street.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for a live band during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

Resolution

Item #7

RESOLUTION NO. ________

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Chic-A-Dee Café an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150, et seq. makes it unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 9.45.170, et seq. authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq.; and

WHEREAS, Chic-A-Dee Café has requested that it be granted an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Chic-A-Dee Café, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Chic-A-Dee Café is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for a live band at an anniversary celebration located at 3036 SE 6th Street during the hours of 7:00 p.m. and 10:00 p.m. on October 2, 2010.

The event will be held in the parking lot of the business.

ADOPTED and APPROVED by the City Council ____________________.

____
William W. Bunten, Mayor

____
Brenda Younger, City Clerk

COUNRES
Chic-a-Dee-Noise Exception
07/26/10

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 19, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Mayor Bunten**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Board of Mechanical Examiners**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 003 Requests**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Robert Beaver to the Board of Mechanical Examiners for a term ending August 31, 2012. *(Council District No. 8)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Councilman Preisner nominates and Mayor Bunten recommends the re-appointment of Robert Beaver to the Board of Mechanical Examiners for a term that will end August 31, 2012. There is no official attendance policy, however Mr. Beaver has attended all the meetings.

BACKGROUND:

Ordinance 18382. The Board of Mechanical Examiners reviews applications and approves the issuance of licenses in accordance with Topeka City Code. The board is empowered to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided they meet the intent of the adopted code.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available

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Council Action Form

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July 19, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Mayor Bunten**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Topeka/Shawnee County Riverfront Authority Board**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 003 Requests**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Ralph Skoog to the Topeka/Shawnee County Riverfront Authority Board for a term ending August 31, 2013. *(Council District No. 1)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Ralph Skoog to the Topeka/Shawnee County Riverfront Authority Board for a three year term that will end August 31, 2013. There is no official attendance policy, however Mr. Skoog has attended all the meetings. This is a statutory board pursuant to KSA 75-12-5601, wherein the Mayor shall nominate and approval shall be by the Council.

BACKGROUND:

KSA 12-5601 et seq established the Topeka/Shawnee County Riverfront Authority Board. The purpose of the board is to promote the general welfare and encourage private capital investment by fostering the creation of recreational, retail, entertainment, economic development and housing within the river district. Members must be residents of Kansas. No member shall be an elected official.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

Item #9

No Attachments Available

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August 3, 2010

Back Print

DATE:	**August 31, 2010**		
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SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #10

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Topeka, Kansas 66603

August 3, 2010

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DATE:	**August 31, 2010**		
CONTACT PERSON:		**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #11

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 25, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Councilmember Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**American Red Cross/ Topeka Harley Davidson**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 010 Alcoholic Beverages**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**8/24/10 First Reading.**	**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Karen Hiller authorizing the sale, consumption and possession of alcoholic liquor at a specified location and time for the Ride For Red event on September 11, 2010. Final Reading. *(Council District No. 1)*

(Approval would allow state-licensed vendors to serve alcoholic beverages at the barricaded portion of SW 8th Street between Jackson and Kansas Avenue on September 11, 2010 between the hours of 1:00 p.m. and 11:59 p.m.)

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Ordinance

Item #12

(Published in the Topeka Metro News ______________________________________)

ORDINANCE NO. _________________

AN ORDINANCE introduced Councilmember Karen Hiller authorizing the sale, consumption and possession of alcoholic liquor at a specified location and time for "Ride for the Red" on September 11, 2010.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. Authorization is given to barricade a portion of 8th Street between Jackson Street and Kansas Avenue on September 11, 2010, between the hours of 1:00 p.m. and 11:59 p.m. Attendance to the celebration is open to the public between these hours.

Section 2. The barricaded portion of 8th Street between Jackson Street and Kansas Avenue shall be temporarily removed from the City's right-of-way and the provisions of K.S.A. 41-719. Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all applicable state laws and municipal ordinances sell alcoholic liquor in the specific area designated by the division of Alcohol Beverage Control within the barricaded portion of 8th Street between Jackson Street and Kansas Avenue between the hours of 1:00 p.m. and 11:59 p.m. on September 11, 2010.

Section 3. Event attendees may buy, possess and consume alcoholic beverages in the specific area designated by the division of Alcohol Beverage Control within the barricaded portion of 8th Street between Jackson Street and Kansas Avenue between the hours of 1:00 p.m. and 11:59 p.m. on September 11, 2010.

Section 4. This Ordinance shall be null and void on September 12, 2010.

Section 5. This Ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council ____________________________.

CITY OF TOPEKA, KANSAS

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Councilmember Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**unlawful possession or consumption of alcoholic liquor or cereal malt beverage**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**013 Ordinances - Codified / 010 Alcoholic Beverages**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**08/24/10 First Reading**	**JOURNAL #:**	**10**
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Councilmember Karen Hiller amending City of Topeka Code Section 9.15.020, concerning the unlawful possession or consumption of alcoholic liquor or cereal malt beverages and specifically repealing said original section. Final Reading.

(Approval would allow an exemption for possession or consumption of alcoholic liquor or cereal malt beverages at a special event held at any City building or facility as specifically authorized by a resolution approved by the city council setting forth the time and date for which the liquor and/or cereal malt beverages may be possessed or consumed.)

POLICY ISSUE:

Whether or not to approve the ordinance.

STAFF RECOMMENDATION:

BACKGROUND:

Approval would allow an exemption for possession or consumption of alcoholic liquor or cereal malt beverages at a special event held at any City building or facility as specifically authorized by a resolution approved by the city council setting forth the time and date for which the liquor and/or cereal malt beverages may be possessed or consumed.

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

N/A

Item #13

ATTACHMENTS:

Ordinance

(Published in the Topeka Metro News ____)

ORDINANCE NO. _____________

AN ORDINANCE introduced by Councilmember Karen Hiller amending City of Topeka Code § 9.15.020, concerning the unlawful possession or consumption of alcoholic liquor or cereal malt beverages and specifically repealing said original section.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA:

Section 1. That section 9.15.020, Unlawful possession or consumption of alcoholic liquor or cereal malt beverages of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Unlawful possession or consumption of alcoholic liquor or cereal malt beverages.

(a) On Public Roads or Unenclosed Private Property Accessible to Public. No person shall drink, or have in his possession in an open container, any alcoholic liquor or cereal malt beverage on public streets, alleys, roads, highways or unenclosed private property that is accessible to the general public, including but not limited to parking lots, within the city or inside vehicles while on such places within the city.

(b) Private Property – Exceptions. No person shall drink or consume, or have in his possession in an open container, any alcoholic liquor or cereal malt beverage on private property, except:

(1) On premises where the sale of liquor by the individual drink is authorized by the state Club and Drinking Establishment Act by issuance of a license by the state Director of Alcoholic Beverage Control;

(2) Upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is

made for the serving or mixing of any drinks containing alcoholic liquor nor for any substance mixed with any alcoholic liquor, and if no sale of alcoholic liquor takes place in violation of K.S.A. 41-803 and amendments thereto;

(3) In a lodging room of any hotel, motel or boardinghouse by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of drinks containing alcoholic liquor nor for any substance mixed with any alcoholic liquor, and if no sale of alcoholic liquor takes place in violation of K.S.A. 41-803 and amendments thereto;

(4) In a private dining room of a hotel, motel or restaurant if the dining room is rented or made available on a special occasion to an individual or organization for a private party, and if no sale of alcoholic liquor takes place in violation of K.S.A. 41-803 and amendments thereto; or

(5) On the premises of a microbrewery or farm winery, if authorized by the Kansas Liquor Control Act (K.S.A. 41-101 et seq.) by issuance of a license by the state Director of Alcoholic Beverage Control.

(c) In a Private Room of a Place of Business – Exception. No person shall consume cereal malt beverages in any private room or closed booth in a place of business operating pursuant to K.S.A. Chapter 41, Article 27 (K.S.A. 41-2701 et seq.) unless the licensed premises are also currently licensed as a club pursuant to K.S.A. Chapter 41, Article 26 (K.S.A. 41-2601 et seq.).

(d) On Public or Municipal Property – Exceptions. No person shall drink or consume, or have in his possession in an open container, any alcoholic liquor or cereal malt beverage on public or municipal property, except:

(1) Those premises owned by the city and under the control of the airport authority which have been properly leased to private persons, and properly licensed under applicable state and local laws for the sale and dispensing of alcoholic liquor and cereal malt beverages;

(2) Real property leased by the city to others under the provisions of K.S.A. 12-1740 through 12-1749 inclusive, and amendments thereto, the Industrial Revenue Bond Law, if such property is actually being used for hotel or motel purposes or purposes incidental thereto;

(3) Any state-owned or state-operated building or structure and upon the surrounding premises which are furnished to and occupied by any state officer or employee as a residence;

(4) Cereal malt beverages or alcoholic liquor at the Performing Arts Center of Topeka, Topeka Zoological Park, Ward Meade Home and Gardens, Helen Hocker Performing Arts Center, Heartland Park Topeka, Topeka Public Golf Course, Stormont-Vail Regional Medical Center, and property leased to the Kansas International Museum as per City of Topeka Contract No. 26119, provided prior written authorization for such possession or consumption is obtained from the ~~director of parks and recreation~~city manager or his or her designee;

(5) Specified property designated as authorized by K.S.A. 41-719(d); ~~or~~

(6) The National Guard Armory; or

(7) At a special event held at any City building or facility as specifically authorized by a resolution approved by the city council setting forth the time and date for which the alcoholic liquor and/or cereal malt beverages may be possessed and consumed.

Section 2. That original § 9.15.020 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 4. All ordinances, resolutions or rules, or portions thereof, inconsistent with the provisions of this ordinance are hereby rescinded or repealed.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body ______________________.

CITY OF TOPEKA, KANSAS

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 5, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Jason Fizell**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Karen Hiller granting ARTSConnect an exception to the provisions of City of Topeka Code Section 9.45.150. et seq., concerning noise prohibitions. *(Council District No. 1)*

(The 2nd Annual Arty Party will take place during the hours of 6:00 p.m. and 11:00 p.m. on October 2, 2010 at 719 S. Kansas Avenue.)

POLICY ISSUE:

Whether or not to grant a noise exception.

STAFF RECOMMENDATION:

None

BACKGROUND:

Noise exception for live band and amplified music during specified date and time.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

None

ATTACHMENTS:

Resolution

RESOLUTION NO. ________

A RESOLUTION introduced by Councilmember Karen Hiller granting ARTSConnect an exception to the provisions of City of Topeka Code Section 9.45.150. et seq. concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150. et seq. makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 9.45.170, et seq. authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq., and

WHEREAS, ARTSConnect has requested that it be granted an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of ARTSConnect, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 9.45.150, et seq..

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that ARTSConnect is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for live bands and music during its

Arty Party event at Crosby Place, 719 S. Kansas Avenue, during the hours of 6 p.m. and 11 p.m. on October 2, 2010.

ADOPTED and APPROVED by the City Council ____________________.

____
William W. Bunten, Mayor

____
Brenda Younger, City Clerk

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 012 Bond Ordinances**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**08-24*10 First Reading**	**JOURNAL #:**	**10**
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the issuance of $1,635,000 aggregate principal amount of General Obligation Bonds, Series 2010-A, and $34,655,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2010-B of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 10-427 et seq., and K.S.A. 12-6a01 et seq., all as amended. Final Reading.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would authorize the issuance of general obligation bonds. The proceeds of Series A would provide permanent financing for several improvement district projects that have been previously approved by the City Council. Special assessments on the affected property would pay the debt service. Series B are refunding bonds that would refinance several prior bond issues. NOTE: The above quoted par bond amounts may change slightly due to variances in the structure of the bond sale.)

POLICY ISSUE:

Issuing bonds to provide permanent funding for certain public improvements and refunding of prior bond issues.

STAFF RECOMMENDATION:

Approve the ordinance. The bond sale will be held August 31, 2010 and results reported to the City Council that evening.

BACKGROUND:

Series A will provide permanent financing for six benefit district improvements. Assessments will be made against the properties for payment of debt service. Series B will refund five prior general obligation bond issues, three of which are advanced refundings meaning that they are being refinanced before the 5-year call date established at the time of original issuance.

Item #15

BUDGETARY IMPACT:

For Series A, annual debt service is estimated to run from $110,000 to $115,000 over the 20 year term of financing. Again, this should be paid from special assessments.

It is estimated that Series B will provide approximately $2.5 million of debt service savings based on an interest rate of about 3.35 percent. These savings are a net present value benefit of 7.37%, which is well over both the 3% and 5% thresholds established in the Debt Management Policy for regular and advanced refundings.

SOURCE OF FUNDING:

Debt service will be paid from the Bond and Interest Fund. Series A debt will be financed from special assessments. Series B debt will be financed from property tax and other available sources.

ATTACHMENTS:

Ordinance

090810 4

(Published in The Topeka Metro News on September 6, 2010.)

ORDINANCE NO. ________

AN ORDINANCE INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. AUTHORIZING THE ISSUANCE OF $1,635,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2010-A, AND $34,655,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010-B OF THE CITY OF TOPEKA, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 to 125, INCLUSIVE, K.S.A. 10-427 ET SEQ., AND K.S.A. 12-6a01 ET SEQ., ALL AS AMENDED.

WHEREAS, pursuant to K.S.A. 12-6a01 et seq., as amended, and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the City of Topeka, Kansas, (the "City") has caused the following improvements (the "Benefit District Improvements") to be made in the City, to-wit:

(a) Water System Improvement Project No. 28627-00;
(b) Sanitary Sewer Improvement Project No. 40874-03;
(c) Sanitary Sewer Improvement Project No. 40949-01;
(d) Sanitary Sewer Improvement Project No. 40951-00;
(e) Street Improvement Project No. 60611-04; and
(f) Street Improvement Project No. 60632-00.

WHEREAS, all legal requirements pertaining to the Benefit District Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Benefit District Improvements, including the payment of a portion of the City's outstanding Series 2009-B Temporary Notes dated October 28, 2009, which are due and payable November 1, 2010, and related expenses are at least $__________ (the "Benefit District Improvement Costs"), of which approximately $___________ will be paid from other funds lawfully available to the City, with $__________ of said Benefit District Improvement Costs to be paid by the owners of the property within the City benefited by the Benefit District Improvements ($__________ of which has been paid into the City Treasury on account of the Benefit District Improvements) leaving $___________ to be paid for by the issuance of general obligation bonds; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $5,635,000 principal amount of General Obligation Bonds, Series 2005-A, dated February 17, 2005, (the "Series 2005-A Bonds") pursuant to its Ordinance adopted January 18, 2005, (the "Series 2005-A Bond Ordinance") in accordance with the requirements of the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City). The terms and conditions of the Series 2005-A Bonds was set forth in a Resolution adopted on January 18, 2005 (the "Series 2005-A Bond Resolution); and

WHEREAS, as of September 1, 2010, there remains outstanding of the Series 2005-A Bonds the principal amount of $4,560,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

SERIAL BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
2011	$230,000	3.30%
2012	240,000	3.45
2013	250,000	3.65
2014	255,000	3.75
2015	265,000	3.90
2016	275,000	4.00
2017	285,000	4.10
2018	300,000	4.10
2019	310,000	4.10
2020	320,000	4.15
2021	335,000	4.15
2022	350,000	4.25
2023	365,000	4.30
2024	380,000	4.35
2025	400,000	4.40

; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $9,410,000 principal amount of General Obligation Bonds, Series 2005-B, dated November 29, 2005, (the "Series 2005-B Bonds") pursuant to its Ordinance adopted October 25, 2005, (the "Series 2005-B Bond Ordinance") in accordance with the requirements of K.S.A. 12-110c, K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinances Nos. 68 and 89 of the City. The terms and conditions of the Series 2005-B Bonds were set forth in a Resolution adopted on October 25, 2005 (the "Series 2005-B Bond Resolution); and

WHEREAS, as of September 1, 2010, there remains outstanding of the Series 2005-B Bonds the principal amount of $9,310,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

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SERIAL BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
2011	$50,000	3.50%
2012	50,000	3.50
2013	50,000	3.65
2014	50,000	3.75
2015	265,000	4.00
2016	725,000	4.00
2017	755,000	4.00
2018	785,000	4.00
2019	815,000	4.10
2020	850,000	4.75
2021	890,000	5.00
2022	935,000	5.00
2023	985,000	5.00

TERM BONDS

2025	2,105,000	4.375%

; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $13,670,000 principal amount of General Obligation Bonds, Series 2006-A, dated November 28, 2006, (the "Series 2006-A Bonds") pursuant to its Ordinance adopted November 7, 2006, (the "Series 2006-A Bond Ordinance") in accordance with the requirements of K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2006-A Bonds were set forth in a Resolution adopted on November 7, 2006, (the "Series 2006-A Bond Resolution); and

WHEREAS, as of September 1, 2010, there remains outstanding of the Series 2006-A Bonds the principal amount of $11,595,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

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SERIAL BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
2011	$530,000	4.000%
2012	550,000	4.000
2013	575,000	4.000
2014	595,000	4.000
2015	620,000	4.000
2016	645,000	4.000
2017	670,000	4.000
2018	700,000	4.000
2019	725,000	4.000
2020	755,000	4.000
2021	785,000	4.125
2022	820,000	4.125
2023	850,000	4.125
2024	885,000	4.250
2025	925,000	4.250
2026	965,000	4.250

; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $7,570,000 principal amount of General Obligation Bonds, Series 2006-B, dated November 28, 2006, (the "Series 2006-B Bonds") pursuant to its Ordinance adopted November 7, 2006, (the "Series 2006-B Bond Ordinance") in accordance with the requirements of the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2006-B Bonds were set forth in a Resolution adopted on November 7, 2006, (the "Series 2006-B Bond Resolution); and

WHEREAS, as of September 1, 2010, there remains outstanding of the Series 2006-B Bonds the principal amount of $7,130,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

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SERIAL BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
2011	$160,000	4.000%
2012	165,000	4.000
2013	170,000	4.000
2014	180,000	4.000
2015	185,000	4.000
2016	195,000	4.000
2017	200,000	4.000
2018	210,000	4.000
2019	215,000	4.000
2020	225,000	4.000
2021	235,000	4.125
2022	245,000	4.125
2023	255,000	4.125
2024	265,000	4.250
2025	275,000	4.250
2026	290,000	4.250
2027	300,000	4.250
2028	315,000	4.250
2029	325,000	4.375
2030	340,000	4.375
2031	355,000	4.375
2032	370,000	4.375
2033	390,000	4.375
2034	405,000	4.375

TERM BONDS

2036	860,000	4.375

; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $24,570,000 principal amount of General Obligation Improvement and Refunding Bonds, Series 2008-A, dated October 29, 2008, (the "Series 2008-A Bonds") pursuant to its Ordinance adopted October 7, 2008, (the "Series 2008-A Bond Ordinance") in accordance with the requirements of K.S.A. 10-427 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2008-A Bonds were set forth in a Resolution adopted on October 7, 2008 (the "Series 2008-A Bond Resolution); and

WHEREAS, as of September 1, 2010, there remains outstanding of the Series 2008-A Bonds the principal amount of $24,095,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

SERIAL BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
2011	$220,000	3.500%
2012	230,000	3.750
2013	240,000	3.750
2014	245,000	4.000
2015	1,035,000	4.250
2016	1,085,000	4.000
2017	1,125,000	4.250
2018	1,175,000	4.375
2019	1,225,000	5.250
2020	1,290,000	5.250
2021	1,355,000	5.000
2022	1,425,000	5.000
2023	1,505,000	5.000
2024	1,575,000	5.250
2025	1,660,000	5.400
2026	1,745,000	5.500
2027	1,840,000	5.500
2028	1,940,000	5.550
2029	1,550,000	5.600
2030	1,630,000	5.600

; and

WHEREAS, pursuant to Section 203 of the Series 2005-A Bond Resolution, the Series 2005-B Bond Resolution, the Series 2006-A Bond Resolution, the Series 2006-B Bond Resolution and the Series 2008-A Bond Resolution, the State Treasurer of the State of Kansas, Topeka, Kansas, was designated as the City's Paying Agent and Bond Registrar for the payment of the principal of and interest on the Series 2005-A Bonds, Series 2005-B Bonds, Series 2006-A Bonds, Series 2006-B Bonds and the Series 2008-A Bonds; and

WHEREAS, pursuant to Section 301 of the Series 2005-A Bond Resolution and the Series 2005-B Bond Resolution the Series 2005-A Bonds and Series 2005-B Bonds maturing on August 15, 2011, and thereafter, are subject to redemption and payment at the option of the City on, August 15, 2010, and thereafter in whole or in part on any date, at the redemption price equal to the principal amount thereof with a redemption premium of one percent of the principal amount redeemed, such redemption premium to decline one-quarter of one percent (1/4 of 1%) each Interest Payment Date thereafter, plus accrued interest thereon to the date fixed for redemption and payment; and

WHEREAS, pursuant to Section 301 of the Series 2006-A Bond Resolution and the Series 2006-B Bond Resolution the Series 2006-A Bonds and Series 2006-B Bonds maturing on August 15, 2012, and thereafter, are subject to redemption and payment at the option of the City on, August 15, 2011, and thereafter in whole or in part on any date, at the redemption price equal to the principal amount thereof with a redemption premium of one percent of the principal amount redeemed, such redemption premium to decline one-quarter of one percent (1/4 of 1%) each Interest Payment Date thereafter, plus accrued interest thereon to the date fixed for redemption and payment; and

WHEREAS, pursuant to Section 301 of the Series 2008-A Bond Resolution the Series 2008-A Bonds maturing on August 15, 2014, and thereafter, are subject to redemption and payment at the option of the City on, August 15, 2013, and thereafter in whole or in part on any date, at the redemption price equal to the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment; and

WHEREAS, the City has determined and hereby determines that it is in the best interest of the City and the patrons and taxpayers thereof that (1) the Series 2005-A Bonds maturing on August 15, 2011, through and including August 15, 2025 (i.e., $4,560,000) be paid and redeemed as the same mature and otherwise become subject to redemption and payment on October 1, 2010, (2) the Series 2005-B Bonds maturing on August 15, 2011, through and including August 15, 2025 (i.e., $9,310,000) be paid and redeemed as the same mature and otherwise become subject to redemption and payment on October 1, 2010, (3) the Series 2006-A Bonds maturing on August 15, 2012, and August 15, 2013, (i.e., $1,125,000) be paid and redeemed as the same mature and otherwise become subject to redemption and payment on August 15, 2011, (4) $135,000 of the August 15, 2012, maturity and $10,000 of the August 15, 2013, maturity of the Series 2006-B Bonds (i.e., $145,000) be paid and redeemed as the same mature and otherwise become subject to redemption and payment on August 15, 2011, and (5) that the non-refunding portion of the Series 2008-A Bonds allocated on a pro-rata basis to construction purposes maturing on August 15, 2012, August 15, 2013 and August 15, 2019, through and including August 15, 2030 (i.e.,$16,565,000) (collectively the "Refunded Bonds") be paid and redeemed as the same mature and otherwise become subject to redemption and payment on August 15, 2013, and that general obligation refunding bonds be issued in the principal amount of $34,655,000 to be used together with other legally available and unencumbered funds of the City for such purpose; and

WHEREAS, such redemption and refunding would help the City achieve interest cost savings on its bonded indebtedness, provide a more orderly plan of financing for the City and result in a general restructuring of the debt service obligation of the City; and

WHEREAS, the proceeds derived from the sale of the general obligation refunding bonds herein authorized to advance refund the Series 2006-A Bonds, the Series 2006-B Bonds and the non-refunding portion of the City's Series 2008-A Bonds shall, subject to the provisions of an escrow trust agreement authorized herein, be placed in an escrow trust account to be established as herein authorized for the purpose of paying and redeeming the Series 2006-A Bonds, the Series 2006-B Bonds and the Series 2008-A Bonds as to both principal and interest as the same mature and otherwise become due, all as more particularly described herein; and

WHEREAS, in accordance with all of the foregoing, the City deems it necessary and advisable to issue and sell (1) its General Obligation Bonds, Series 2010-A in the aggregate principal amount of One Million Six Hundred Thirty-five Thousand Dollars ($1,635,000) for the purpose of paying the cost of the Benefit District Improvements and (ii) its General Obligation Refunding Bonds, Series 2010-B in the aggregate principal amount of Thirty-four Million Six Hundred Fifty-five Thousand Dollars ($34,655,000) for the purpose of paying the costs of refunding the City's Refunded Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS:

Section 1. That there is hereby authorized and directed to be issued (1) General Obligation Bonds, Series 2010-A of the City in the aggregate principal amount of One Million Six Hundred Thirty-five Thousand Dollars ($1,635,000) (the "Series 2010-A Bonds") for the purpose of paying the Benefit District Improvement Costs as provided by K.S.A. 12-6a01 et seq. and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended and other provisions of the laws of the State of Kansas applicable thereto; and (2) General Obligation Refunding Bonds, Series 2010-B in the aggregate principal amount of Thirty-four Million Six Hundred Fifty-five Thousand Dollars ($34,655,000) (the "Series 2010-B Bonds") for the purpose of paying the costs of refunding the City's Refunded Bonds as provided by K.S.A. 10-427 et seq. and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended and other provisions of the laws of the State of Kansas applicable thereto. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

Section 2. That the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 6. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed and approved by the governing body of the City of Topeka, Kansas, this 31st day of August, 2010.

CITY OF TOPEKA, KANSAS

____

William W. Bunten, Mayor

ATTEST:

____

Brenda Younger, City Clerk

(SEAL)

I, BRENDA YOUNGER, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. ______ adopted and approved by the governing body of the City on August 31, 2010.

(SEAL)

____

Brenda Younger, City Clerk

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 012 Bond Ordinances**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**08/24/10 First Reading**	**JOURNAL #:**	**10**
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing the issuance of $4,590,000 aggregate principal amount of Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C of the City of Topeka, Kansas, under the authority of K.S.A. 10-101 to 125, inclusive K.S.A. 12-110c, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, and Charter Ordinance No. 89 of the City, all as amended. Final Reading.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The ordinance would approve issuing general obligation bonds to provide permanent financing for public improvements that have been previously authorized by the City Council. The bonds would be issued as Build America Bonds (BAB) to take advantage of this federal program's interest rebate. NOTE: The above quoted par bond amount may change slightly due to variances in the structure of the bond sale.)

POLICY ISSUE:

Whether to approve permanent financing for previously approved capital improvement projects. The bonds will be sold on August 31st and results reported to City Council that evening.

STAFF RECOMMENDATION:

Approve the ordinance.

BACKGROUND:

The bonds provide permanent financing for the 14 public improvement projects listed in the ordinance. They are being issued as taxable BAB which is part of the American Recovery and Reinvestment Act (ARRA). The City will receive an estimated total subsidy of 35% of the interest paid. Based upon a 5.59 interest rate, about $1.2 million of the $3.4 million in total interest paid over 20 years will be paid back to the City of Topeka.

BUDGETARY IMPACT:

Annual debt service totaling approximately $6.8 million over 20 years, net the interest rebate.

Item #16

SOURCE OF FUNDING:

Debt service will be paid from the Bond and Interest Fund from property tax revenue and other available sources.

ATTACHMENTS:

Bond Ordinance

(Published in The Topeka Metro News on September 6, 2010.)

ORDINANCE NO. _________

AN ORDINANCE INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. AUTHORIZING THE ISSUANCE OF $4,590,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS – DIRECT PAYMENT TO ISSUER) SERIES 2010-C OF THE CITY OF TOPEKA, KANSAS, UNDER THE AUTHORITY OF K.S.A. 10-101 to 125, INCLUSIVE, K.S.A. 12-110c, THE HOME RULE AUTHORITY GRANTED TO THE CITIES OF THE STATE OF KANSAS BY SECTION 5 OF ARTICLE 12 OF THE KANSAS CONSTITUTION, AND CHARTER ORDINANCE NO. 89 OF THE CITY, ALL AS AMENDED.

WHEREAS, pursuant to K.S.A. 12-110c , the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City of Topeka, Kansas, (the "City") and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the City has caused the following improvements (the "Internal Improvements") to be made in the City, to-wit:

(a) Bridge Improvement Project No. 12064-00
(b) Fire Equipment Improvement Project No. 17034-02;
(c) Trafficway Improvement Project No. 14128-02;
(d) Trafficway Improvement Project No. 14133-00;
(e) Trafficway Improvement Project No. 14136-00;
(f) Park Improvement Project No. 30287-00;
(g) Park Improvement Project No. 30288-01;
(h) Park Improvement Project No. 30291-00;
(i) Park Improvement Project No. 30295-00;
(j) Park Improvement Project No. 30297-00;
(k) Park Improvement Project No. 60653-00;
(l) Park Improvement Project No. 30300-00;
(m) Public Building Improvement Project No. 13174-00; and
(n) Street Improvement Project No. 24126-00.

WHEREAS, all legal requirements pertaining to the Internal Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Internal Improvements, including the payment of a portion of the City's outstanding Series 2009-B Temporary Notes dated October 28, 2009, which are due and payable November 1, 2010, and related expenses are at least $__________ (the "Internal Improvement Costs"), of which approximately $___________ will be paid from other funds lawfully available to the City leaving $___________ to be paid for by the issuance of general obligation bonds; and

WHEREAS, in accordance with all of the foregoing, the City deems it necessary and advisable to issue and sell its Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C in the aggregate principal amount of Four Million Five Hundred Ninety Thousand Dollars ($4,590,000) for the purpose permanently financing the Internal Improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS:

Section 1. That there is hereby authorized and directed to be issued Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C in the aggregate principal amount of Four Million Five Hundred Ninety Dollars ($4,590,000) (the "Bonds") for the purpose of paying Internal Improvement Costs as provided by K.S.A. 12-110c, the home rule authority granted to the cities of the State of Kansas under Section 5 of Article 12 of the Kansas Constitution, Charter Ordinance No. 89 of the City, (Section A12-1 of the Code of the City) and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended and other provisions of the laws of the State of Kansas applicable thereto. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such form, shall be subject to redemption and payment prior to the maturity thereof and shall be issued in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution of the Governing Body of the City adopted the same date as the date of the passage and approval of this Ordinance (the "Resolution").

Section 2. That the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk are hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be registered as required by law and the Governing Body shall annually make provisions for the payment of the principal of, redemption premium, if any, and interest on the Bonds as the same shall become due by levying a tax upon all the taxable property of the City.

Section 3. That the City shall, and the officers, agents and employees of the City are hereby authorized and directed to, take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the provisions of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the transaction contemplated hereby and thereby.

Section 4. The City hereby elects to have Section 54AA of the Code apply to the Series 2010-C Bonds so that they may be "build America bonds" under Section 54AA(d) of the Internal Revenue Code of 1986, as amended (the "Code"). The City is further making the irrevocable election to have Section 54AA(g) of the Code apply to the Series 2010-C Bonds so that they may be "qualified bonds" under Code Section 54AA(g) in order to receive the refundable credits allowed to issuers pursuant to Sections 54AA(g)(1) and 6431 of the Code with respect to "qualified bonds."

Section 5. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 6. That the Bonds shall be issued and sold to the purchaser thereof in accordance with both their bid for the purchase thereof and the terms and conditions of this Ordinance.

Section 7. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

Passed and approved by the governing body of the City of Topeka, Kansas, this 31st day of August, 2010.

CITY OF TOPEKA, KANSAS

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

(SEAL)

I, BRENDA YOUNGER, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. ______ adopted and approved by the governing body of the City on August 31, 2010.

(SEAL)

____
Brenda Younger, City Clerk

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 17, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., prescribing the form and details of General Obligation Bonds, Series 2010-A and General Obligation Refunding Bonds, Series 2010-B of the City of Topeka, Kansas, in the aggregate principal amount of $34,655,000 the issuance of which were authorized by the City pursuant to its Ordinance adopted and approved August 31, 2010; authorizing the execution of an escrow trust agreement by and between the City and Security Bank of Kansas City, Kansas City, Kansas, and authorizing certain other documents and actions in connection with the issuance of the bonds.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would establish the form and details of general obligation bonds authorized by the accompanying ordinance. The proceeds of Series A would provide permanent financing for several improvement district projects that have been previously approved by the City Council. Special assessments on the affected property would pay the debt service. Series B would are refunding bonds that would refinance several prior bond issues. NOTE: The above quoted par bond amounts may change slightly due to variances in the structure of the bond sale.)

POLICY ISSUE:

The resolution lays out the form and details of the bond transactions providing permanent financing for major wastewater system improvements approved in the accompanying ordinance.

STAFF RECOMMENDATION:

Approve the resolution.

BACKGROUND:

Series A will provide permanent financing for six benefit district improvements. Assessments will be made against the properties for payment of debt service. Series B will refund five prior general obligation bond issues, three of which are advanced refundings meaning that they are being refinanced before the 5-year call date established at the time of original issuance.

Item #17

BUDGETARY IMPACT:

For Series A, annual debt service is estimated to run from $110,000 to $115,000 over the 20 year term of financing.

Again, this should be paid from special assessments.
It is estimated that Series B will provide approximately $2.5 million of debt service savings based on an interest rate of about 3.35 percent. These savings are a net present value benefit of 7.37%, which is well over both the 3% and 5% thresholds established in the Debt Management Policy for regular and advanced refundings.

SOURCE OF FUNDING:

Debt service will be paid from the Bond and Interest Fund. Series A debt will be financed from special assessments. Series B debt will be financed from property tax and other available sources.

ATTACHMENTS:

Resolution

100810 5

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RESOLUTION

OF

CITY OF TOPEKA, KANSAS

ADOPTED

AUGUST 31, 2010

$1,635,000
GENERAL OBLIGATION BONDS
SERIES 2010-A

$34,655,000
GENERAL OBLIGATION REFUNDING BONDS
SERIES 2010-B

****

RESOLUTION

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RESOLUTION NO. ______

A RESOLUTION INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. PRESCRIBING THE FORM AND DETAILS OF GENERAL OBLIGATION BONDS, SERIES 2010-A AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010-B OF THE CITY OF TOPEKA, KANSAS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $36,290,000 THE ISSUANCE OF WHICH WERE AUTHORIZED BY THE CITY PURSUANT TO ITS ORDINANCE NO. ________ ADOPTED AND APPROVED AUGUST 31, 2010; AUTHORIZING THE EXECUTION OF AN ESCROW TRUST AGREEMENT BY AND BETWEEN THE CITY AND SECURITY BANK OF KANSAS CITY, KANSAS CITY, KANSAS, AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, the Governing Body of the City of Topeka, Kansas, (the "City") has caused certain street, sanitary sewer and water supply system improvements (the "Benefit District Improvements") to be made in the City under the authority of K.S.A. 12-6a01 *et seq*., as amended, and other provisions of the laws of the State of Kansas applicable thereto; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $5,635,000 principal amount of General Obligation Bonds, Series 2005-A, dated February 17, 2005, (the "Series 2005-A Bonds") pursuant to its Ordinance adopted January 18, 2005, (the "Series 2005-A Bond Ordinance) in accordance with the requirements of home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City). The terms and conditions of the Series 2005-A Bonds are set forth in a Resolution adopted on January 18, 2005 (the "Series 2005-A Bond Resolution"); and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $9,410,000 principal amount of General Obligation Bonds, Series 2005-B, dated November 29, 2005, (the "Series 2005-B Bonds") pursuant to its Ordinance adopted October 25, 2005, (the "Series 2005-B Bond Ordinance") in accordance with the requirements of K.S.A. 12-110c, K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State fo Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinances Nos. 68 and 89 of the City. The terms and conditions of the Series 2005-B Bonds were set forth in a Resolution adopted on October 25, 2005 (the "Series 2005-B Bond Resolution); and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $13,670,000 principal amount of General Obligation Bonds, Series 2006-A, dated November 28, 2006, (the "Series 2006-A Bonds") pursuant to its Ordinance adopted November 7, 2006, (the "Series 2006-A Bond Ordinance") in accordance with the requirements of K.S.A. 12-685 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2006-A Bonds were set forth in a Resolution adopted on November 7, 2006 (the "Series 2006-A Bond Resolution); and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $7,570,000 principal amount of General Obligation Bonds, Series 2006-B, dated November 28, 2006, (the "Series 2006-B Bonds") pursuant to its Ordinance adopted November 7, 2006, (the "Series 2006-B Bond Ordinance") in accordance with the requirements of the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2006-B Bonds were set forth in a Resolution adopted on November 7, 2006 (the "Series 2006-B Bond Resolution); and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $24,570,000 principal amount of General Obligation Improvement and Refunding Bonds, Series 2008-A, dated October 29, 2008, (the "Series 2008-A Bonds") pursuant to its Ordinance adopted October 7, 2008, (the "Series 2008-A Bond Ordinance") in accordance with the requirements of K.S.A. 10-427 et seq., K.S.A. 12-6a01 et seq., all as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution and Charter Ordinance No. 89 of the City. The terms and conditions of the Series 2008-A Bonds were set forth in a Resolution adopted on October 7, 2008 (the "Series 2008-A Bond Resolution); and

WHEREAS, the City has by its Ordinance No. ______ adopted and approved August 31, 2010, (the "Ordinance") authorized the issuance of (1) its General Obligation Bonds, Series 2010-A in the aggregate principal amount of $1,635,000 (the "Series 2010-A Bonds") under the authority of K.S.A. 12-6a01 *et seq*., as amended, to pay the cost of making the Benefit District Improvements; and (2) its General Obligation Refunding Bonds, Series 2010-B in the aggregate principal amount of $34,655,000 (the "Series 2010-B Bonds") (the Series 2010-A Bonds and Series 2010-B Bonds are collectively referred to as the "Bonds") under the authority of K.S.A. 10-427 et seq., as amended, and other provisions of the laws of the State of Kansas applicable thereto for the purpose of providing funds to (1) currently refund the Series 2005-A Bonds maturing on August 15, 2011, through and including August 15, 2025 (i.e., $4,560,000); (2) currently refund the Series 2005-B Bonds maturing on August 15, 2011, through and including August 15, 2025 (i.e., $9,310,000); (3) advance refund the Series 2006-A Bonds maturing on August 15, 2012, and August 15, 2013 (i.e., $1,125,000); (4) advance refund $135,000 of the 2012 maturity and $10,000 of the 2013 maturity of the Series 2006-B Bonds (i.e., $145,000) and (5) advance refund the non-refunding portion of the Series 2008-A Bonds allocated on a pro-rata basis to construction purposes maturing on August 15, 2012, August 15, 2013, and August 15, 2019, through and including August 15, 2030 (i.e., $16,565,000) (collectively, the "Refunded Bonds"); and

WHEREAS, in accordance with the City's notice of the sale of the Bonds published in accordance with the requirements of law the Series 2010-A Bonds and Series 2010-B Bonds have been sold to and purchased by _________________, __________, _______________ (the "Original Purchaser"); and

WHEREAS, in accordance with the terms and conditions of the Ordinance, the City hereby intends to both prescribe the form and details of the Bonds and authorize certain other documents and actions in connection with the issuance of the Bonds.

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

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms identified elsewhere herein, the following words and terms as used in this Resolution shall have the following meanings:

"Arbitrage Instructions" means the Arbitrage Instructions in the City's Federal Tax Certificate dated as of the date of issuance and delivery of the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

"Benefit District Improvements" mean certain street, sanitary sewer and water supply system improvements constructed in special benefit districts in the City in accordance with the legal authority as described in the recitals to this Resolution and in the Ordinance.

"Bond and Interest Fund" means the Bond and Interest Fund of the City for its general obligation bonds.

"Bond Counsel" means the firm of Nichols and Wolfe Chartered, or any other attorney or firm of attorneys with a nationally recognized standing in the field of municipal bond financing as selected by the City.

"Bond Payment Date" means any date on which principal of or interest on any Bond is payable.

"Bond Register" means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

"Bond Registrar" means the Treasurer of the State of Kansas, Topeka, Kansas, and any successors and assigns thereto to the duties and responsibilities described in this Resolution and in the related agreement between the City and the State Treasurer.

"Bonds" means the General Obligation Bonds, Series 2010-A and General Obligation Refunding Bonds, Series 2010-B authorized and issued by the City pursuant to the Ordinance.

"Business Day" means a day other than a Saturday, Sunday or holiday on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

"Cede & Co." means Cede & Co., as nominee name of The Depository Trust Company, New York, New York and any successors or assigns thereto.

"City" means the City of Topeka, Kansas, the issuer of the Bonds.

"Clerk" means the duly appointed and/or elected Clerk of the City or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the City.

"Code" means the Internal Revenue Code of 1986, as amended.

"Costs of Issuance" means all costs of issuing the Bonds, including all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code and with the Disclosure Certificate, all expenses, if any, incurred in connection with receiving ratings on the Bonds and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

"Dated Date" means September 29, 2010.

"Defaulted Interest" means interest on any Bond which is payable but not paid on any Interest Payment Date.

"Defeasance Obligations" means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust; and

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent.

"Disclosure Certificate" means the Continuing Disclosure Certificate attached to the City's Final Certificate as *Exhibit D* and included in the transcript of proceedings pertaining to the issuance of the Bonds.

"Escrow Trust Agreement" means the Agreement by and between the City and the Escrow Trustee dated as of September 29, 2010.

"Escrow Trustee" means Security Bank of Kansas City, Kansas City, Kansas, and any successors and assigns.

"Event of Default" means any of the following occurrences or events:

(a) Payment of the principal or the Redemption Price of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise; or

(b) Payment of any installment of interest on any of the Bonds shall not be made on the Interest Payment Date when the same shall become due; or

(c) The City shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Resolution on the part of the City to be performed (other than relating to Rule 15c2-12 as defined in the Disclosure Certificate), and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the City by the Owner of any of the Bonds then Outstanding.

"Federal Tax Certificate" means the certificate so named and included in the transcript of proceedings pertaining to the issuance of the Bonds describing the investment and use of the proceeds of the Bonds.

"Fiscal Year" means the twelve month period ending on December 31.

"Funds and Accounts" means funds and accounts created or referred to in **Section 501** hereof.

"Interest Payment Date(s)" means the Stated Maturity of an installment of interest on any Bond which shall be February 15 and August 15 of each year, commencing February 15, 2011.

"Maturity" when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or upon on call for redemption or otherwise.

"Mayor" means the duly appointed and/or elected Mayor of the City or, in the Mayor's absence, the duly appointed Deputy Mayor or Acting Mayor of the City.

"Moody's" means Moody's Investors Service, Inc., New York, New York, and any successors or assigns to the Bond rating functions thereof which is deemed acceptable by the City and Bond Counsel.

"Original Purchaser" means, with respect to the Series 2010-A Bonds and Series 2010-B Bonds, _______________, ____________, ________________.

"Ordinance" means Ordinance No. ______ adopted and approved August 24, 2010, and published as required by law, pursuant to which the issuance of the Bonds has been authorized.

"Outstanding" means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

(a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of **Section 701** hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

"Owner" when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

"Participants" means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

"Paying Agent" means the State Treasurer, and any successors and assigns thereof to the duties and responsibilities described in this Resolution and in the related agreement between the City and the State Treasurer.

"Permitted Investments" means: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the City's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks located in the county or counties in which the City is located; (f) obligations of the federal national mortgage association, federal home loan banks, the federal home loan mortgage corporation or the government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements with or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's, Inc. or Standard & Poor's; (i) investments in shares or units of a money market fund or trust the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the States as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f). No Permitted Investment shall include any derivative investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

"Person" means any natural person, as well as any corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

"Purchase Price" means the purchase price of the Bonds as set forth in the *Bid Proposal for Purchase of the Bonds* as submitted by the Original Purchaser and accepted by the City, plus accrued interest to the date of delivery.

"Record Dates" means, for the interest payable on any Interest Payment Date, the first day (whether or not a Business Day) of each month of such Interest Payment Date.

"Redemption Date" means when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Resolution.

"Redemption Price" means when used with respect to any Bond to be redeemed the price at which such Bond is to be redeemed pursuant to the terms of this Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

"Refunded Bonds" means the City's (1) General Obligation Bonds, Series 2005-A maturing on August 15, 2011, through and including, August 15, 2025, (i.e., $4,560,000); (2) General Obligation Bonds, Series 2005-B, maturing on August 15, 2011, through and including, August 15, 2025, (i.e., $9,310,000); General Obligation Bonds, Series 2006-A maturing on August 15, 2012, and August 15, 2013 (i.e., $1,125,000); (4) $135,000 of the 2012 maturity and $10,000 of the 2013 maturity of the General Obligation Bonds, Series 2006-B (i.e., $145,000) and (5) the non-refunding portion of the Series 2008-A Bonds allocated on a pro-rata basis to construction purposes maturing on August 15, 2012, August 15, 2013, and August 15, 2019, through and including August 15, 2030 (i.e., $16,565,000) being refunded with the proceeds of the Bonds.

“Refunded Bond Ordinances” means the Ordinances of the City authorizing the issuance of the City’s Series 2005-A Bonds, Series 2005-B Bonds, Series 2006-A Bonds, Series 2006-B Bonds and Series 2008-A Bonds.

“Refunded Bond Resolutions” means the Resolutions of the City setting forth the terms and conditions of the City’s Series 2005-A Bonds, Series 2005-B Bonds, Series 2006-A Bonds, Series 2006-B Bonds and Series 2008-A Bonds.

“Refunded Bonds Paying Agent” means the Treasurer of the State of Kansas, Topeka, Kansas.

"Replacement Bonds" means Bonds issued to the beneficial owners of the Bonds in accordance with **Section 211** hereof.

"Representation Letter" means the Blanket Issuer Letter of Representations from the City to the Securities Depository with respect to the Bonds, substantially in the form attached to this Resolution as *Exhibit B*.

"Resolution" means this resolution relating to the Bonds, and any Supplemental Resolution.

"Securities Depository" means, initially, The Depository Trust Company, New York, New York, and any successors and assigns.

“Series 2005-A Bonds” means the City’s General Obligation Bonds, Series 2005-A, maturing on August 15, 2011, through and including August 15, 2025 (i.e., $4,560,000) being currently refunded with proceeds of the Series 2010-B Bonds.

“Series 2005-B Bonds” means the City’s General Obligation Bonds, Series 2005-B, maturing August 15, 2011, through and including August 15, 2025, (i.e., $9,310,000) being currently refunded with proceeds of the Series 2010-B Bonds.

“Series 2006-A Bonds” means the City’s General Obligation Bonds, Series 2006-A maturing on August 15, 2012 and August 15, 2013 (i.e., 1,125,000) being advance refunded with proceeds of the Series 2010-B Bonds.

“Series 2006-B Bonds” means $135,000 of the August 15, 2012, maturity and $10,000 of the August 15, 2013, maturity of the City’s General Obligation Bonds, Series 2006-B (i.e., $145,000) being advance refunded with the proceeds of the Series 2010-B Bonds.

Series 2008-A Bonds” means non-refunding portion of the City’s General Obligation Improvement and Refunding Bonds, Series 2008-A allocated on a pro-rata basis to construction purposes maturing on August 15, 2012, August 15, 2013, and August 15, 2019, through and including August 15, 2030, (i.e., $16,565,000) being advance refunded with proceeds of the Series 2010-B Bonds.

“Series 2010-A Bonds” means the City’s General Obligation Bonds, Series 2010-A issued pursuant to the Ordinance.

"Series 2010-A Principal and Interest Account" means the Principal and Interest Account for the City of Topeka, Kansas, General Obligation Bonds, Series 2010-A, created herein within the City's Bond and Interest Fund.

"Series 2010-A Project Account" means the Project Account for the Benefit District Improvements in the treasury of the City, created herein.

"Series 2010-A Rebate Fund" means the Rebate Fund for the City of Topeka, Kansas, General Obligation Bonds, Series 2010-A, created herein.

"Series 2010-A Term Bonds" means the Series 2010-A Bonds scheduled to mature in the years ________ and _________.

"Series 2010-B Bonds" means the City's General Obligation Refunding Bonds, Series 2010-B issued pursuant to the Ordinance.

"Series 2010-B Principal and Interest Account" means the Principal and Interest Account for the City of Topeka, Kansas, General Obligation Refunding Bonds, Series 2010-B, created herein within the City's Bond and Interest Fund.

"Series 2010-B Project Account" means the Project Account for the Internal Improvements in the treasury of the City, created herein.

"Series 2010-B Rebate Fund" means the Rebate Fund for the City of Topeka, Kansas, General Obligation Refunding Bonds, Series 2010-B, created herein.

"Series 2010-B Term Bonds" means the Series 2010-B Bonds scheduled to mature in the years ________ and _______.

"Special Record Date" means the date fixed by the Paying Agent pursuant to **Section 204** hereof for the payment of Defaulted Interest.

"Standard & Poor's" means Standard & Poor's Ratings Services, a Division of The McGraw Hill Companies, Inc., New York, New York and any successors or assigns to the Bond rating functions thereof which is deemed acceptable by the City and Bond Counsel.

"State" means the State of Kansas.

"State Treasurer" means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State of Kansas and any successors or assigns.

"Stated Maturity" means (i) with respect to any Bond principal payment, the date on which payment of principal is due and payable on any Bond, as specified on that Bond and in this Resolution, and (ii) with respect to any Interest Payment, each February 15 and August 15 of the year in which any Bond is Outstanding, beginning February 15, 2011.

"Term Bonds" means the Series 2010-A Term Bonds and Series 2010-B Term Bonds.

"Treasurer" means the duly appointed and/or elected Treasurer of the City or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the City.

"United States Government Obligations" means bonds, notes, certificates of indebtedness, U.S. Treasury or other securities consisting of direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in the future interest or principal payment on obligations issued by the United States of

America (including the interest component of obligations of the Resolution Funding Corporation).

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued (1) General Obligation Bonds, Series 2010-A, of the City in the aggregate principal amount of $1,635,000 for the purpose of providing funds to pay the costs of the Benefit District Improvements as described in the Ordinance, in accordance with K.S.A. 12-6a01 et seq., Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended, and other provisions of the laws of the State of Kansas applicable thereto; and (2) General Obligation Refunding Bonds, Series 2010-B, of the City in the aggregate principal amount of $34,655,000 for the purpose of refunding the Refunded Bonds as described in the Ordinance, in accordance with K.S.A. 10-427 et seq. and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended, and other provisions of the laws of the State of Kansas applicable thereto.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in the denominations of $5,000 or any integral multiple thereof and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated September 29, 2010, shall become due in the amounts on the Stated Maturities (subject to redemption and payment prior to their Stated Maturities as provided in Article III hereof), and shall bear interest at the rates per annum as follows:

SERIES 2010-A BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
	SERIAL BONDS	
2011	$ 70,000	____%
2012	65,000	____
2013	70,000	____
2014	70,000	____
2015	70,000	____
2016	70,000	____
2017	70,000	____
2018	75,000	____
2019	75,000	____
2020	75,000	____
2021	80,000	____
2022	80,000	____
2023	85,000	____
2024	85,000	____
2025	90,000	____
2026	95,000	____
2027	95,000	____
2028	100,000	____
2029	105,000	____
2030	110,000	____
	TERM BONDS	
20__	________	____

SERIES 2010-B BONDS

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
	SERIAL BONDS	
2011	$ 600,000	____%
2012	385,000	____
2013	390,000	____
2014	725,000	____
2015	940,000	____
2016	1,405,000	____
2017	1,435,000	____
2018	1,465,000	____
2019	2,555,000	____
2020	2,625,000	____
2021	2,700,000	____
2022	2,790,000	____
2023	2,885,000	____
2024	2,975,000	____
2025	3,075,000	____
2026	1,670,000	____
2027	1,620,000	____
2028	1,680,000	____
2029	1,315,000	____
2030	1,360,000	____
2031	10,000	____
2032	10,000	____
2033	10,000	____
2034	10,000	____
2035	10,000	____
2036	10,000	____
	TERM BONDS	
20__	________	____

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid, payable on the Interest Payment Dates in the manner set forth in **Section 204** hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be typed or printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as *Exhibit A* or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq*.

Section 203. Designation of Paying Agent and Bond Registrar. The Treasurer of the State of Kansas, Topeka, Kansas, is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and as Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor and Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Bond Registrar and Paying Agent for the Bonds.

The City will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent or Bond Registrar by (1) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (2) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq*. and K.S.A. 10-620 *et seq*., respectively.

Section 204. Method and Place of Payment of the Bonds. The principal of, or Redemption Price, if any, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal corporate trust office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or (b) in the case of an interest payment to any Owner of $500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States) ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the City.

Section 205. Registration, Transfer and Exchange of Bonds. The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal corporate trust office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The City shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The City and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Bond Registrar pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

The City and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

Section 206. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the City by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk and the seal of the City shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the City affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Bonds shall have endorsed thereon a *Certificate of Authentication* substantially in the form attached hereto as *Exhibit A* hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the *Certificate of Authentication* on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Resolution or be valid or obligatory for any purpose unless and until such C*ertificate of Authentication* has been duly executed by the Bond Registrar. Such executed *Certificate of Authentication* upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Original Purchasers upon instructions of the City or its representative.

Section 207. Mutilated, Lost, Stolen or Destroyed Bonds. If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the City and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the City or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the City shall execute and, upon the City's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the City, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the City may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Bond Registrar) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the City, and shall be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds.

Section 208. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the City.

Section 209. Preliminary and Final Official Statement. The *Preliminary Official Statement* dated August 24, 2010, is hereby ratified and approved. For the purpose of enabling the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the City hereby deems the information regarding the City contained in the *Preliminary Official Statement* to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Original Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Original Purchaser to comply with the requirement of such Rule.

The final *Official Statement* is hereby authorized to be prepared by supplementing, amending and completing the *Preliminary Official Statement*, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final *Official Statement* as so supplemented, amended and completed, and the use and public distribution of the final *Official Statement* by the Original Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such *Official Statement* as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

The City agrees to provide to the Original Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the final *Official Statement* to enable the Original Purchasers to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 210. Sale of the Bonds. The sale of the Bonds to the Original Purchaser is hereby ratified and confirmed. Delivery of the Bonds shall be made to the Original Purchaser as soon as practicable after the passage of this Resolution, upon payment of the Purchase Price.

Section 211. Book-Entry Bonds; Securities Depository.

(a) The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no beneficial owner will receive certificates representing its respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in subsection (b) hereof. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the beneficial owners as described in subsection (b).

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, or (2) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the

Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name and authenticate and deliver Replacement Bonds to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City, with the consent of the Bond Registrar, may select a successor securities depository in accordance with **Section 211(c)** hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the City, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with **Section 211(c)** hereof, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Bonds. The cost of printing, registration, authentication and delivery of Replacement Bonds shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository provided the Bond Registrar and the City receive written evidence with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in appropriate denominations and form as provided herein.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor of the City in the form attached hereto as Exhibit B with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, is hereby authorized, and execution of the Representation Letter by the Mayor shall be conclusive evidence of such approval. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by Registered Owners of the Bonds and beneficial Owners and payments on the Bonds. The Paying Agent shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption of Bonds.

(a) Optional Redemption by City. The Bonds maturing prior to August 15, 2016, shall become due without the option of prior payment. The Bonds maturing on or after August 15, 2016, may be called for redemption and payment prior to maturity on August 15, 2015, and thereafter in whole or in part on any date (Bonds of less than a single maturity to be selected by lot in multiples of $5,000 principal amount by the Paying Agent and Bond Registrar in such equitable manner as they shall designate), at the redemption price equal to the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment.

(b) Mandatory Redemption. The Series 2010-A Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in Article IV hereof which are to be deposited into the Series 2010-A Principal and Interest Account shall be sufficient to redeem, and the City shall redeem on August 15 in each year, the following principal amounts of such Series 2010-A Term Bonds:

20___ TERM BOND

Principal Amount	Year
$_______	20__

(leaving $________ to mature August 15, 20___)

20___ TERM BOND

Principal Amount	Year
$_______	20___
_______	20___

(leaving $________ to mature August 15, 20___)

The Series 2010-B Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in Article IV hereof which are to be deposited into the Series 2010-B Principal and Interest Account shall be sufficient to redeem, and the City shall redeem on August 15 in each year, the following principal amounts of such Series 2010-B Term Bonds:

20___ TERM BOND

Principal Amount	Year
$_______	20___

(leaving $________ to mature August 15, 20____)

20___ TERM BOND

Principal Amount	Year
$________	20___
________	20___

(leaving $__________ to mature August 15, 20___)

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection (b)) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection (b). Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity in chronological order, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.

Section 302. Selection of Bonds to be Redeemed. Bonds shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the Bonds of the same maturity are to be redeemed and paid prior to their Stated Maturity, the Bonds to be redeemed shall be selected by the Bond Registrar in $5,000 units of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than $5,000 are then Outstanding, then for all purposes in connection with such redemption each $5,000 of face value shall be treated as though it were a separate Bond of the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem such $5,000 unit or units, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of such $5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent the $5,000 unit or units of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the City desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by it of the City's written notice at least 45 days prior to the Redemption Date. If the Bonds are refunded more than 90 days in advance of such Redemption Date, any escrow agreement entered into by the City in connection with such refunding shall provide that such written instructions to the Paying Agent shall be given by the escrow agent on behalf of the City not more than 90 days prior to the

Redemption Date. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in **Section 303** are met.

Unless waived by any Owner of Bonds to be redeemed, the Bond Registrar shall give written notice of the redemption of said Bonds on a specified date, the same being described by maturity, said notice to be mailed by United States first class mail addressed to the Owners of said Bonds to be redeemed and to the Original Purchasers of the Bonds, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. The City and Bond Registrar shall also give such additional notice as may be required by Kansas law or regulations of the Securities and Exchange Commission in effect as of the date of such notice.

All official notices of redemption shall be dated and shall contain the following information:

(a) the Redemption Date;

(b) the Redemption Price;

(c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and

(e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

The Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the State or the Securities Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the City. The Series 2010-A Bonds shall be payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the City. The balance of the principal of and interest on the Series 2010-A Bonds and all of the principal of and interest on the Series 2010-B Bonds is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax. The governing body of the City shall annually make provision for the payment of principal of, redemption premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the City in the manner provided by law.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the City are levied and collected. The proceeds derived from said taxes shall be deposited in the Series 2010-A Principal and Interest Account and Series 2010-B Principal and Interest Account and, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal of, redemption premium, if any, and interest on the Bonds as and when the same become due, taking into account the fees and expenses of the Bond Registrar and Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS
DEPOSIT AND APPLICATION OF MONEYS

Section 501. Establishment of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the treasury of the City the following funds and accounts:

(a) In the treasury of the City, the "Series 2010-A Project Account";

(b) In the City's Bond and Interest Fund, the "Principal and Interest Account for the City of Topeka, Kansas, General Obligation Bonds, Series 2010-A (the "Series 2010-A Principal and Interest Account");

(c) In the treasury of the City, the Rebate Fund for the City of Topeka, Kansas, General Obligation Bonds, Series 2010-A (the " Series 2010-A Rebate Fund");

(d) In the City's Bond and Interest Fund, the "Principal and Interest Account for the City of Topeka, Kansas, General Obligation Refunding Bonds, Series 2010-B (the "Series 2010-B Principal and Interest Account");

(e) In the treasury of the City, the "Series 2010-B Cost of Issuance Account"; and

(f) In the treasury of the City, the Rebate Fund for the City of Topeka, Kansas, General Obligation Refunding Bonds, Series 2010-B (the "Series 2010-B Rebate Fund").

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Resolution so long as the Bonds are Outstanding.

Section 502. Disposition of Bond Proceeds. The Purchase Price of the Bonds, upon issuance and delivery thereof, shall be deposited as follows:

(a) Proceeds of the Series 2010-A Bonds in the amount of $____________ shall be deposited in the Series 2010-A Project Account; and

(b) Proceeds of the Series 2010-A Bonds in the amount of $_____________ shall be deposited with the Treasurer of the State of Kansas for the redemption of a portion of the City's Temporary Notes, Series 2009-B, on October 1, 2010; and

(c) Proceeds of the Series 2010-B Bonds in the amount of $_________ shall be deposited in the Series 2010-B Cost of Issuance Account; and

(d) Proceeds of the Series 2010-B Bonds in the amount of $__________ shall be deposited with the Treasurer of the State of Kansas for the redemption of the Refunded Bonds on October 1, 2010; and

(e) Proceeds of the Series 2010-B Bonds in the amount of $________ shall be deposited with the Escrow Trustee to purchase certain investments to be held pursuant to the Escrow Trust Agreement hereinafter authorized the proceeds of which investment shall be sufficient to retire the Series 2006-A Bonds, Series 2006-B Bonds and Series 2008-A Bonds of the City as they either mature or are redeemed. Such moneys and the obligations which are to be invested pursuant to the requirements of the Escrow Trust Agreement shall be deposited and held in the "City of Topeka, Kansas, Escrow Fund for General Obligation Refunding Bonds" (sometimes hereinafter referred to as the "Escrow Fund"), a special irrevocable escrow account created by the Escrow Trust Agreement, which account shall be held in trust in the custody of the Escrow Trustee in accordance with the terms and provisions of the Escrow Trust Agreement. Moneys and obligations in the Escrow Fund and earnings thereon shall be used and applied, in accordance with the terms of the Escrow Trust Agreement, solely for the payment of the principal of and interest on the Series 2006-A Bonds, Series 2006-B Bonds and Series 2008-A Bonds.

Section 503. Disposition of Other Moneys.

That concurrently with the issuance and delivery of the Series 2010-A Bonds, the City shall deposit (i) with the Treasurer of the State of Kansas $___________ of other lawfully available funds of the City, for the redemption of a portion of the City's Temporary Notes, Series 2009-B, on October 1, 2010 and (ii) in the Series 2010-A Project Account $_________ of other lawfully available funds of the City to pay a portion of the costs of issuing the Series 2010-A Bonds.

Section 504. Withdrawals from the Series 2010-A Project Account. The Treasurer shall make withdrawals from the Series 2010-A Project Account solely for the purpose of paying costs and expenses of the Benefit District Improvements and paying the Costs of Issuance for the Series 2010-A Bonds. Such withdrawals shall be made only on due authorization by the governing body of the City.

Section 505. Surplus in the Series 2010-A Project Account. All moneys remaining in the Series 2010-A Project Account after the completion of the Benefit District Improvements, as determined by the governing body of the City, shall be transferred immediately to the Series 2010-A Principal and Interest Account and applied to the next installment of principal due on the Series 2010-A Bonds from which such surplus moneys remain.

Section 506. Withdrawals of the Series 2010-B Cost of Issuance Account. The Treasurer shall make withdrawals from the Series 2010-B Cost of Issuance Account solely for the purpose of paying the Costs of Issuance for the Series 2010-B Bonds.

Section 507. Surplus in the Series 2010-B Cost of Issuance Account. All moneys remaining the Series 2010-B Costs of Issuance Account after 60 days of the issuance of the Series 2010-B Bonds, shall be transferred immediately to the Series 2010-B Principal and Interest Account and applied to the next installment of principal due on the Series 2010-B Bonds.

Section 508. Application of Moneys in Series 2010-A and 2010-B Principal and Interest Accounts. All amounts paid and credited to the Series 2010-A and 2010-B Principal and Interest Accounts shall be expended and used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Series 2010-A Bonds and Series 2010-B Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Series 2010-A and 2010-B Principal and Interest Account sums sufficient to pay principal or Redemption Price of and interest on the Series 2010-A Bonds and Series 2010-B Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal or Redemption Price, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Series 2010-A and 2010-B Principal and Interest Account after the retirement of the indebtedness for which the Series 2010-A Bonds and Series 2010-B were issued shall be transferred and paid into the Bond and Interest Fund of the City.

Section 509. Application of Moneys in the Series 2010-A and 2010-B Rebate Funds.

(a) There shall be deposited in the Series 2010-A Rebate Fund and Series 2010-B Rebate Fund such amounts as are required to be deposited therein pursuant to the Arbitrage Instructions. All money at any time deposited in the Series 2010-A and 2010-B Rebate Funds shall be held in trust, to the extent required to pay rebatable arbitrage to the United States of America, and neither the City nor the Owner of any Series 2010-A or 2010-B Bond shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Series

2010-A and 2010-B Rebate Funds shall be governed by this Section and the Arbitrage Instructions.

(b) The City shall periodically determine the rebatable arbitrage, if any, under Section 148(f) of the Code in accordance with the Arbitrage Instructions, and the City shall make payments to the United States of America at the times and in the amounts determined under the Arbitrage Instructions. Any moneys remaining in the Series 2010-A Rebate Fund after redemption and payment of all of the Series 2010-A Bonds and payment and satisfaction of any rebatable arbitrage, or provision made therefor, shall be deposited into the Series 2010-A Principal and Interest Account of the City. Any moneys remaining in the Series 2010-B Rebate Fund after redemption and payment of all of the Series 2010-B Bonds and payment and satisfaction of any rebatable arbitrage, or provision made therefor, shall be deposited into the Series 2010-B Principal and Interest Account of the City.

(c) Notwithstanding any other provision of this Resolution, including in particular Article VII hereof, the obligation to pay rebatable arbitrage to the United States of America and to comply with all other requirements of this Section and the Arbitrage Instructions shall survive the defeasance or payment in full of the Bonds.

(d) The Arbitrage Instructions may be amended or replaced if, in the opinion of Bond Counsel, such amendment or replacement will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds.

Section 510. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be invested in accordance with the requirements of K.S.A. 10-131, as amended. All such investments constituting deposits shall be continuously and adequately secured by the financial institutions holding such deposits as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the City so that there shall be no commingling of such funds with any other funds of the City.

Moneys held in the funds and accounts herein created or established in conjunction with the issuance of the Bonds may be invested by the City in Permitted Investments or in other investments allowed by Kansas law in such amounts and maturing at such times as shall reasonably provide for moneys to be available when required in said accounts or funds; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund or account was created. All interest on any Permitted Investment held in any fund or account (except amounts required to be deposited in the Series 2010-A Rebate Fund and Series 2010-B Rebate Fund in accordance with the Arbitrage Instructions) shall accrue to and become a part of such fund or account; provided, however, that interest earned on investments of moneys held in the Series 2010-A Project Account may, at the direction of the governing body of the City, be paid and credited to the Series 2010-A Principal and Interest Account and used to pay interest on the Series 2010-A Bonds. In determining the amount held in any fund or account under the provisions of the Resolution, Permitted Investments shall be valued at their par value or at their then current redemption value, whichever is lower.

Section 511. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent, all liability of the City to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, said Bond. If such funds shall have remained unclaimed for five (5) years after such principal or interest has become due and payable, such funds shall be paid to the City; and all liability of the Paying Agent to the Owner thereof for the payment of such Bond shall forthwith cease, terminate and be completely discharged. The obligations of the Paying Agent under this Section to pay any such funds to the City shall be subject to any provisions of law applicable to the Paying Agent or to such funds providing other requirements for disposition of unclaimed property.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Resolution, including the covenants and agreements herein contained, shall constitute a contract between the City and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the City contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by its action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the City and the Owners of the Outstanding Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Resolution and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City has elected to redeem such Bonds, and (2) either notice of such redemption has been given, or the City has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with **Section 303** of this Resolution. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the City, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants.

(a) The City covenants and agrees that (1) it will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds and (2) it will not use or permit the use of any Bond proceeds or any other funds of the City in a manner which would adversely affect the exclusion from gross income of the interest on the bonds, and (3) will not take or permit any other action, or fail to take any action, if any such action or failure to take action would adversely effect the exclusion from gross income of the interest on the Bonds. The City will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the City.

(b) The City covenants and agrees that (1) it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purposes for which the Bonds are issued, and (2) it will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City in any manner, and will not take or omit to take any action, that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(c) The City covenants and agrees that it will not use any portion of the proceeds of the Bonds, including any investment income earned on such proceeds, directly or indirectly, in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code.

Section 802. Rebate Covenant. The City covenants and agrees that it will pay, or provide for the payment of, from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code and the Arbitrage Instructions. This covenant shall survive payment in full or defeasance of the Bonds. The Arbitrage Instructions may be amended or replaced if, in the opinion of Bond Counsel such amendment or replacement will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the Bonds.

Section 803. Survival of Covenants. The covenants contained in this Article shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to Article VII hereof or any other provision of this Resolution until the final maturity date of all Bonds Outstanding.

Section 804. Qualified Tax-exempt Obligations. The Bonds are not designated as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3) of the Code.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The City hereby covenants with the Original Purchasers and the Beneficial Owners (as defined in the Disclosure Certificate) to provide and disseminate such information as is required by Rule 15c2-12 (as defined in the Disclosure Certificate) and is further set forth in the Disclosure Certificate. Such covenant shall be for the benefit of and enforceable by the Original Purchasers and such Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the City fails to comply in a timely manner with its covenants contained in the preceding section, the Original Purchasers and/or any such Beneficial Owner may make demand for such compliance by written notice to the City. In the event the City does not remedy such noncompliance within 10 days of receipt of such written notice, the Original Purchasers or any such Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy as the Original Purchasers and/or any such Beneficial Owner shall deem effectual to protect and enforce any of the duties of the City under such preceding section.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Designation of Escrow Trustee. That the City hereby designates Security Bank of Kansas City, Kansas City, Kansas, a state bank, having full trust powers and being a member of the Federal Deposit Insurance Corporation as the escrow trustee (the "Escrow Trustee").

Section 1002. Authorization of Escrow Trust Agreement. That the Mayor and the City Clerk are hereby authorized and directed to execute the Escrow Trust Agreement by and between the City and the Escrow Trustee dated as of September 29, 2010 (the "Escrow Trust Agreement"). The form of the Escrow Trust Agreement is hereby approved and said document is hereby incorporated in this Resolution as though fully set forth herein. The Mayor is hereby authorized to execute the Escrow Trust Agreement with any changes, insertions and omissions as in the opinion of the Mayor upon the advice of counsel are necessary and desirable, and the City Clerk is hereby authorized and directed to attest the Mayor's signature and affix the City's seal, such execution and attestation being conclusive as to the approval, correctness and completeness of said Escrow Trust Agreement.

Section 1003. Redemption of Refunded Bonds. That pursuant to the Refunded Bond Resolutions, the City hereby calls (1) the Series 2005-A Bonds maturing on August 15, 2011, through and including August 15, 2025, for redemption and payment on October 1, 2010; (2) the Series 2005-B Bonds maturing on August 15, 2011, through and including August 15, 2025, for redemption and payment on October 1, 2010; (3) the Series 2006-A Bonds maturing on August 15, 2012 and August 15, 2013, for redemption and payment on August 15, 2011, (4) $135,000 of the August 15, 2012, maturity and $10,000 of the August 15, 2013, maturity of the Series 2006-B Bonds for redemption and payment on August 15, 2011, and (5) the non-refunding portion of the Series 2008-A Bonds allocated on a pro-rata basis to construction purposes maturing on and after August 15, 2019, for redemption and payment on August 15, 2013. The Series 2005-A Bonds, Series 2005-B Bonds, Series 2006-A Bonds and Series 2006-B Bonds are being called at the redemption price of 101 percent of the par value thereof plus accrued interest thereon to the redemption date. The Series 2008-A Bonds are being called at the redemption price of 100 percent of the par value thereof plus accrued interest thereon to the redemption date. Subject to the specific requirements of the Refunded Bond Resolutions which set forth the terms and conditions of the Refunded Bonds, notice of redemption shall be given in accordance with applicable law by the City giving written notice of its intention to redeem such bonds by mailing by certified mail a copy of the City's order of redemption (the "Redemption Notice") to the State Treasurer of the State of Kansas, 900 SW Jackson, Suite 201, Topeka, Kansas 66612, who upon receipt of the Redemption Notice shall give notice of such call by mailing a copy of the Redemption Notice by first class mail, postage prepaid, to the registered owner of each bond to be redeemed at the address shown on the registration books maintained by the Bond Registrar.

Section 1004. Annual Audit. Annually, promptly after the end of the Fiscal Year, the City will cause an audit to be made of its funds and accounts for the preceding Fiscal Year by a certified public accountant or firm of certified public accountants.

Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk, and a duplicate copy of the audit shall be mailed to the Original Purchasers. Such audit shall at all times during the usual business hours of the City be open to the examination and inspection by any taxpayer, any Owner of the Bonds or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner.

As soon as possible after the completion of the annual audit, the governing body of the City shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Resolution, the City shall promptly cure such deficiency.

Section 1005. Amendments. The rights and duties of the City and the Owners, and the terms and provisions of the Bonds or of this Resolution, may be amended or modified at any time in any respect by resolution of the City with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

(a) extend the maturity of any payment of principal or interest due upon any Bond;

(b) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond;

(c) permit preference or priority of any Bond over any other Bond; or

(d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Resolution.

Any provision of the Bonds or of this Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the City at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

With notice to or the consent of any Owners, the City may amend or supplement this Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution adopted by the governing body of the City amending or supplementing the provisions of this Resolution and shall be deemed to be a part of this Resolution. A certified copy of every such amendatory or supplemental resolution, if any, and a certified copy of this Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond, or a prospective purchaser or owner of any Bond authorized by this Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental resolution or of this Resolution will be sent by the Clerk to any such Owner or prospective Owner. A copy of every amendatory or supplemental resolution shall be sent to Moody's.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the resolution of the City hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The City shall furnish to the Bond Registrar and to the Paying Agent a copy of any amendment to the Bonds or this Resolution which affects the duties or obligations of the Bond Registrar or the Paying Agent under this Resolution.

Section 1006. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the City, the Bond Registrar and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to make acknowledgements within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Resolution, Bonds owned by the City shall be disregarded and deemed not to be Outstanding under this Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's rights so to act with respect to such Bonds and that the pledgee is not the City.

Section 1007. Further Authority. The officers and officials of the City, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 1008. Severability. If any section or other part of this Resolution is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Resolution.

Section 1009. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1010. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the Council of the City.

PASSED and approved by the City of Topeka, Kansas, on August 31, 2010.

CITY OF TOPEKA, KANSAS

(SEAL)

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Council of the City of Topeka, Kansas, adopted by the Council at a regularly scheduled meeting held on August 31, 2010, as the same appears of record in my office, and that the Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: August 31, 2010.

____
Brenda Younger, City Clerk

(SEAL)

EXHIBIT A
(FORM OF SERIES 2010-A AND 2010-B BONDS)

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
GENERAL OBLIGATION [REFUNDING] BOND
SERIES 2010-[A][B]

No. R-_____ $_________

Rate of Interest:	Maturity Date: August 15, 20__	Dated Date: September 29, 2010	CUSIP _________

Registered Owner:

PRINCIPAL AMOUNT ______________________________

The City of Topeka, in the County of Shawnee, State of Kansas, (the "City") for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above (the "Owner"), or registered assigns as hereinafter provided, on the maturity date identified above, the principal amount identified above, and in like manner to pay, as of the Record Dates as hereinafter provided, interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid prior to the registration date set forth below at the rate of interest per annum set forth above semiannually on February 15 and August 15 of each year (the "Interest Payment Dates") commencing February 15, 2011, until said principal amount is paid.

The principal of and redemption premium, if any, on this Bond shall be payable in lawful money of the United States of America at the office of the Treasurer of the State of Kansas, Topeka, Kansas, (the "Paying Agent" and "Bond Registrar") upon presentation of this Bond for payment and cancellation. The interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Paying Agent by mailing to the Owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 1st day of February or August of the applicable interest payment date (the "Record Dates"), or in the case of an interest payment to any Owner of **$500,000** or more in aggregate principal amount of the Bonds, by electronic transfer to such Owner upon written notice given to the Paying Agent by such Owner not less than **15** days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States), ABA routing number and account number to which such Owner wishes to have such transfer directed. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the said City of Topeka, in the State of Kansas, by its governing body, has caused this Bond to be executed by its Mayor and attested by its City Clerk by their manual signatures with its corporate seal to be affixed hereon, all as of the 29th day of September, 2010.

CITY OF TOPEKA, KANSAS

_____________(manual)_________________
Mayor

ATTEST: ____________(manual)__________________
(SEAL) City Clerk

****

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the City of Topeka, Kansas, General Obligation [Refunding] Bonds, Series 2010-[A][B] described in the within mentioned Resolution.

Registration Date: ____________________

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
as Bond Registrar and Paying Agent

By ____________________________________

I.D.#: _________________

****

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized series of Bonds of the City aggregating the principal amount of [$_________][$_________] (the "Bonds") issued for the purposes set forth in Ordinance No. _________ of the City (the "Ordinance"). This Bond and the series of Bonds of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and Laws of the State of Kansas, including [K.S.A. 12-6a01 et seq., and K.S.A. 10-101 to 125, inclusive,][the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, K.S.A. 10-101 to 125, inclusive, as amended, Charter Ordinance No. 89 of the City, K.S.A. 10-427 et seq.] and all amendments thereof, acts supplemental thereto, the Ordinance, Resolution No. ______ of the City (the "Resolution") and all other provisions of the laws of the State of Kansas applicable thereto.

The Bonds are issuable in fully registered form in the denomination of $5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms set forth in the authorizing Ordinance and the Resolution.

At the option of the City, the Bonds maturing on or after August 15, 2016, may be called for redemption and payment prior to maturity on August 15, 2015, and thereafter in whole or in part on any date (Bonds of less than a single maturity to be selected by lot in multiples of $5,000 principal amount by the Paying Agent and Bond Registrar in such equitable manner as they shall designate), at the redemption price equal to the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment.

Each of the Bonds maturing on August 15, 20___, shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___ and August 15, 20___, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Each of the Bonds maturing on August 15, 20___, shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___ and on each August 15 thereafter, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Each of the Bonds maturing on August 15, [____][_____], shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___ and on each August 15 thereafter, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Bonds will be redeemed in integral multiples of $5,000. If less than all Bonds are called for redemption, the Bond Registrar will, in the case of Bonds in denominations greater than $5,000, treat each $5,000 of face value as though it were a separate Bond.

In the event of any such redemption, the Paying Agent shall give notice of such call by mailing a copy of the redemption notice by first class mail, postage prepaid, not less than thirty (30) days prior to the date of such redemption to the Owner of each Bond to be redeemed at the address shown on the registration books maintained by the Bond Registrar. Failure to give such notice by mailing to the Owner of any Bond, or any defect therein, shall not affect the validity of any proceedings for the redemption of other Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Owner of such Bonds received the notice.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof, or redemption price hereof and interest due hereon and for all other purposes.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The City and the Paying Agent will recognize the Securities Depository nominee, while the registered owner of the Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the city, the Paying Agent and the Securities Depository.

This Bond is transferable by the Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds or from other funds all costs incurred in connection with the issuance, transfer, exchange, registration, redemption or payment of the Bonds except (a) the reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration, redemption or payment of the Bonds. Upon such transfer a replacement Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefore.

****

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

____
(Name and Address)

____

____
(Social Security or Taxpayer Identifying No.)

the Bond to which this assignment is affixed in the outstanding principal amount of $_____________ standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned does (do) hereby irrevocably constitute and appoint ______________________________ as attorney to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _______________ ________________________________
Name

____
Social Security or Taxpayer
Identifying No.

____

Signature (Sign Here Exactly as Name(s) Appear on Face of Certificate)

Signature guaranty:

By______________________________
****

CERTIFICATE OF CITY CLERK

I, the undersigned, City Clerk of the City of Topeka, Kansas, do hereby certify that this Bond has been duly registered in my office according to law as of September 29, 2010.

WITNESS my hand and official seal.

(manual)
City Clerk

(SEAL)
****

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, DENNIS MCKINNEY, Treasurer of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and that this Bond was registered in my office according to law this ________________________.

WITNESS my hand and official seal.

DENNIS MCKINNEY
TREASURER OF THE STATE OF KANSAS

By____________________________________
State Treasurer

(SEAL)
****

EXHIBIT B

(DTC LETTERS OF REPRESENTATION)

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. Prescribing the form and details of Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C in the aggregate principal amount of $4,590,000 the issuance of which were authorized by the City pursuant to it Ordinance adopted and approved August 31, 2010; and authorizing certain other documents and actions in connection with the issuance of the bonds.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The ordinance would establish the form and details of general obligation bonds providing permanent financing for public improvements that have been previously authorized by the City Council. The bonds would be issued as Build America Bonds (BAB) to take advantage of this federal program's interest rebate. NOTE: The above quoted par bond amount may change slightly due to variances in the structure of the bond sale.)

POLICY ISSUE:

The resolution provides for the form and details of the of the general obligation bonds approved by the accompanying ordinance.

STAFF RECOMMENDATION:

Approve the resolution.

BACKGROUND:

The bonds provide permanent financing for the 14 public improvement projects listed in the ordinance. They are being issued as taxable BAB which is part of the American Recovery and Reinvestment Act (ARRA). The City will receive an estimated total subsidy of 35% of the interest paid. Based upon a 5.59 interest rate, about $1.2 million of the $3.4 million in total interest paid over 20 years will be paid back to the City of Topeka.

BUDGETARY IMPACT:

Annual debt service totaling approximately $6.8 million over 20 years, net the interest rebate.

Item #18

SOURCE OF FUNDING:

Debt service will be paid from the Bond and Interest Fund from property tax revenue and other available sources.

ATTACHMENTS:

Resolution

090810 4

****

RESOLUTION

OF

CITY OF TOPEKA, KANSAS

ADOPTED

AUGUST 31, 2010

$4,590,000
TAXABLE GENERAL OBLIGATION BONDS
(BUILD AMERICA BONDS – DIRECT PAYMENT TO ISSUER)
SERIES 2010-C

****

RESOLUTION

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MISCELLANEOUS PROVISIONS

RESOLUTION NO. ______

A RESOLUTION INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. PRESCRIBING THE FORM AND DETAILS OF TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS – DIRECT PAYMENT TO ISSUER) SERIES 2010-C IN THE AGGREGATE PRINCIPAL AMOUNT OF $4,590,000 THE ISSUANCE OF WHICH WERE AUTHORIZED BY THE CITY PURSUANT TO ITS ORDINANCE NO. ________ ADOPTED AND APPROVED AUGUST 31, 2010; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, the Governing Body of the City of Topeka, Kansas, (the "City") has caused certain internal improvements (the "Internal Improvements") to be made in the City under the authority of K.S.A. 12-110c, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City and other provisions of the laws of the State of Kansas applicable thereto; and

WHEREAS, the City has by its Ordinance No. ______ adopted and approved August 31, 2010, (the "Ordinance") authorized the issuance of its Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C in the aggregate principal amount of $4,590,000 (the “Bonds”); and

WHEREAS, the City has by its Ordinance elected to have Section 54AA apply to the Series 2010-C Bonds so that they may be “Build America Bonds” under Section 54AA(d) of the Code. The City further irrevocably elected to have Section 54AA(g) of the Code apply to the Series 2010-C Bonds so that they may be “qualified bonds” under Code Section 54AA(g) in order to receive the refundable credits allowed to issuers pursuant to Sections 54AA(g)(1) and 6431 of the Code with respect to “qualified bonds”; and

WHEREAS, in accordance with the City's notice of the sale of the Bonds published in accordance with the requirements of law the Bonds have been sold to and purchased by __________________, __________, _______________ (the “Original Purchaser”); and

WHEREAS, in accordance with the terms and conditions of the Ordinance, the City hereby intends to both prescribe the form and details of the Bonds and authorize certain other documents and actions in connection with the issuance of the Bonds.

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

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms identified elsewhere herein, the following words and terms as used in this Resolution shall have the following meanings:

"Arbitrage Instructions" means the Arbitrage Instructions in the City's Federal Tax Certificate dated as of the date of issuance and delivery of the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

"Bond and Interest Fund" means the Bond and Interest Fund of the City for its general obligation bonds.

"Bond Counsel" means the firm of Nichols and Wolfe Chartered, or any other attorney or firm of attorneys with a nationally recognized standing in the field of municipal bond financing as selected by the City.

"Bond Payment Date" means any date on which principal of or interest on any Bond is payable.

"Bond Register" means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

"Bond Registrar" means the Treasurer of the State of Kansas, Topeka, Kansas, and any successors and assigns thereto to the duties and responsibilities described in this Resolution and in the related agreement between the City and the State Treasurer.

"Bonds" means the Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C authorized and issued by the City pursuant to the Ordinance.

"Build America Payments" means those payments by the United States Internal Revenue Service to the City as Issuer of the Series 2010-C Bonds (Build America Bonds – Direct Payment to Issuer) from time to time in amounts equal to the amount of the qualified refundable credit the City is to receive as the Issuer of such Build America Bonds under Section 54AA of the Code.

"Business Day" means a day other than a Saturday, Sunday or holiday on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

"Cede & Co." means Cede & Co., as nominee name of The Depository Trust Company, New York, New York and any successors or assigns thereto.

"City" means the City of Topeka, Kansas, the issuer of the Bonds.

"Clerk" means the duly appointed and/or elected Clerk of the City or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the City.

"Code" means the Internal Revenue Code of 1986, as amended.

"Costs of Issuance" means all costs of issuing the Bonds, including all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code and with the Disclosure Certificate, all expenses, if any, incurred in connection with receiving ratings on the Bonds and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

"Dated Date" means September 29, 2010.

"Defaulted Interest" means interest on any Bond which is payable but not paid on any Interest Payment Date.

"Defeasance Obligations" means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust; and

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent.

"Disclosure Certificate" means the Continuing Disclosure Certificate attached to the City's Final Certificate as *Exhibit D* and included in the transcript of proceedings pertaining to the issuance of the Bonds.

"Event of Default" means any of the following occurrences or events:

(a) Payment of the principal or the Redemption Price of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise; or

(b) Payment of any installment of interest on any of the Bonds shall not be made on the Interest Payment Date when the same shall become due; or

(c) The City shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Resolution on the part of the City to be performed (other than relating to Rule 15c2-12 as defined in the Disclosure Certificate), and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the City by the Owner of any of the Bonds then Outstanding.

“Federal Tax Certificate” means the certificate so named and included in the transcript of proceedings pertaining to the issuance of the Bonds describing the investment and use of the proceeds of the Bonds.

"Fiscal Year" means the twelve month period ending on December 31.

"Funds and Accounts" means funds and accounts created or referred to in **Section 501** hereof.

"Interest Payment Date(s)" means the Stated Maturity of an installment of interest on any Bond which shall be February 15 and August 15 of each year, commencing February 15, 2011.

"Internal Improvements" mean certain internal improvements constructed in the City in accordance with the legal authority as described in the recitals to this Resolution and in the Ordinance.

"Maturity" when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or upon on call for redemption or otherwise.

"Mayor" means the duly appointed and/or elected Mayor of the City or, in the Mayor's absence, the duly appointed Deputy Mayor or Acting Mayor of the City.

"Moody's" means Moody's Investors Service, Inc., New York, New York, and any successors or assigns to the Bond rating functions thereof which is deemed acceptable by the City and Bond Counsel.

"Original Purchaser" means _______________, ____________, ________________.

"Ordinance" means Ordinance No. ______ adopted and approved August 24, 2010, and published as required by law, pursuant to which the issuance of the Bonds has been authorized.

"Outstanding" means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

(a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;

(b) Bonds deemed to be paid in accordance with the provisions of **Section 701** hereof; and

(c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

"Owner" when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

"Participants" means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

"Paying Agent" means the State Treasurer, and any successors and assigns thereof to the duties and responsibilities described in this Resolution and in the related agreement between the City and the State Treasurer.

"Permitted Investments" means: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the City's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks located in the county or counties in which the City is located; (f) obligations of the federal national mortgage association, federal home loan banks, the federal home loan mortgage corporation or the government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements with or other obligations of a financial institution the obligations of which at the time of investment are rated in either of the three highest rating categories by Moody's, Inc. or Standard & Poor's; (i) investments in shares or units of a money market fund or trust the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the States as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f). No Permitted Investment shall include any derivative investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

"Person" means any natural person, as well as any corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

"Purchase Price" means the purchase price of the Bonds as set forth in the *Bid Proposal for Purchase of the Bonds* as submitted by the Original Purchaser and accepted by the City, plus accrued interest to the date of delivery.

"Record Dates" means, for the interest payable on any Interest Payment Date, the first day (whether or not a Business Day) of each month of such Interest Payment Date.

"Redemption Date" means when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Resolution.

"Redemption Price" means when used with respect to any Bond to be redeemed the price at which such Bond is to be redeemed pursuant to the terms of this Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

"Replacement Bonds" means Bonds issued to the beneficial owners of the Bonds in accordance with **Section 211** hereof.

"Representation Letter" means the Blanket Issuer Letter of Representations from the City to the Securities Depository with respect to the Bonds, substantially in the form attached to this Resolution as *Exhibit B*.

"Resolution" means this resolution relating to the Bonds, and any Supplemental Resolution.

"Securities Depository" means, initially, The Depository Trust Company, New York, New York, and any successors and assigns.

"Series 2010-C Principal and Interest Account" means the Principal and Interest Account for the City of Topeka, Kansas, Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C, created herein within the City's Bond and Interest Fund.

"Series 2010-C Project Account" means the Project Account for the Internal Improvements in the treasury of the City, created herein.

"Series 2010-C Rebate Fund" means the Rebate Fund for the City of Topeka, Kansas, Taxable General Obligation Bonds, Series 2010-C, created herein.

"Series 2010-C Term Bonds" means the Series 2010-C Bonds scheduled to mature in the years ________ and _______.

"Special Record Date" means the date fixed by the Paying Agent pursuant to **Section 204** hereof for the payment of Defaulted Interest.

"Standard & Poor's" means Standard & Poor's Ratings Services, a Division of The McGraw Hill Companies, Inc., New York, New York and any successors or assigns to the Bond rating functions thereof which is deemed acceptable by the City and Bond Counsel.

"State" means the State of Kansas.

"State Treasurer" means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State of Kansas and any successors or assigns.

"Stated Maturity" means (i) with respect to any Bond principal payment, the date on which payment of principal is due and payable on any Bond, as specified on that Bond and in this Resolution, and (ii) with respect to any Interest Payment, each February 15 and August 15 of the year in which any Bond is Outstanding, beginning February 15, 2011.

"Term Bonds" means the Bonds maturing in the years ______ and ________.

"Treasurer" means the duly appointed and/or elected Treasurer of the City or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the City.

"United States Government Obligations" means bonds, notes, certificates of indebtedness, U.S. Treasury or other securities consisting of direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in the future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation).

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C, of the City in the aggregate principal amount of $4,590,000 for the purpose of permanently financing the costs of constructing the Internal Improvements, in accordance with K.S.A. 12-110c, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, Charter Ordinance No. 89 of the City (Sections A12-1 of the Code of the City) and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended, and other provisions of the laws of the State of Kansas applicable thereto.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in the denominations of $5,000 or any integral multiple thereof and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated September 29, 2010, shall become due in the amounts on the Stated Maturities (subject to redemption and payment prior to their Stated Maturities as provided in Article III hereof), and shall bear interest at the rates per annum as follows:

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
	SERIAL BONDS	
2015	$200,000	____%
2016	205,000	____
2017	215,000	____
2018	220,000	____
2019	235,000	____
2020	245,000	____
2021	255,000	____
2022	270,000	____
2023	280,000	____
2024	295,000	____
2025	315,000	____
2026	330,000	____
2027	350,000	____
2028	370,000	____
2029	390,000	____
2030	415,000	____

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid, payable on the Interest Payment Dates in the manner set forth in **Section 204** hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be typed or printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as *Exhibit A* or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq*.

Section 203. Designation of Paying Agent and Bond Registrar. The Treasurer of the State of Kansas, Topeka, Kansas, is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and as Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor and Clerk of the City are hereby authorized and empowered to execute on behalf of the City an agreement with the Bond Registrar and Paying Agent for the Bonds.

The City will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The City reserves the right to appoint a successor Paying Agent or Bond Registrar by (1) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (2) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq*. and K.S.A. 10-620 *et seq*., respectively.

Section 204. Method and Place of Payment of the Bonds. The principal of, or Redemption Price, if any, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal corporate trust office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or (b) in the case of an interest payment to any Owner of $500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States) ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name and at the expense of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the City.

Section 205. Registration, Transfer and Exchange of Bonds. The City covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal corporate trust office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The City shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The City and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Bond Registrar pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the City of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

The City and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

Section 206. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the City by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk and the seal of the City shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the City affixed thereto or imprinted thereon.

The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Bonds shall have endorsed thereon a *Certificate of Authentication* substantially in the form attached hereto as *Exhibit A* hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the *Certificate of Authentication* on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Resolution or be valid or obligatory for any purpose unless and until such C*ertificate of Authentication* has been duly executed by the Bond Registrar. Such executed *Certificate of Authentication* upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Original Purchaser upon instructions of the City or its representative.

Section 207. Mutilated, Lost, Stolen or Destroyed Bonds. If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the City and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the City or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the City shall execute and, upon the City's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the City, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the City may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Bond Registrar) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the City, and shall be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds.

Section 208. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the City.

Section 209. Preliminary and Final Official Statement. The *Preliminary Official Statement* dated August 24, 2010, is hereby ratified and approved. For the purpose of enabling the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the City hereby deems the information regarding the City contained in the *Preliminary Official Statement* to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the City are hereby authorized, if requested, to provide the Original Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Original Purchaser to comply with the requirement of such Rule.

The final *Official Statement* is hereby authorized to be prepared by supplementing, amending and completing the *Preliminary Official Statement*, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor is hereby authorized to execute the final *Official Statement* as so supplemented, amended and completed, and the use and public distribution of the final *Official Statement* by the Original Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the City are hereby authorized to execute and deliver a certificate pertaining to such *Official Statement* as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

The City agrees to provide to the Original Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the final *Official Statement* to enable the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 210. Sale of the Bonds. The sale of the Bonds to the Original Purchaser is hereby ratified and confirmed. Delivery of the Bonds shall be made to the Original Purchaser as soon as practicable after the passage of this Resolution, upon payment of the Purchase Price.

Section 211. Book-Entry Bonds; Securities Depository.

(a) The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no beneficial owner will receive certificates representing its respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in subsection (b) hereof. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the beneficial owners as described in subsection (b).

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, or (2) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name and authenticate and deliver Replacement Bonds to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City, with the consent of the Bond Registrar, may select a successor securities depository in accordance with **Section 211(c)** hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the City, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with **Section 211(c)** hereof, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Bonds. The cost of printing, registration, authentication and delivery of Replacement Bonds shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository provided the Bond Registrar and the City receive written evidence with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in appropriate denominations and form as provided herein.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor of the City in the form attached hereto as Exhibit B with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, is hereby authorized, and execution of the Representation Letter by the Mayor shall be conclusive evidence of such approval. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by Registered Owners of the Bonds and beneficial Owners and payments on the Bonds. The Paying Agent shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption of Bonds.

(a) Optional Redemption by City. The Bonds maturing prior to August 15, 2021, shall become due without the option of prior payment. The Bonds maturing on or after August 15, 2021, may be called for redemption and payment prior to maturity on August 15, 2020, and thereafter in whole or in part on any date (Bonds of less than a single maturity to be selected by lot in multiples of $5,000 principal amount by the Paying Agent and Bond Registrar in such equitable manner as they shall designate), at the redemption price equal to the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment.

(b) Mandatory Redemption. The Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in Article IV hereof which are to be deposited into the Series 2010-C Principal and Interest Account shall be sufficient to redeem, and the City shall redeem on August 15 in each year, the following principal amounts of such Term Bonds:

20___ TERM BOND

Principal Amount	Year
$_______	20__

(leaving $________ to mature August 15, 20___)

20___ TERM BOND

Principal Amount	Year
$_______	20___
_______	20___

(leaving $________ to mature August 15, 20___)

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection (b)) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection (b). Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity in chronological order, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.

Section 302. Selection of Bonds to be Redeemed. Bonds shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the Bonds of the same maturity are to be redeemed and paid prior to their Stated Maturity, the Bonds to be redeemed shall be selected by the Bond Registrar in $5,000 units of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than $5,000 are then Outstanding, then for all purposes in connection with such redemption each $5,000 of face value shall be treated as though it were a separate Bond of the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem such

$5,000 unit or units, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of such $5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent the $5,000 unit or units of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the City desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by it of the City's written notice at least 45 days prior to the Redemption Date. If the Bonds are refunded more than 90 days in advance of such Redemption Date, any escrow agreement entered into by the City in connection with such refunding shall provide that such written instructions to the Paying Agent shall be given by the escrow agent on behalf of the City not more than 90 days prior to the Redemption Date. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in **Section 303** are met.

Unless waived by any Owner of Bonds to be redeemed, the Bond Registrar shall give written notice of the redemption of said Bonds on a specified date, the same being described by maturity, said notice to be mailed by United States first class mail addressed to the Owners of said Bonds to be redeemed and to the Original Purchaser of the Bonds, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. The City and Bond Registrar shall also give such additional notice as may be required by Kansas law or regulations of the Securities and Exchange Commission in effect as of the date of such notice.

All official notices of redemption shall be dated and shall contain the following information:

(a) the Redemption Date;

(b) the Redemption Price;

(c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and

(e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the City defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

The Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the State or the Securities Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the City. The Bonds shall be payable as to both principal and interest from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax. The governing body of the City shall annually make provision for the payment of principal of, redemption premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the City in the manner provided by law.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the City are levied and collected. The proceeds derived from said taxes shall be deposited in the Series 2010-C Principal and Interest Account and, shall be kept separate and apart from all other funds of the City and shall be used solely for the payment of the principal of, redemption premium, if any, and interest on the Bonds as and when the same become due, taking into account the fees and expenses of the Bond Registrar and Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS
DEPOSIT AND APPLICATION OF MONEYS

Section 501. Establishment of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the treasury of the City the following funds and accounts:

(a) In the treasury of the City, the "Series 2010-C Project Account";

(b) In the City's Bond and Interest Fund, the "Principal and Interest Account for the City of Topeka, Kansas, Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C (the "Series 2010-C Principal and Interest Account"); and

(c) In the treasury of the City, the Rebate Fund for the City of Topeka, Kansas, Taxable General Obligation Bonds (Build America Bonds – Direct Payment to Issuer) Series 2010-C (the " Series 2010-C Rebate Fund").

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Resolution so long as the Bonds are Outstanding.

Section 502. Disposition of Bond Proceeds. The Purchase Price of the Bonds, upon issuance and delivery thereof, shall be deposited as follows:

(a) Proceeds of the Bonds in the amount of $____________ shall be deposited in the Series 2010-C Project Account; and

(b) Proceeds of the Bonds in the amount of $_____________ shall be deposited with in the Series 2010-C Principal and Interest Account.

Section 503. Withdrawals from the Series 2010-C Project Account. The Treasurer shall make withdrawals from the Series 2010-C Project Account solely for the purpose of paying costs and expenses of the Internal Improvements and paying the Costs of Issuance for the Series 2010-C Bonds. Such withdrawals shall be made only on due authorization by the governing body of the City.

Section 504. Surplus in the Series 2010-C Project Account. All moneys remaining in the Series 2010-C Project Account after the completion of the Internal Improvements, as determined by the governing body of the City, shall be transferred immediately to the Series 2010-C Principal and Interest Account and applied to the next installment of principal due on the Series 2010-C Bonds from which such surplus moneys remain.

Section 505. Application of Moneys in Series 2010-C Principal and Interest Account. All amounts paid and credited to the Series 2010-C Principal and Interest Account shall be expended and used by the City for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Series 2010-C Principal and Interest Account sums sufficient to pay principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal or Redemption Price, interest and fees of the Bond

Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the City. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Series 2010-C Principal and Interest Account after the retirement of the indebtedness for which the Bonds were issued shall be transferred and paid into the Bond and Interest Fund of the City.

Section 506. Application of Moneys in the Series 2010-C Rebate Fund.

(a) There shall be deposited in the Series 2010-C Rebate Fund such amounts as are required to be deposited therein pursuant to the Arbitrage Instructions. All money at any time deposited in the Series 2010-C Rebate Fund shall be held in trust, to the extent required to pay rebatable arbitrage to the United States of America, and neither the City nor the Owner of any Bond shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Series 2010-C Rebate Fund shall be governed by this Section and the Arbitrage Instructions.

(b) The City shall periodically determine the rebatable arbitrage, if any, under Section 148(f) of the Code in accordance with the Arbitrage Instructions, and the City shall make payments to the United States of America at the times and in the amounts determined under the Arbitrage Instructions. Any moneys remaining in the Series 2010-C Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any rebatable arbitrage, or provision made therefor, shall be deposited into the Series 2010-C Principal and Interest Account of the City.

(c) Notwithstanding any other provision of this Resolution, including in particular Article VII hereof, the obligation to pay rebatable arbitrage to the United States of America and to comply with all other requirements of this Section and the Arbitrage Instructions shall survive the defeasance or payment in full of the Bonds.

Section 507. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be invested in accordance with the requirements of K.S.A. 10-131, as amended. All such investments constituting deposits shall be continuously and adequately secured by the financial institutions holding such deposits as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the City so that there shall be no commingling of such funds with any other funds of the City.

Moneys held in the funds and accounts herein created or established in conjunction with the issuance of the Bonds may be invested by the City in Permitted Investments or in other investments allowed by Kansas law in such amounts and maturing at such times as shall reasonably provide for moneys to be available when required in said accounts or funds; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund or account was created. All interest on any Permitted Investment held in any fund or account (except amounts required to be deposited in the Series 2010-C Rebate Fund in accordance with the Arbitrage Instructions) shall accrue to and become a part of such fund or account; provided, however, that interest earned on investments of moneys held in the Series 2010-C Project Account may, at the direction of the governing body of the City, be paid and credited to the Series 2010-C Principal and Interest Account and used to pay interest on the Series 2010-C Bonds. In determining the amount held in any fund or account under the provisions of the

Resolution, Permitted Investments shall be valued at their par value or at their then current redemption value, whichever is lower.

Section 508. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent, all liability of the City to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, said Bond. If such funds shall have remained unclaimed for five (5) years after such principal or interest has become due and payable, such funds shall be paid to the City; and all liability of the Paying Agent to the Owner thereof for the payment of such Bond shall forthwith cease, terminate and be completely discharged. The obligations of the Paying Agent under this Section to pay any such funds to the City shall be subject to any provisions of law applicable to the Paying Agent or to such funds providing other requirements for disposition of unclaimed property.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Resolution, including the covenants and agreements herein contained, shall constitute a contract between the City and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the City and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the City contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by its action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Owners of Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the City and the Owners of the Outstanding Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Resolution and the pledge of the City's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments; provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (1) the City has elected to redeem such Bonds, and (2) either notice of such redemption has been given, or the City has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with **Section 303** of this Resolution. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the City, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants.

(a) The City covenants and agrees that it will comply with both the requirements of this Article VIII and the provisions and requirements of the Federal Tax Certificate. The Mayor and City Clerk are hereby authorized and direct to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the City. The City will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions and the Federal Tax Certificate.

(b) The City covenants and agrees that (1) it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purposes for which the Bonds are issued, and (2) it will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the City in any manner, and will not take or omit to take any action, that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(c) The City covenants and agrees that it will not use any portion of the proceeds of the Bonds, including any investment income earned on such proceeds, directly or indirectly, in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code.

(d) The City has by the Ordinance which authorized the issuance of the Bonds elected to have Section 54AA of the Code apply to the Series 2010-C Bonds so that the Series 2010-C Bonds may be "Build America Bonds" under Code Section 54AA(d). The City has further irrevocably elected to have Section 54AA(g) of the Code apply to the Series 2010-C Bonds so that they may be "qualified bonds" under Code Section 54AA(g) in order to receive the refundable credits allowed to issuers pursuant to Sections 54AA(g)(1) and 6431 of the Code with respect to "qualified bonds" (the "BABS Interest Subsidy Payments"). The City covenants to comply with the requirements of the Code necessary to maintain the qualification of the Series 2010-C Bonds as "Build America Bonds" under Section 54AA(d) of the Code and as "qualified bonds" under Section 54AA(g).

Section 802. Rebate Covenant. The City covenants and agrees that it will pay, or provide for the payment of, from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code and the Arbitrage Instructions. This covenant shall survive payment in full or defeasance of the Bonds. The Arbitrage Instructions may be amended if approved by Bond Counsel.

Section 803. Survival of Covenants. The covenants contained in this Article shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to Article VII hereof or any other provision of this Resolution until the final maturity date of all Bonds Outstanding.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The City hereby covenants with the Original Purchaser and the Beneficial Owners (as defined in the Disclosure Certificate) to provide and disseminate such information as is required by Rule 15c2-12 (as defined in the Disclosure Certificate) and is further set forth in the Disclosure Certificate. Such covenant shall be for the benefit of and enforceable by the Original Purchaser and such Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the City fails to comply in a timely manner with its covenants contained in the preceding section, the Original Purchaser and/or any such Beneficial Owner may make demand for such compliance by written notice to the City. In the event the City does not remedy such noncompliance within 10 days of receipt of such written notice, the Original Purchaser or any such Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy as the Original Purchaser and/or any such Beneficial Owner shall deem effectual to protect and enforce any of the duties of the City under such preceding section.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Annual Audit. Annually, promptly after the end of the Fiscal Year, the City will cause an audit to be made of its funds and accounts for the preceding Fiscal Year by a certified public accountant or firm of certified public accountants.

Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk, and a duplicate copy of the audit shall be mailed to the Original Purchaser. Such audit shall at all times during the usual business hours of the City be open to the examination and inspection by any taxpayer, any Owner of the Bonds or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner.

As soon as possible after the completion of the annual audit, the governing body of the City shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Resolution, the City shall promptly cure such deficiency.

Section 1002. Amendments. The rights and duties of the City and the Owners, and the terms and provisions of the Bonds or of this Resolution, may be amended or modified at any time in any respect by resolution of the City with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

(a) extend the maturity of any payment of principal or interest due upon any Bond;

(b) effect a reduction in the amount which the City is required to pay as principal of or interest on any Bond;

(c) permit preference or priority of any Bond over any other Bond; or

(d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Resolution.

Any provision of the Bonds or of this Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the City at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

With notice to or the consent of any Owners, the City may amend or supplement this Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution adopted by the governing body of the City amending or supplementing the provisions of this Resolution and shall be deemed to be a part of this Resolution. A certified copy of every such amendatory or supplemental resolution, if any, and a certified copy of this Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond, or a prospective purchaser or owner of any Bond authorized by this Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental resolution or of this Resolution will be sent by the Clerk to any such Owner or prospective Owner. A copy of every amendatory or supplemental resolution shall be sent to Moody’s.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the resolution of the City hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The City shall furnish to the Bond Registrar and to the Paying Agent a copy of any amendment to the Bonds or this Resolution which affects the duties or obligations of the Bond Registrar or the Paying Agent under this Resolution.

Section 1003. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the City, the Bond Registrar and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to make acknowledgements within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Resolution, Bonds owned by the City shall be disregarded and deemed not to be Outstanding under this Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's rights so to act with respect to such Bonds and that the pledgee is not the City.

Section 1004. Further Authority. The officers and officials of the City, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 1005. Severability. If any section or other part of this Resolution is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Resolution.

Section 1006. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1007. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the Council of the City.

PASSED and approved by the City of Topeka, Kansas, on August 31, 2010.

CITY OF TOPEKA, KANSAS

(SEAL)

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Council of the City of Topeka, Kansas, adopted by the Council at a regularly scheduled meeting held on August 31, 2010, as the same appears of record in my office, and that the Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: August 31, 2010.

____
Brenda Younger, City Clerk

(SEAL)

EXHIBIT A

(FORM OF SERIES 2010-C BONDS)

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

THIS BOND IS NOT AN OBLIGATION ON WHICH THE INTEREST IS EXCLUDABLE FROM GROSS INCOME UNDER SECTION 103 OF THE INTERNAL REVENUE CODE OF THE UNITED STATES OF AMERICA, AS AMENDED. THE HOLDER OF THIS BOND SHOULD NOT REGARD THE INTEREST HEREON AS BEING EXEMPT FROM FEDERAL INCOME TAXATION.

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
TAXABLE GENERAL OBLIGATION BOND
(BUILD AMERICA BOND – DIRECT PAYMENT TO ISSUER)
SERIES 2010-C

No. R-_____ $_________

Rate of Interest:	Maturity Date: August 15, 20__	Dated Date: September 29, 2010	CUSIP _________

Registered Owner:

PRINCIPAL AMOUNT ______________________________

The City of Topeka, in the County of Shawnee, State of Kansas, (the "City") for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above (the “Owner”), or registered assigns as hereinafter provided, on the maturity date identified above, the principal amount identified above, and in like manner to pay, as of the Record Dates as hereinafter provided, interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid prior to the registration date set forth below at the rate of interest per annum set forth above semiannually on February 15 and August 15 of each year (the "Interest Payment Dates") commencing February 15, 2011, until said principal amount is paid.

The principal of and redemption premium, if any, on this Bond shall be payable in lawful money of the United States of America at the office of the Treasurer of the State of Kansas, Topeka, Kansas, (the "Paying Agent" and "Bond Registrar") upon presentation of this Bond for payment and cancellation. The interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Paying Agent by mailing to the Owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 1st day of February or August of the applicable interest payment date (the "Record Dates"), or in the case of an interest payment to any Owner of **$500,000** or more in aggregate principal amount of the Bonds, by electronic transfer to such Owner upon written notice given to the Paying Agent by such Owner not less than **15** days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank (which shall be in the continental United States), ABA routing number and account number to which such Owner wishes to have such transfer directed. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the said City of Topeka, in the State of Kansas, by its governing body, has caused this Bond to be executed by its Mayor and attested by its City Clerk by their manual signatures with its corporate seal to be affixed hereon, all as of the 29th day of September, 2010.

CITY OF TOPEKA, KANSAS

(manual)
Mayor

ATTEST: (manual)
(SEAL) City Clerk

****

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the City of Topeka, Kansas, Taxable General Obligation Bonds (Build America Bonds - Direct Payment to Issuer) Series 2010-C described in the within mentioned Resolution.

Registration Date: ____________________

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
as Bond Registrar and Paying Agent

By ___________________________________

I.D.#: ________________

****

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized series of Bonds of the City aggregating the principal amount of $_________ (the "Bonds") issued for the purposes set forth in Ordinance No. _________ of the City (the "Ordinance"). This Bond and the series of Bonds of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and Laws of the State of Kansas, including K.S.A. 12-110c, and K.S.A. 10-101 to 125, inclusive, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article

12 of the Kansas Constitution, K.S.A. 10-101 to 125, inclusive, as amended, Charter Ordinance No. 89 of the City, and all amendments thereof, acts supplemental thereto, the Ordinance, Resolution No. ______ of the City (the "Resolution") and all other provisions of the laws of the State of Kansas applicable thereto.

The Bonds are issuable in fully registered form in the denomination of $5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms set forth in the authorizing Ordinance and the Resolution.

At the option of the City, the Bonds maturing on or after August 15, 2021, may be called for redemption and payment prior to maturity on August 15, 2020, and thereafter in whole or in part on any date (Bonds of less than a single maturity to be selected by lot in multiples of $5,000 principal amount by the Paying Agent and Bond Registrar in such equitable manner as they shall designate), at the redemption price equal to the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment.

Each of the Bonds maturing on August 15, 20___, shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___, and August 15, 20___, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Each of the Bonds maturing on August 15, 20___, shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___, and on each August 15 thereafter, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Each of the Bonds maturing on August 15, ____, shall also be subject to mandatory redemption and payment prior to maturity on August 15, 20___, and on each August 15 thereafter, pursuant to the redemption schedule set forth in the Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount) plus accrued interest thereon to the Redemption Date.

Bonds will be redeemed in integral multiples of $5,000. If less than all Bonds are called for redemption, the Bond Registrar will, in the case of Bonds in denominations greater than $5,000, treat each $5,000 of face value as though it were a separate Bond.

In the event of any such redemption, the Paying Agent shall give notice of such call by mailing a copy of the redemption notice by first class mail, postage prepaid, not less than thirty (30) days prior to the date of such redemption to the Owner of each Bond to be redeemed at the address shown on the registration books maintained by the Bond Registrar. Failure to give such notice by mailing to the Owner of any Bond, or any defect therein, shall not affect the validity of any proceedings for the redemption of other Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Owner of such Bonds received the notice.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof, or redemption price hereof and interest due hereon and for all other purposes.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Ordinance. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The City and the Paying Agent will recognize the Securities Depository nominee, while the registered owner of the Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the city, the Paying Agent and the Securities Depository.

This Bond is transferable by the Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds or from other funds all costs incurred in connection with the issuance, transfer, exchange, registration, redemption or payment of the Bonds except (a) the reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration, redemption or payment of the Bonds. Upon such transfer a replacement Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefore.
****

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

____

(Name and Address)

____

____

(Social Security or Taxpayer Identifying No.)

the Bond to which this assignment is affixed in the outstanding principal amount of $_____________ standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned does (do) hereby irrevocably constitute and appoint ______________________________ as attorney to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _______________ ________________________________

Name

____
Social Security or Taxpayer
Identifying No.

____
Signature (Sign Here Exactly as
Name(s) Appear on Face of
Certificate)

Signature guaranty:

By________________________________

****

CERTIFICATE OF CITY CLERK

I, the undersigned, City Clerk of the City of Topeka, Kansas, do hereby certify that this Bond has been duly registered in my office according to law as of September 29, 2010.

WITNESS my hand and official seal.

______________(manual)______________
City Clerk

(SEAL)

****

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, DENNIS MCKINNEY, Treasurer of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and that this Bond was registered in my office according to law this ________________________.

WITNESS my hand and official seal.

DENNIS MCKINNEY
TREASURER OF THE STATE OF KANSAS

By______________________________________
State Treasurer

(SEAL)

****

EXHIBIT B

(DTC LETTERS OF REPRESENTATION)

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. authorizing and directing the issuance of Temporary Notes, Series 2010-A (Combined Utility Projects) of the City of Topeka, Kansas, in the aggregate principal amount of $2,945,000 for the purpose of providing funds to pay the cost of renewing a portion of the principal amount of the Series 2009-B temporary notes of said City, dated October 28, 2009.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The resolution would approve issuance of temporary notes to provide interim financing for previously approved City utility projects that will eventually be permanently financed with Combined Utility Revenue Bonds.)

POLICY ISSUE:

Whether to provide temporary financing

STAFF RECOMMENDATION:

Approve the resolution.

BACKGROUND:

The three projects involved are the Northland Pump Station (Ordinance 19172); the Southwest Interceptor (Ordinance 19179); and Rehabilitate Water Treatment Plant (Ordinance 19170).

BUDGETARY IMPACT:

The principal and interest on these temporary notes will be permanently financed by Combined Utility Revenue Bonds.

SOURCE OF FUNDING:

Combined Utility Fund.

ATTACHMENTS:

Item #19

Resolution

160810 5

RESOLUTION NO. ________

A RESOLUTION INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. AUTHORIZING AND DIRECTING THE ISSUANCE OF TEMPORARY NOTES, SERIES 2010-A (COMBINED UTILITY PROJECTS) OF THE CITY OF TOPEKA, KANSAS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $2,945,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF RENEWING A PORTION OF THE PRINCIPAL AMOUNT OF THE SERIES 2009-B TEMPORARY NOTES OF SAID CITY, DATED OCTOBER 28, 2009.

WHEREAS, pursuant to the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, and Charter Ordinance No. 89 of the City of Topeka, Kansas, (the "City") (Section A12-1 of the Code of the City) and all other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had and other actions duly and legally taken, the City has approved the following utility system improvements (the "Improvements"):

(a) Utility System Improvement Project No. 29112-00;

(b) Utility System Improvement Project No. 40965-00;

(c) Utility System Improvement Project No. 28638-03; and

WHEREAS, the cost of making the Improvements are to be paid in whole or in part by the issuance of general obligation bonds of the City in the manner provided by law; and

WHEREAS, pursuant to Resolution No. 8208 of the City adopted October 6, 2009, the City has issued its Temporary Notes, Series 2009-B, dated October 28, 2009, aggregating the principal amount of $24,890,000 and maturing on November 1, 2010, (the "Series 2009-B Notes") to provide funds to finance certain utility system improvements in the City including Projects Nos. 29112-00, 40965-00 and 28638-03; as hereinbefore described and all aspects of said projects will not be fully completed at the maturity of the Series 2009-B Notes; and

WHEREAS, it is necessary for the City to provide cash funds to renew a portion of the Series 2009-B Notes issued to provide financing for the Improvements prior to the completion of said work and the issuance of the City's general obligation bonds, and it is desirable and in the interest of the City that such funds be raised by the issuance of temporary notes of the City, said notes to be issued by the City pursuant to the provisions of K.S.A. 10-123, as amended.

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

Section 1.(a) For the purpose of providing funds to renew a portion of the Series 2009-B Notes issued in connection with the Improvements as hereinbefore described, there shall be issued and are hereby authorized to be issued Temporary Notes, Series 2010-A (Combined Utility Projects), of the City, in the principal amount not to exceed $2,945,000 (the "Notes"). The Notes will consist of fully registered notes in the denomination of $5,000 or any integral multiple thereof. The Notes shall initially be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, (along with its successors and assigns, the "Securities Depository") to which payments of principal on the Notes will be made by the Treasurer of the State of Kansas (the "Note Registrar" and "Paying Agent") in lawful money of the United States of America upon presentation of the Notes for payment and cancellation. Individual purchases of Notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in Notes purchased. It is anticipated that during the term of the Notes, the Securities Depository will make book-entry transfers among those financial institutions (the "Participants") for whom it effects book entry transfers and pledges of securities deposited with it from time to time and receive and transmit payment of principal of and interest on the Notes to the Participants until and unless the Note Registrar (hereinafter designated) authenticates and delivers Replacement Notes to the beneficial owners as described in subsection (b). The Notes shall be dated September 29, 2010, shall become due on October 1, 2011, and shall bear interest from said date at the rate of ___________ percent (_________%) per annum. Interest on the Notes shall be payable at the maturity of the Notes on October 1, 2011, or on the Redemption Date if the Notes are called for redemption prior to maturity, (the "Interest Payment Date") to the Registered Owner thereof appearing on the books of the Note Registrar as of the 15th day of the month next preceding the applicable interest payment date (the “Record Date”).

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Notes being issued to any registered owner of any of the Notes ("Registered Owner") other than Cede & Co. is no longer in the best interests of the beneficial owners of the Notes, or (2) if the Note Registrar receives written notice from Participants having interests in not less than 50% of the Notes which are outstanding and unpaid, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Notes being issued to any Registered Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Notes, then the Note Registrar shall notify the Registered Owners of such determination or such notice and of the availability of certificates to beneficial owners requesting the same, and the Note Registrar shall register in the name of and authenticate and deliver replacement Notes to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustment as it may find necessary or appropriate as to accrued interest; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City may, after consultation with the Note Registrar, select a successor securities depository in accordance with subsection (c) hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Note. Upon the issuance of any replacement Notes ("Replacement Notes"), all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Note Registrar, to the extent applicable with respect to such Replacement Notes. If the Securities Depository resigns and the City is unable to locate a qualified successor of the Securities Depository in accordance with subsection (c) hereof, then the Note Registrar shall authenticate and cause delivery of Replacement Notes to the beneficial owners thereof, as provided herein. The Note Registrar may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Notes. The cost of printing, registration, authentication and delivery of Replacement Notes shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository, provided the Note Registrar receives written evidence satisfactory to it with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Note Registrar upon its receipt of any of the Notes for cancellation shall cause the delivery of such Notes to the successor Securities Depository in appropriate denominations and form as provided herein.

(d) The execution and delivery of the Representation Letter to The Depository Trust Company, New York, New York, by the Mayor or Deputy Mayor in the form attached hereto as Exhibit A with such changes, omissions, insertions and revisions as the Mayor or Deputy Mayor shall deem advisable, is hereby authorized, and execution of the Representation Letter by the Mayor or Deputy Mayor shall be conclusive evidence of such approval. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by the owners (both the Registered Owner and beneficial owners) of the Notes and payments of the principal of and interest on the Notes.

Section 2. The Notes shall contain recitals and be in the form as prescribed by law. The Notes, shall in addition to all other requirements, shall be subject to the terms and conditions of the agreement entitled "Agreement Between Issuer and Agent" by and between the City and the Treasurer of the State of Kansas, as Note Registrar.

Section 3. The Notes shall be executed by the facsimile or manual signature of the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk and the seal of the City shall be printed or affixed thereon. After such execution and the registration of the Notes by the City Clerk and the Kansas State Treasurer, Topeka, Kansas, hereby designated as both the City's Note Registrar and Paying Agent in connection with the Notes, the Notes shall be countersigned by the City Clerk or Deputy City Clerk and delivered to the Original Purchaser thereof upon receipt of the purchase price thereof, said purchase price to be not less than the principal amount thereof plus accrued interest thereon to the date of delivery. The proceeds of the Notes shall be placed in the City Treasury and applied solely to pay the costs of (i) renewing the Series 2009-B Notes previously issued to finance the Improvements as hereinbefore described and (ii) the costs of issuing the Notes.

Section 4. The Notes to be issued shall be in substantially the following form:

UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO ISSUER OR ITS AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), **ANY TRANSFER, PLEDGE, OR OTHER USE THEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL** IN AS MUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

Temporary Note No. R-1

$2,945,000 **$2,945,000**

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
SERIES 2010-A
(COMBINED UTILITY PROEJCTS)

Rate of Interest: _____%	Maturity Date: October 1, 2011	Dated Date: September 29, 2010	CUSIP NO. _______

Registered Owner: Cede & Co.
Principal Amount: Two Million Nine Hundred Forty-five Thousand Dollars

KNOW ALL MEN BY THESE PRESENTS:

That the City of Topeka, in the County of Shawnee, State of Kansas, (the "City") for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above, or registered assigns as hereinafter provided, on the maturity date identified above, unless called for redemption and payment prior to such maturity date as hereinafter provided, both the principal amount identified above and in like manner to pay interest on such principal amount from the date of this Note until said principal amount is paid. In accordance with the terms and conditions of the Resolution, the City may call this Note for redemption and payment on or after February 1, 2011, by serving written notice to that effect on the owner of this Note at least thirty (30) days before the date of such call and it may redeem this Note on the date of such call upon payment to the owner hereof of the principal of and interest accrued to the date of such call and no further interest shall accrue on the Note subsequent to such date of redemption.

. The principal of and interest on this Note shall be payable in lawful money of the United States of America by check or draft at the office of the Treasurer of the State of Kansas, Topeka, Kansas, (the “Note Registrar” and “Paying Agent”), upon presentation of this Note for payment and cancellation. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Note and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS NOTE ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Note have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas; that this Note is negotiable and constitutes a general obligation of the City; that this Note and any outstanding notes and bonds previously issued for the improvement described herein do not exceed the estimated cost and expense of said improvement; and that the total indebtedness of said City, including this series of Notes, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the said City of Topeka, in the State of Kansas, by its Governing Body, has caused this Temporary Note to be signed by its Mayor or Deputy Mayor and attested by its City Clerk, and has caused its corporate seal to be affixed hereto, all as of the 29th day of September, 2010.

ATTEST:

____
Mayor, City of Topeka, Shawnee County, Kansas

____
City Clerk

(SEAL)

This Note shall not be negotiable unless and until countersigned below following registration by the Treasurer of the State of Kansas.

____

(SEAL) City Clerk

****

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Note is one of the City of Topeka, Kansas, Temporary Notes, Series 2010-A (Combined Utility Projects), described in the within mentioned Resolution.

Registration Date: ___________________.

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
As Note Registrar and Paying Agent

I.D. No. _____________________ By_______________________________

****

CITY CLERK'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I, the undersigned, City Clerk of the City of Topeka, Kansas, do hereby certify that the within Temporary Note of the City of Topeka, Kansas, was duly registered in my office according to law, and that the signatures thereto are genuine.

WITNESS My Hand and Official Seal as of this 29th day of September, 2010.

____

(SEAL) City Clerk of the City of Topeka,
Shawnee County, Kansas

****

STATE TREASURER'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I, DENNIS MCKINNEY, Treasurer of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of this Temporary Note has been filed in my office and that this Note has been registered in my office according to law this _____ day of September, 2010.

WITNESS My Hand and Official Seal.

DENNIS MCKINNEY
Treasurer of the State of Kansas

BY:______________________________
(SEAL) State Treasurer

****

NOTE ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

____

(Note Assignment)

____

____

(Social Security or Taxpayer Identifying No.)

the Temporary Note to which this assignment is affixed in the outstanding principal amount of $_____________ standing in the name of undersigned on the books of the Treasurer of the State of Kansas, Topeka, Kansas, the Note Registrar. The undersigned does (do) hereby irrevocably constitute and appoint ________________________ as attorney to transfer said Note on the books of the Note Registrar with full power of substitution in the premises.

Dated___________

____
Name

____
Social Security or Taxpayer Identifying No.

____
Signature (Sign Here Exactly as Name(s) Appear on Face of Certificate)

Face of Certificate SignatureGuaranteed By:

____
(Name of Eligible Guarantor Institution as defined by SEC Rule 17Ad-15 (17CFR 240.17 Ad-15)

By:_________________________________

****

FURTHER TERMS AND CONDITIONS

This Note is one of a duly authorized series of Temporary Notes aggregating the principal amount of $2,945,000 (the "Notes") issued by the City to finance, on an interim basis, the construction of certain improvements, heretofore duly authorized by the City, which are to be paid for either in whole or in part by the issuance of bonds of the City. This Note and the series of which it is a part are issued by the City to pay the cost of such improvements until money for such purpose and for the payment of this Note with accrued interest, if any, thereon can be raised by the City by the sale and issuance of its general obligation bonds. This Note and the series of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of Resolution No. ______ of the City (the "Resolution"), the Constitution and Laws of the State of Kansas, including Article 12, Section 5 of the Constitution to the State of Kansas, K.S.A. 10-101 to 125, inclusive, and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City) and all acts amendatory thereof and supplemental thereto.

The Notes are being issued by means of a book-entry system with no physical distribution of certificates to be made except as provided in the Resolution. One Note certificate with respect to each date on which the Notes are stated to mature, registered in the nominee name of the securities depository named in the Resolution, together with its successors and assigns (the "Securities Depository"), is being issued. The book-entry system will evidence positions held in the Notes by the Securities Depository's participants, beneficial ownership of the Notes in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository and its participants. The City will recognize the Securities Depository nominee, while the registered owner of this Note, as the owner of this Note for all purposes, including (i) payments of principal of and interest on this Note, (ii) notices and (iii) voting. Transfers of principal and interest payments to participants of the Securities Depository, and transfers of principal and interest payments to beneficial owners of the Notes by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficials owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the registered owner of this Note, notwithstanding the provision hereinabove contained, payments of principal of and interest on this Note shall be made in accordance with existing arrangements among the City, its Paying Agent and the Securities Depository.

EXCEPT AS OTHERWISE PROVIDED IN THE RESOLUTION, THIS NOTE MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY. The City may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of the principal hereof and interest due hereon and for all other purposes. This Note is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the office of the Note Registrar upon receipt by the Note Registrar of a duplicate original counterpart of the document by which the assignment or reassignment is made, disclosing the name and address of each such assignee. Upon receipt of such notice of assignment, the Paying Agent agrees to make all payments to the assignee designated in the assignment. The City shall pay out of the proceeds of the Notes, or from other lawfully available funds, all costs incurred in connection with the issuance, transfer, exchange, redemption or payment of the Notes except (a) fees and expenses in connection with the replacement of any of the Notes mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange or payment of the Notes.

****

Section 5. That the Notes shall be issued and sold to ________________, ___________, __________, in accordance with both the Note Bid Form (the "Note Bid Form") between such Original Purchaser and the City, the execution of which Note Bid Form is authorized hereby and by the other terms and conditions of this Resolution.

Section 6. That the City may call the Notes for redemption and payment prior to maturity in whole or in part, (selection of the Notes to be redeemed to be determined by the City) at any time on or after February 1, 2011, at the redemption price (the "Redemption Price") of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the date of such redemption (the "Redemption Date").

Notes shall be redeemed only in the principal amount of $5,000 or any integral multiple thereof. When less than all of the Notes are to be redeemed and paid prior to their stated maturity, such Notes shall be redeemed in such manner as the City shall determine. Notes of less than a full stated maturity shall be selected by the Note Registrar in $5,000 units of principal amount in such equitable manner as the Note Registrar may determine. In the case of a partial redemption of Notes by lot when Notes of denominations greater than $5,000 are then outstanding, then for all purposes in connection with such redemption each $5,000 of face value shall be treated as though it were a separate Note of the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any Note is selected for redemption, then upon notice of intention to redeem such $5,000 unit or units, the Registered Owner or the Registered Owner's duly authorized agent shall forthwith present and surrender such Note to the Note Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of such $5,000 unit or units of face value called for redemption, and (2) for exchange without charge to the Registered Owner thereof, for a new Note or Notes of the aggregate principal amount of the unredeemed portion of the principal amount of such Note. If the Registered Owner of any such Note fails to present such Note to the Paying Agent for payment and exchange as aforesaid, such Note shall, nevertheless, become due and payable on the redemption date to the extent of the $5,000 unit or units of face value called for redemption (and to that extent only).

Unless waived by any Registered Owner of Notes to be redeemed, if the City shall call any Notes for redemption and payment prior to the stated maturity thereof, the City shall give written notice of its intention to call and pay said Notes to the Note Registrar, and the Underwriter. In addition, the City shall in accordance with the requirements of K.S.A. 10-129, as amended, cause the Note Registrar to give written notice of redemption to the Registered Owners of said Notes. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information: (a) the Redemption Date; (b) the Redemption Price; (c) if less than all outstanding Notes are to be redeemed, the identification (and, in the case of partial redemption of any Notes, the respective principal amounts) of the Notes to be redeemed; (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Note or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and (e) the place where such Notes are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent. The failure of any Registered Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the City shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Notes or portions of Notes that are to be redeemed on such Redemption Date. Official notice of redemption having been given as aforesaid, the Notes or portions of Notes to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Notes or portion of Notes shall cease to bear interest.

In addition to the foregoing notice, the Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Note.

Section 7. That the City covenants and certifies to and for the benefit of the Owners of the Notes from time to time outstanding that so long as any of the Notes remain outstanding, moneys on deposit in any fund or account in connection with the Notes, whether or not such moneys were derived from the proceeds of the sale of the Notes or from any other sources, will not be used in a manner which will cause the Notes to be classified as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). Pursuant to such covenant, the City shall, to the extent permitted by law, comply throughout the term of the issue of the Notes and thereafter with the requirements of Section 148 of the Code including, but not limited to, the rebate of certain amounts, if any, to the United States.

Section 8. That the City covenants to take all action necessary in order to maintain the exclusion under Section 103 of the Code of the interest on the Notes from gross income for federal income tax purposes.

Section 9. That the forms of the *Preliminary Official Statement* and the *Official Statement*, both of which will be dated as of the date set forth thereon, all in the form presented at the meeting at which this Resolution is adopted, are hereby approved, ratified and confirmed, and the execution, circulation and distribution thereof are hereby approved, ratified and confirmed for and on behalf of the City, in substantially the form presented at this meeting.

Section 10. That the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate attached to the Final Certificate of the City included in the transcript of proceedings regarding the Notes. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default of the City's obligations either under this Resolution or in connection with the Notes; provided, however, any owner of the Notes may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

ADOPTED by the Governing Body of the City of Topeka, Kansas, this 31st day of August, 2010.

CITY OF TOPEKA, KANSAS

(SEAL)

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

I, BRENDA YOUNGER, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. ______ adopted and approved by the governing body of the City on August 31, 2010.

(SEAL)

____
Brenda Younger, City Clerk

EXHIBIT A

LETTER OF REPRESENTATIONS

(ATTACHED)

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr. authorizing and directing the issuance of Temporary Notes, Series 2010-B (General Improvements) of the City of Topeka, Kansas, in the aggregate principal amount of $24,995,000 for the purpose of providing funds to pay the cost of (i) renewing a portion of the principal amount of the Series 2009-B temporary notes of said City, dated October 28, 2009, and (ii) pay a portion of the cost of certain improvements in said City.

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(The resolution would approve issuance of temporary notes to provide interim financing for previously approved City public improvement projects and improvement district projects.)

POLICY ISSUE:

Whether to provide temporary financing for city and improvement district public improvement projects.

STAFF RECOMMENDATION:

Approve the resolution.

BACKGROUND:

The notes provide interim financing for 30 separate projects that have received prior City Council authorization. Of the total, 20 or $19.7 million are improvement district projects, with the remaining 10 or $5.3 million and 10 being City public improvements.

BUDGETARY IMPACT:

The principal and interest on these temporary notes will be permanently financed by General Obligation Bonds.

SOURCE OF FUNDING:

The improvement project debt will be paid from special assessments. The City projects will be paid from property tax revenue and other legally available revenue in the Bond and Interest Fund.

Item #20

ATTACHMENTS:

Resolution

100810 5

RESOLUTION NO. ________

A RESOLUTION INTRODUCED BY CITY MANAGER NORTON N. BONAPARTE, JR. AUTHORIZING AND DIRECTING THE ISSUANCE OF TEMPORARY NOTES, SERIES 2010-B (GENERAL IMPROVEMENTS) OF THE CITY OF TOPEKA, KANSAS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $24,995,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF (i) RENEWING A PORTION OF THE PRINCIPAL AMOUNT OF THE SERIES 2009-B TEMPORARY NOTES OF SAID CITY, DATED OCTOBER 28, 2009, AND (ii) PAY A PORTION OF THE COST OF CERTAIN IMPROVEMENTS IN SAID CITY.

WHEREAS, pursuant to K.S.A. 12-6a01 *et seq*., as amended, the home rule authority granted to the cities of the State of Kansas by Section 5 of Article 12 of the Kansas Constitution, and Charter Ordinance No. 89 of the City of Topeka, Kansas, (the “City”) (Section A12-1 of the Code of the City) and all other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had and other actions duly and legally taken, the City has approved the following internal improvements (the “Improvements”):

(a) Drainage Improvement Project No. 15079-00;

(b) Water Line Improvement Project No. 28642-00;

(c) Sanitary Sewer Improvement Project No. 40898-01;

(d) Sanitary Sewer Improvement Project No. 40936-00;

(e) Sanitary Sewer Improvement Project No. 40945-00;

(f) Sanitary Sewer Improvement Project No. 40951-01;

(g) Sanitary Sewer Improvement Project No. 40967-00;

(h) Sanitary Sewer Improvement Project No. 40970-00;

(i) Sanitary Sewer Improvement Project No. 40973-00;

(j) Street Improvement Project No. 60610-02;

(k) Street Improvement Project No. 60619-00;

(l) Street Improvement Project No. 60625-00;

(m) Street Improvement Project No. 60632-01;

(n) Street Improvement Project No. 60635-01;

(o) Street Improvement Project No. 60638-00;

(p) Street Improvement Project No. 60641-00;

(q) Street Improvement Project No. 60645-00;

(r) Street Improvement Project No. 60655-00;

(s) Street Improvement Project No. 70203-00;

(t) Street Improvement Project No. 70196-02;

(u) Street Improvement Project No. 70123-01;

(v) Bridge Improvement Project No. 12045-00

(w) Bridge Improvement Project No. 12065-00

(x) Fire Station Improvement Project No. 13153-00;

(y) Trafficway Improvement Project No. 14134-00;

(z) Trafficway Improvement Project No. 70209-00

(aa) Park Improvement Project No. 30284-00;

(bb) Park Improvement Project No. 30296-00;

(cc) Park Improvement Project No. 30298-00;

(dd) Park Improvement Project No. 30301-00; and

WHEREAS, the cost of making the Improvements are to be paid in whole or in part by the issuance of general obligation bonds of the City in the manner provided by law; and

WHEREAS, pursuant to Resolution No. 8208 of the City adopted October 6, 2009, the City has issued its Temporary Notes, Series 2009-B, dated October 28, 2009, aggregating the principal amount of $24,890,000 and maturing on November 1, 2010, (the "Series 2009-B Notes") to provide funds to finance certain improvements in the City including Projects Nos. 15079-00, 28642-00, 40898-01, 40936-00, 40945-00, 40951-01, 40970-00, 606120-02, 60619-00, 60625-00, 60632-01, 60635-01, 60638-00, 60641-00, 60645-00, 60655-00, 70203-00, 70196-

02, 13153-00 and 70123-01; as hereinbefore described (the “2009-B Projects”), and all aspects of said Projects will not be fully completed at the maturity of the Series 2009-B Notes; and

WHEREAS, it is necessary for the City to provide cash funds to (i) renew a portion of the Series 2009-B Notes issued to provide financing for the 2009-B Projects and (ii) to meet the City’s obligations incurred in connection with the Improvements prior to the completion of said work and the issuance of the City’s general obligation bonds, and it is desirable and in the interest of the City that such funds be raised by the issuance of temporary notes of the City, said notes to be issued by the City pursuant to the provisions of K.S.A. 10-123, as amended.

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

Section 1.(a) For the purpose of providing funds to (i) renew a portion of the Series 2009-B Notes issued in connection with the 2009-B Projects as hereinbefore described, and (ii) to pay obligations incurred by the City in acquiring and constructing the Improvements, there shall be issued and are hereby authorized to be issued Temporary Notes, Series 2010-B (General Improvements), of the City, in the principal amount not to exceed $24,995,000 (the “Notes”). The Notes will consist of fully registered notes in the denomination of $5,000 or any integral multiple thereof. The Notes shall initially be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, (along with its successors and assigns, the "Securities Depository") to which payments of principal on the Notes will be made by the Treasurer of the State of Kansas (the “Note Registrar” and “Paying Agent”) in lawful money of the United States of America upon presentation of the Notes for payment and cancellation. Individual purchases of Notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in Notes purchased. It is anticipated that during the term of the Notes, the Securities Depository will make book-entry transfers among those financial institutions (the "Participants") for whom it effects book entry transfers and pledges of securities deposited with it from time to time and receive and transmit payment of principal of and interest on the Notes to the Participants until and unless the Note Registrar (hereinafter designated) authenticates and delivers Replacement Notes to the beneficial owners as described in subsection (b). The Notes shall be dated September 29, 2010, shall become due on October 1, 2011, and shall bear interest from said date at the rate of ___________ percent (_________%) per annum. Interest on the Notes shall be payable at the maturity of the Notes on October 1, 2011, (the "Interest Payment Date") to the Registered Owner thereof appearing on the books of the Note Registrar as of the 15th day of the month next preceding the applicable interest payment date (the "Record Date").

(b) (1) If the City determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Notes being issued to any registered owner of any of the Notes ("Registered Owner") other than Cede & Co. is no longer in the best interests of the beneficial owners of the Notes, or (2) if the Note Registrar receives written notice from Participants having interests in not less than 50% of the Notes which are outstanding and unpaid, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Notes being issued to any Registered Owner other than Cede & Co. is no longer in the best interests of the beneficial owners of the Notes, then the Note Registrar shall notify the Registered Owners of such determination or such notice and of the availability of certificates to beneficial owners requesting the same, and the Note Registrar shall register in the name of and authenticate and deliver replacement Notes to the beneficial owners or their nominees in principal amounts representing the interest of each, making such adjustment as it may find necessary or appropriate as to accrued interest; provided, that in the case of a determination under (1)(A) or (1)(B) of this subsection (b), the City may, after consultation with the Note Registrar, select a successor securities depository in accordance with subsection (c) hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Note. Upon the issuance of any replacement Notes ("Replacement Notes"), all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Note Registrar, to the extent applicable with respect to such Replacement Notes. If the Securities Depository resigns and the City is unable to locate a qualified successor of the Securities Depository in accordance with subsection (c) hereof, then the Note Registrar shall authenticate and cause delivery of Replacement Notes to the beneficial owners thereof, as provided herein. The Note Registrar may rely on information from the Securities Depository and its Participants as to the names of the beneficial owners of the Notes. The cost of printing, registration, authentication and delivery of Replacement Notes shall be paid for by the City.

(c) In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository, provided the Note Registrar receives written evidence satisfactory to it with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Note Registrar upon its receipt of any of the Notes for cancellation shall cause the delivery of such Notes to the successor Securities Depository in appropriate denominations and form as provided herein.

(d) The execution and delivery of the Representation Letter to The Depository Trust Company, New York, New York, by the Mayor or Deputy Mayor in the form attached hereto as Exhibit A with such changes, omissions, insertions and revisions as the Mayor or Deputy Mayor shall deem advisable, is hereby authorized, and execution of the Representation Letter by the Mayor or Deputy Mayor shall be conclusive evidence of such approval. The Representation Letter shall set forth certain matters with respect to, among other things, notices, consents and approvals by the owners (both the Registered Owner and beneficial owners) of the Notes and payments of the principal of and interest on the Notes.

Section 2. The Notes shall contain recitals and be in the form as prescribed by law. The Notes, shall in addition to all other requirements, shall be subject to the terms and conditions of the agreement entitled "Agreement Between Issuer and Agent" by and between the City and the Treasurer of the State of Kansas, as Note Registrar.

Section 3. The Notes shall be executed by the facsimile or manual signature of the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk and the seal of the City shall be printed or affixed thereon. After such execution and the registration of the Notes by the City Clerk and the Kansas State Treasurer, Topeka, Kansas, hereby designated as both the City's Note Registrar and Paying Agent in connection with the Notes, the Notes shall be countersigned by the City Clerk or Deputy City Clerk and delivered to the Original Purchaser thereof upon receipt of the purchase price thereof, said purchase price to be not less than the principal amount thereof plus accrued interest thereon to the date of delivery. The proceeds of the Notes shall be placed in the City Treasury and applied solely to pay the costs of (i) renewing the Series 2009-B Notes previously issued to finance the 2009-B Projects as hereinbefore described, (ii) the costs of the Improvements and (iii) the costs of issuing the Notes.

Section 4. The Notes to be issued shall be in substantially the following form:

UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO ISSUER OR ITS AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), **ANY TRANSFER, PLEDGE, OR OTHER USE THEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL** IN AS MUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

Temporary Note No. R-1

$24,995,000 **$24,995,000**

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
SERIES 2010-B
(GENERAL IMPROVEMENTS)

Rate of Interest: _____%	Maturity Date: October 1, 2011	Dated Date: September 29, 2010	CUSIP NO. _______

Registered Owner: Cede & Co.
Principal Amount: Eighteen Million Six Hundred Fifty Thousand Dollars

KNOW ALL MEN BY THESE PRESENTS:

That the City of Topeka, in the County of Shawnee, State of Kansas, (the "City") for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above, or registered assigns as hereinafter provided, on the maturity date identified above, unless called for redemption and payment prior to such maturity date as hereinafter provided, both the principal amount identified above and in like manner to pay interest on such principal amount from the date of this Note until said principal amount is paid. The Notes will not be subject to redemption prior to maturity.

The principal of and interest on this Note shall be payable in lawful money of the United States of America by check or draft at the office of the Treasurer of the State of Kansas, Topeka, Kansas, (the “Note Registrar” and “Paying Agent”), upon presentation of this Note for payment and cancellation. The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Note and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS NOTE ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Note have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas; that this Note is negotiable and constitutes a general obligation of the City; that this Note and any outstanding notes and bonds previously issued for the improvement described herein do not exceed the estimated cost and expense of said improvement; and that the total indebtedness of said City, including this series of Notes, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the said City of Topeka, in the State of Kansas, by its Governing Body, has caused this Temporary Note to be signed by its Mayor or Deputy Mayor and attested by its City Clerk, and has caused its corporate seal to be affixed hereto, all as of the 29th day of September, 2010.

ATTEST:

____
Mayor, City of Topeka, Shawnee County, Kansas

____
City Clerk

(SEAL)

This Note shall not be negotiable unless and until countersigned below following registration by the Treasurer of the State of Kansas.

____

(SEAL) City Clerk

****

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Note is one of the City of Topeka, Kansas, Temporary Notes, Series 2010-B (General Improvements), described in the within mentioned Resolution.

Registration Date: ____________________.

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
As Note Registrar and Paying Agent

I.D. No. ______________________ By__________________________________

****

CITY CLERK'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I, the undersigned, City Clerk of the City of Topeka, Kansas, do hereby certify that the within Temporary Note of the City of Topeka, Kansas, was duly registered in my office according to law, and that the signatures thereto are genuine.

WITNESS My Hand and Official Seal as of this 29th day of September, 2010.

____

(SEAL) City Clerk of the City of Topeka,
Shawnee County, Kansas

****

STATE TREASURER'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I, DENNIS MCKINNEY, Treasurer of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of this Temporary Note has been filed in my office and that this Note has been registered in my office according to law this _____ day of September, 2010.

WITNESS My Hand and Official Seal.

DENNIS MCKINNEY

Treasurer of the State of Kansas

BY:______________________________

(SEAL) State Treasurer

****

NOTE ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

____

(Note Assignment)

____

____

(Social Security or Taxpayer Identifying No.)

the Temporary Note to which this assignment is affixed in the outstanding principal amount of $_____________ standing in the name of undersigned on the books of the Treasurer of the State of Kansas, Topeka, Kansas, the Note Registrar. The undersigned does (do) hereby irrevocably constitute and appoint ________________________ as attorney to transfer said Note on the books of the Note Registrar with full power of substitution in the premises.

Dated___________

____
Name

____
Social Security or Taxpayer Identifying No.

____
Signature (Sign Here Exactly as
Name(s) Appear on Face of Certificate)

Face of Certificate SignatureGuaranteed By:

____
(Name of Eligible Guarantor Institution as defined by SEC Rule 17Ad-15 (17CFR 240.17 Ad-15)

By:_________________________________

****

FURTHER TERMS AND CONDITIONS

This Note is one of a duly authorized series of Temporary Notes aggregating the principal amount of $24,995,000 (the "Notes") issued by the City to finance, on an interim basis, the construction of certain improvements, heretofore duly authorized by the City, which are to be paid for either in whole or in part by the issuance of bonds of the City. This Note and the series of which it is a part are issued by the City to pay the cost of such improvements until money for such purpose and for the payment of this Note with accrued interest, if any, thereon can be raised by the City by the sale and issuance of its general obligation bonds. This Note and the series of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of Resolution No. ______ of the City (the "Resolution"), the Constitution and Laws of the State of Kansas, including Article 12, Section 5 of the Constitution to the State of Kansas, K.S.A. 10-101 to 125, inclusive, K.S.A. 12-6a01 *et seq*., as amended, and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City) and all acts amendatory thereof and supplemental thereto.

The Notes are being issued by means of a book-entry system with no physical distribution of certificates to be made except as provided in the Resolution. One Note certificate with respect to each date on which the Notes are stated to mature, registered in the nominee name of the securities depository named in the Resolution, together with its successors and assigns (the "Securities Depository"), is being issued. The book-entry system will evidence positions held in the Notes by the Securities Depository's participants, beneficial ownership of the Notes in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository and its participants. The City will recognize the Securities Depository nominee, while the registered owner of this Note, as the owner of this Note for all purposes, including (i) payments of principal of and interest on this Note, (ii) notices and (iii) voting. Transfers of principal and interest payments to participants of the Securities Depository, and transfers of principal and interest payments to beneficial owners of the Notes by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficials owners. The City and the Paying Agent will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the registered owner of this Note, notwithstanding the provision hereinabove contained, payments of principal of and interest on this Note shall be made in accordance with existing arrangements among the City, its Paying Agent and the Securities Depository.

EXCEPT AS OTHERWISE PROVIDED IN THE RESOLUTION, THIS NOTE MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY. The City may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of the principal hereof and interest due hereon and for all other purposes. This Note is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the office of the Note Registrar upon receipt by the Note Registrar of a duplicate original counterpart of the document by which the assignment or reassignment is made, disclosing the name and address of each such assignee. Upon receipt of such notice of assignment, the Paying Agent agrees to make all payments to the assignee designated in the assignment. The City shall pay out of the proceeds of the Notes, or from other lawfully available funds, all costs incurred in connection with the issuance, transfer, exchange, redemption or payment of the Notes except (a) fees and expenses in connection with the replacement of any of the Notes mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange or payment of the Notes.

****

Section 5. That the Notes shall be issued and sold to ________________, ___________, __________, in accordance with both the Note Bid Form (the "Note Bid Form") between such Original Purchaser and the City, the execution of which Note Bid Form is authorized hereby and by the other terms and conditions of this Resolution.

Section 6. That the City covenants and certifies to and for the benefit of the Owners of the Notes from time to time outstanding that so long as any of the Notes remain outstanding, moneys on deposit in any fund or account in connection with the Notes, whether or not such moneys were derived from the proceeds of the sale of the Notes or from any other sources, will not be used in a manner which will cause the Notes to be classified as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). Pursuant to such covenant, the City shall, to the extent permitted by law, comply throughout the term of the issue of the Notes and thereafter with the requirements of Section 148 of the Code including, but not limited to, the rebate of certain amounts, if any, to the United States.

Section 7. That the City covenants to take all action necessary in order to maintain the exclusion under Section 103 of the Code of the interest on the Notes from gross income for federal income tax purposes.

Section 8. That the forms of the *Preliminary Official Statement* and the *Official Statement*, both of which will be dated as of the date set forth thereon, all in the form presented at the meeting at which this Resolution is adopted, are hereby approved, ratified and confirmed, and the execution, circulation and distribution thereof are hereby approved, ratified and confirmed for and on behalf of the City, in substantially the form presented at this meeting.

Section 9. That the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate attached to the Final Certificate of the City included in the transcript of proceedings regarding the Notes. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default of the City's obligations either under this

Resolution or in connection with the Notes; provided, however, any owner of the Notes may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

ADOPTED by the Governing Body of the City of Topeka, Kansas, this 31st day of August, 2010.

CITY OF TOPEKA, KANSAS

(SEAL)

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

I, BRENDA YOUNGER, City Clerk of the City of Topeka, Shawnee County, Kansas, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. ______ adopted and approved by the governing body of the City on August 31, 2010.

(SEAL)

____
Brenda Younger, City Clerk

EXHIBIT A

LETTER OF REPRESENTATIONS

(ATTACHED)

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 13, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Jim Langford**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Law Enforcement Fund to support the Third Judicial District Drug Court program.

(Approval would authorize expenditure of $14,000 from tobacco paraphernalia and novelty item license fees to support the District Drug Court program.)

POLICY ISSUE:

Whether to provide revenue to the Shawnee County Drug Court from collected license fees.

STAFF RECOMMENDATION:

Approve the resolution.

BACKGROUND:

Ordinance 18676, passed on July 18, 2006, required licenses to sell tobacco paraphernalia and novelty items and established a $500 annual fee to obtain the license. The license and fee were passed with the intent of generating revenue to support the Third Judicial District Court Drug Court program. Resolutions have been passed annually authorizing expenditures for this purpose. The fees are placed in the Law Fund.

BUDGETARY IMPACT:

$14,000 from the Law Enforcement Fund.

SOURCE OF FUNDING:

Tobacco Paraphernalia and Novelty Item License Fees collected in 2009.

ATTACHMENTS:

Resolution

Item #21

RESOLUTION NO.__________

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Law Enforcement Fund to support the Third Judicial District Drug Court program.

WHEREAS, the Code of the City of Topeka § 3.25.130 requires that expenditures from the Crime Prevention Fund be for crime prevention services and be specifically authorized by resolution of the City Council; and

WHEREAS, the City of Topeka Code § 5.160.010, *et seq.,* requires sellers of tobacco paraphernalia and novelty items within the City to obtain a license to sell such items; and

WHEREAS, revenue collections from the issuance of tobacco paraphernalia and novelty items licenses in 2009 generated fourteen thousand dollars ($14,000.00) in revenue that was deposited into the Law Enforcement Fund; and

WHEREAS, the Third Judicial District has established a Drug Court that offers first-time felony drug offenders education, supervision and treatment as a viable alternative to prosecution and conviction of a felony drug offense; and

WHEREAS, the City Council desires to expend this license fee revenue to support the operations of the Third Judicial District Drug Court.

NOW, THERFORE, BE IT RESOLVED, the Chief of Police, subject to an appropriate contract with the Third Judicial District Drug Court, is authorized to expend fourteen thousand dollars ($14,000.00) from the Law Enforcement Fund to support the operations of Third Judicial District Drug Court.

BE IT FURTHER RESOLVED that any expenditures from the Law Enforcement Fund shall not be used to pay salary, wages or other compensation to any agent, employee or contractor of the City unless otherwise approved by the City Council.

PASSED and APPROVED by the City Council ___________________________.

CITY OF TOPEKA, KANSAS

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 3, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**Brenda Younger**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Applications**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

APPROVAL of Retail Cereal Malt Beverage License Applications.

Voting Requirement: Majority of the Governing Body, including the Mayor.

(Pursuant to K.S.A. 41-2702 application for license must be approved by the Governing Body prior to the issuance of the license.)

POLICY ISSUE:

None

STAFF RECOMMENDATION:

Approve the licenses.

BACKGROUND:

Pursuant to K.S.A. 41-2702 as amended, license applications for retail cereal malt beverage must be approved by the governing body prior to issuance of the license.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available

Item #22

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**JIM LANGFORD/KEJ**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**WEEKLY EXPENDITURES**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of August 9 2010, through August 15, 2010, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approves expenditures for the period August 9, 2010 through August 15, 2010, in the amount of $4,600,976.17.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

Weekly Expenditures

SUMMARY REPORT AP WEEK ENDING 8/15/10

DETAIL REPORT AP WEEK ENDING 8/15/10

DETAIL REPORT CB55 WEEK ENDING 8/15/10

Item #23

(Published in the Topeka Metro News ____)

ORDINANCE NO. _________________

AN ORDINANCE introduced by City Manager Norton N. Bonaparte Jr., allowing and approving City expenditures for the period of August 9, 2010, through August 15, 2010, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

Section 3.

Total for 213 vendor checks written in this period	1,017,205.66
Total vendor checks voided in this period (net)	(0.00)
Total electronic transfers to vendors in this period	1,012,844.82
Total net payroll to employees this period	1,652,235.97
Total payroll related electronic transfers this period	918,689.72
Total for expenditures in this period	$4,600,976.17

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council ____________________________.

ATTEST:

____
William W. Bunten, Mayor

____
Brenda Younger, City Clerk

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number		Check Amount
Electronic Payments				
6584	08/13/2010	COOK & FISHER LLP	1088	9,660.00
6585	08/13/2010	MCANANY, VAN CLEAVE AND PHILLI	6758	3,470.85
6586	08/13/2010	MCVAY LAW OFFICE LLC	3322	2,000.00
6587	08/13/2010	PARKER AND HAY LLP	3818	1,888.50
6588	08/13/2010	WHITNEY B DAMRON PA	5418	1,035.71
6589	08/13/2010	GERALD K BIGGS	6257	78.00
6590	08/13/2010	GILCHRIST, SCOTT D	1890	465.05
6591	08/13/2010	THOMPSON, STEPHEN J	4971	14.00
6592	08/13/2010	WHITE JR, WILLIAM J	5405	50.60
6593	08/13/2010	ZELLER, DANIEL	5590	130.74
6594	08/13/2010	A-1 RENTAL INC	20	340.00
6595	08/13/2010	A-CUT ABOVE LAWN LLC	6541	2,347.29
6596	08/13/2010	AAA ALLIED GROUP INC	22	3,272.50
6597	08/13/2010	ACISS SYSTEMS INC	40	6,386.50
6598	08/13/2010	AMERIPRIDE	197	1,709.87
6599	08/13/2010	BARTLETT & WEST ENGINEERS	391	141,624.00
6600	08/13/2010	BLUE BELL CREAMERIES LP	526	679.92
6601	08/13/2010	BLUE CROSS BLUE SHIELD INC	528	88,218.03
6602	08/13/2010	BLUE CROSS BLUE SHIELD OF KANS	530	5,461.10
6603	08/13/2010	BLUE DOT INC	531	2,100.00
6604	08/13/2010	CELERITAS TECHNOLOGIES LLC	859	600.00
6605	08/13/2010	CONTINENTAL ANALYTICAL SERVICE	1081	160.00
6606	08/13/2010	COPY CENTER OF TOPEKA	1107	1,310.00
6607	08/13/2010	CRAIG LAWSON PAINTING	1159	1,700.00
6608	08/13/2010	CREATIVE LANDSCAPING	1166	1,964.04
6609	08/13/2010	CROSS MIDWEST TIRE INC	1183	1,981.10
6610	08/13/2010	DANKO EMERGENCY EQUIPMENT COMP	1248	159.00
6611	08/13/2010	DEER OAKS EAP SERVICES LLC	1297	4,612.50
6612	08/13/2010	DELTA DENTAL OF KANSAS INC	1323	19,043.40
6613	08/13/2010	DIAMOND INTERNATIONAL INC	1347	26.31
6614	08/13/2010	DIGITAL REPROGRAPHICS LLC	1358	428.90
6615	08/13/2010	EDWARDS CHEMICALS INC	1488	150.00
6616	08/13/2010	FISHER, KEN	1694	1,950.00
6617	08/13/2010	HALL FLOOR COVERING	2054	4,700.00
6618	08/13/2010	HERNLY ASSOCIATES INC	2214	1,050.00
6619	08/13/2010	INLAND BUSINESS SYSTEMS INC	2404	263.00
6620	08/13/2010	INTERSTATE ELEVATOR INC	2438	219.44
6621	08/13/2010	IREY, MARVIN W	2443	750.00
6622	08/13/2010	ISS FACILITY SERVICES INC	2447	2,194.65
6623	08/13/2010	ITG CONSULTING INC	2449	4,820.00
6624	08/13/2010	J W LAWN SERVICE	2468	7,000.39
6625	08/13/2010	KAN EQUIPMENT INC	2621	5,070.44
6626	08/13/2010	KANSAS GAS SERVICE INC	2707	13.89
6627	08/13/2010	KEY STAFFING INC	2849	1,893.75
6628	08/13/2010	LIBERTY FRUIT COMPANY INC	3057	2,733.45
6629	08/13/2010	LIGHTHOUSE CONTRACTING INC	3061	1,500.00
6630	08/13/2010	LT TRUCKING & TRENCHING	3126	22,800.90
6631	08/13/2010	MICHAEL & SONS INC	3377	2,520.00
6632	08/13/2010	MISSISSIPPI LIME CO INC	3471	54,572.20
6633	08/13/2010	MOORE PLUMBING INC	3506	1,500.00
6634	08/13/2010	NEENAN COMPANY	3649	655.93
6635	08/13/2010	O REILLY AUTO PARTS	3714	769.34
6636	08/13/2010	OXFORD GLOBAL RESOURCES INC	3788	120.00
6637	08/13/2010	POTWIN POTTERY	3983	1,275.00
6638	08/13/2010	PRODIGY YOUTH SOCCER ASSOCIATI	6565	720.00
6639	08/13/2010	PROFESSIONAL ENGINEERING	4018	57,404.90
6640	08/13/2010	R & R VENTURES OF TOPEKA	4065	3,507.00
6641	08/13/2010	RAY ALLEN MANUFACTURING CO INC	4115	5,224.90
6642	08/13/2010	RAY O HERRON COMPANY	4118	176.58

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number		Check Amount
6643	08/13/2010	RED THE UNIFORM TAILOR INC	4131	340.20
6644	08/13/2010	REIN, LINNEA S	4166	1,195.50
6645	08/13/2010	RINNER CONSTRUCTION CO INC	6581	21,244.50
6646	08/13/2010	SANTA FE SIDING COMPANY	4373	12,620.00
6647	08/13/2010	SELLERS EQUIPMENT INC	4470	7,997.38
6648	08/13/2010	SIEMENS WATER TECHNOLOGIES COR	4555	12,035.74
6649	08/13/2010	SOUND PRODUCTS INC	4663	46.56
6650	08/13/2010	SPARKS, HARLEY E	4685	5,434.58
6651	08/13/2010	STEPHENS, BILL	4746	1,300.00
6652	08/13/2010	TERRY'S PLUMBING	4908	8,505.00
6653	08/13/2010	TOPEKA CEMETERY INC	5019	25,000.00
6654	08/13/2010	TOPEKA YOUTH PROJECT INC	5060	3,564.00
6655	08/13/2010	TRUCK PARTS & EQUIPMENT INC	5102	346.55
6656	08/13/2010	UNIVERSAL SYSTEMS INC	5161	2,813.64
6657	08/13/2010	VETERINARY MEDICAL & SURGICAL	5222	2,472.86
6658	08/13/2010	VICTOR L PHILLIPS COMPANY INC	5225	88.85
6659	08/13/2010	VITAL SUPPORT SYSTEMS	5239	432.00
6660	08/13/2010	WALKER TOWEL & UNIFORM SERVICE	5266	257.60
6661	08/13/2010	WINGFOOT COMMERCIAL TIRE SYSTE	5494	155.92
6662	08/13/2010	WOOLPERT INC	5533	26,120.00
6663	08/13/2010	YWCA OF TOPEKA	5583	2,344.12
6664	08/13/2010	MEDTRAK SERVICES LLC	3330	87,249.96
6665	08/13/2010	DEAN, ROBERT	1290	240.00
6666	08/13/2010	EDISON, MARY	1486	175.00
6667	08/13/2010	MCCOY, SHANE	3275	1,171.80
6668	08/13/2010	SMITH, TOMMIE	4638	64.00
6669	08/13/2010	TENNAL, KENTON D	4897	300.00
6670	08/13/2010	WHYE, ROLAND A	5423	34.00
6671	08/13/2010	ZABALA, DAWN L	6607	280.00
6672	08/13/2010	AFSCME MISSOURI STATE COUNCIL	83	1,814.40
6673	08/13/2010	ALLSTATE WORKPLACE DIV / SHORT	147	2,056.07
6674	08/13/2010	ALLSTATE WORKPLACE DIV/CANCER	148	4,628.64
6675	08/13/2010	CITY OF TOPEKA FRIENDSHIP FUND	948	314.20
6676	08/13/2010	FIREMENS OFF DUTY RELIEF FUND	1676	2,656.00
6677	08/13/2010	ING AETNA FINANCIAL SERVICES	2397	45,039.61
6678	08/13/2010	INTERNATIONAL ASSOC OF FIREFIG	2424	6,664.38
6679	08/13/2010	KANSAS ASSOC OF PUBLIC EMPLOYE	2630	2,091.60
6680	08/13/2010	UNITED WAY OF GREATER TOPEKA	5157	1,092.84
6681	08/13/2010	BETTIS ASPHALT & CONSTRUCTION	470	1,700.10
6682	08/13/2010	CAPITAL BELT & SUPPLY INC	776	175.20
6683	08/13/2010	CAPITAL CITY OIL CO INC	778	59,797.80
6684	08/13/2010	CONTECH CONSTRUCTION PRODUCTS	1079	2,234.08
6685	08/13/2010	EMCON INC	1523	78,489.85
6686	08/13/2010	JCI INDUSTRIES INC	2507	20,219.00
6687	08/13/2010	JOHNSON CONTROLS INC	2546	18,658.00
6688	08/13/2010	KEY EQUIPMENT & SUPPLY CO	2847	512.06
6689	08/13/2010	LINDYSPRING WATER LLC	3071	48.90
6690	08/13/2010	LINWELD INC	3073	14.42
6691	08/13/2010	PIPING CONTRACTORS OF KANSAS I	3947	520.80
6692	08/13/2010	SALISBURY SUPPLY COMPANY INC	4352	88.59
6693	08/13/2010	TAZCO INC	4885	3,102.50
6694	08/13/2010	TOPEKA ELECTRIC MOTOR REPAIR I	5025	2,376.82
6695	08/13/2010	WHITE STAR MACHINERY & SUPPLY	5408	1,481.43
6696	08/13/2010	A-1 RENTAL INC	20	330.00
6697	08/13/2010	AAA ALLIED GROUP INC	22	115.50
6698	08/13/2010	KEY STAFFING INC	2849	2,037.50
6699	08/13/2010	LANGUAGE LINE SERVICES INC	2967	285.45
6700	08/13/2010	MORNING STAR CONSTRUCTION INC	3524	2,979.00
6701	08/13/2010	PEPSI COLA OF TOPEKA	3887	825.96
6702	08/13/2010	SOUND PRODUCTS INC	4663	46.56

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number		Check Amount
6703	08/13/2010	JOHNSON CONTROLS INC	2546	37,969.00
6704	08/13/2010	LINWELD INC	3073	175.13
		Total for Electronic Payments		**1,012,844.82**
Check Payments				
677179	08/09/2010	BOYD, DAVID L	6782	48.37
677180	08/09/2010	BECK, LOREN	412	304.00
677181	08/10/2010	BINSWANGER GLASS INC	493	154.19
677182	08/10/2010	CARQUEST OF TOPEKA	814	1,067.88
677183	08/10/2010	CERTUS ARCHITECTURAL ENGINEERI	876	5,040.00
677184	08/10/2010	COMMERCIAL DOOR & SUPPLY LLC	1046	2,490.00
677185	08/10/2010	CONRAD FIRE EQUIPMENT INC	1073	1,456.64
677186	08/10/2010	CONSOLIDATED RURAL WATER DIST	1075	2,710.92
677187	08/10/2010	COYLE SUPPLY INC	6560	10,468.30
677188	08/10/2010	CUSTOM TREE CARE	1216	875.00
677189	08/10/2010	DOORSTEP INC	1385	9,242.28
677190	08/10/2010	ELECTRONICS SUPPLY CO INC	1505	3,085.90
677191	08/10/2010	FACTORY MOTOR PARTS COMPANY	5676	138.93
677192	08/10/2010	FORENSIC PSYCHOLOGY ASSOCIATES	1742	960.00
677193	08/10/2010	GENERAL CHEMICAL PERFORMANCE	1864	35,171.64
677194	08/10/2010	GRAYBEAL CONSTRUCTION CO INC	1978	44,915.71
677195	08/10/2010	HERRMAN'S EXCAVATING INC	2218	16,366.50
677196	08/10/2010	JAMES M LEIGHTON	5776	695.00
677197	08/10/2010	KANSAS RIVER WATER ASSURANCE	2742	6,062.22
677198	08/10/2010	LOWER HEATING & A/C INC	3119	2,884.00
677199	08/10/2010	MIDWAY WHOLESALE TOPEKA	3405	57.50
677200	08/10/2010	OMB POLICE SUPPLY	3746	75.58
677201	08/10/2010	SCHENDEL SERVICES INC	4390	196.15
677202	08/10/2010	SHAWNEE COUNTY SHERIFF'S OFFIC	4520	1,012.48
677203	08/10/2010	SUNFLOWER SOCCER ASSOCIATION I	4818	145.00
677204	08/10/2010	TIFCO INDUSTRIES	4988	1,498.03
677205	08/10/2010	BUILDERS RISK PLAN	696	95.97
677206	08/10/2010	ULTRAMAX AMMUNITION	5126	7,938.00
677207	08/10/2010	WELLS, MARIE	5361	1,296.00
677208	08/10/2010	YOUR HOMETOWN INFLATABLE	5579	600.00
677261	08/10/2010	CUES	1196	1,015.10
677262	08/10/2010	MCCRAY LUMBER COMPANY	3280	751.92
677263	08/10/2010	MEIERS READY MIX	3338	2,187.00
677264	08/10/2010	NEAL & SONS CONSTRUCTION INC	3643	4,008.60
677265	08/10/2010	OLDCASTLE PRECAST INC - VANGUA	3739	213.09
677266	08/10/2010	TFM COMM INC	4914	891.31
677267	08/13/2010	BUTLER & ASSOCIATES PA	730	623.78
677268	08/13/2010	CAVANAUGH AND LEMON PA	849	735.00
677269	08/13/2010	E LOU BJORGAARD PROBASCO	1460	704.89
677270	08/13/2010	EISENBARTH & ASSOCIATES	1495	2,111.50
677271	08/13/2010	NEWMAN REYNOLDS & RIFFEL	3671	37.59
677272	08/13/2010	STUMBO HANSON LLP	4803	387.50
677273	08/13/2010	VALENTINE & ZIMMERMAN PA	5186	493.96
677274	08/13/2010	ACTION SIGNS TO GO	43	395.00
677275	08/13/2010	AMERICAN PRESORT	177	12,659.40
677276	08/13/2010	AT&T	282	838.17
677277	08/13/2010	BERRY TRACTOR & EQUIPMENT CO	463	163.95
677278	08/13/2010	BOZARTH CHEVROLET	578	235.09
677279	08/13/2010	BRIDGESTONE FIRESTONE NORTH	617	39.50
677280	08/13/2010	BROWNS SUPER SERVICE INC	670	86.00
677281	08/13/2010	BUILDERS RISK PLAN	696	95.97
677282	08/13/2010	CARQUEST OF TOPEKA	814	209.64
677283	08/13/2010	CONRAD FIRE EQUIPMENT INC	1073	804.10
677284	08/13/2010	CONSOLIDATED RURAL WATER	1076	1,100.00
677285	08/13/2010	COREFIRST BANK & TRUST	1111	5,565.01
677286	08/13/2010	COYLE SUPPLY INC	6560	190.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number		Check Amount
677287	08/13/2010	ESPOSITO, JOHN	1566	60.00
677288	08/13/2010	ESPOSITO, JOHN	1566	200.00
677289	08/13/2010	FACTORY MOTOR PARTS COMPANY	5676	74.23
677290	08/13/2010	FEDERAL SIGNAL CORPORATION	1630	48.26
677291	08/13/2010	HAWK SYSTEMS INC	6540	36,062.40
677292	08/13/2010	KANSAS AUTOMOTIVE INC	2639	1,083.13
677293	08/13/2010	KANSAS CITY FREIGHTLINER SALES	2654	130.59
677294	08/13/2010	KANSAS DEPARTMENT OF REVENUE	6574	359.62
677295	08/13/2010	KEEP AMERICA BEAUTIFUL INC	2805	3,000.00
677296	08/13/2010	LAIRD NOLLER FORD INC	2939	642.03
677297	08/13/2010	LEE'S TRUCK INC	3021	174.62
677298	08/13/2010	LUNDQUIST, BARBARA	6554	1,600.00
677299	08/13/2010	LYON COUNTY SHERIFF'S OFFICE	3150	1,350.00
677300	08/13/2010	PAPANS LANDING SENIOR CENTER I	3811	4,033.07
677301	08/13/2010	POLYDYNE INC	5879	14,344.00
677302	08/13/2010	POWERPLAN	5769	4,337.80
677303	08/13/2010	RDR EXCAVATING	4125	33,487.14
677304	08/13/2010	SHAWNEE COUNTY DEPT OF PUBLIC	4504	98,589.97
677305	08/13/2010	SHAWNEE COUNTY EXTENSION COUNC	4508	24.00
677306	08/13/2010	SHAWNEE COUNTY REGISTER DEEDS	4519	208.00
677307	08/13/2010	STANDARD BATTERY INC	4718	550.88
677308	08/13/2010	SUPERIOR SIGNALS INC	6761	143.00
677309	08/13/2010	THE LAUNDRY CHUTE	4931	480.75
677310	08/13/2010	TOPEKA GENERATOR EXCHANGE	5030	1,377.00
677311	08/13/2010	TOPEKA POWERSPORTS INC	5042	22.98
677312	08/13/2010	TROY WESTRUM INC	6789	1,045.00
677313	08/13/2010	ULTRAMAX AMMUNITION	5126	4,912.00
677314	08/13/2010	UMB BANK NA	5127	2,881.58
677315	08/13/2010	WESTAR ENERGY	5376	25.42
677325	08/13/2010	ARMSTRONG, CHARLES	256	153.00
677326	08/13/2010	BECK, LOREN	412	96.00
677327	08/13/2010	BROWNE JR, THOMAS P	664	85.00
677328	08/13/2010	BRYAN CLEMENTS	6138	64.00
677329	08/13/2010	BRYANT, RANDY	685	144.00
677330	08/13/2010	DITCH, GREG	1363	102.00
677331	08/13/2010	EZELL, HARRY	1597	221.00
677332	08/13/2010	HARRIS, WARREN S	2111	96.00
677333	08/13/2010	HENDERSON, WADDIE L	2186	68.00
677334	08/13/2010	HUNT, RON	6013	102.00
677335	08/13/2010	JONES, ANTWAUN	2580	156.00
677336	08/13/2010	CARY SR, KANONAE S	6803	39.00
677337	08/13/2010	KENNEDY, BRIAN	2832	187.00
677338	08/13/2010	KLINE, MARC	2887	68.00
677339	08/13/2010	LEWIS, JOHN	6172	32.00
677340	08/13/2010	LUNA, NARCISO	3138	136.00
677341	08/13/2010	LUTTERMAN, ERIC	3144	238.00
677342	08/13/2010	PERRY, MICHAEL	6147	103.00
677343	08/13/2010	MOCK, CLYDE	3485	102.00
677344	08/13/2010	PAUL WOBUS	6165	102.00
677345	08/13/2010	PEARSON, ALYSSA MARIE	6797	750.00
677346	08/13/2010	PLACHECKI, THOMAS E	3951	51.00
677347	08/13/2010	QUARLES II, NORMAN W	4051	195.00
677348	08/13/2010	RABE, CHRISTIAN M	6595	52.00
677349	08/13/2010	REGINALD MOORE	5992	102.00
677350	08/13/2010	ROAN,RICHARD	6150	156.00
677351	08/13/2010	SCHULZ, JASON A	4420	112.00
677352	08/13/2010	SMITH, CARL E	4616	56.00
677353	08/13/2010	SMITH, ERNEST E	6156	408.00
677354	08/13/2010	TERRY SPANGLER	5951	128.00
677355	08/13/2010	THEIS, KENNY	4947	96.00

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number		Check Amount
677356	08/13/2010	TOPEKA ROUND UP CLUB	5049	4,860.00
677357	08/13/2010	CALIFORNIA STATE DISBURSEMENT	753	86.54
677358	08/13/2010	SMITH, CARL E	4616	78.47
677359	08/13/2010	SMITH, CARL E	4616	128.03
677360	08/13/2010	FAMILY SUPPORT PAYMENT CENTER	6780	225.00
677361	08/13/2010	FRATERNAL ORDER OF POLICEMEN	1773	8,913.72
677362	08/13/2010	JAN HAMILTON CHAPTER 13 TRUSTE	2494	5,731.94
677363	08/13/2010	NATIONAL GUARDIAN LIFE INSURAN	5737	2,884.23
677364	08/13/2010	ROSANNE "SOTO" REYES	4283	286.15
677365	08/13/2010	SECURITY BENEFIT GROUP	5742	19,503.34
677366	08/13/2010	SUPPORT PAYMENT CLEARINGHOUSE	4831	239.08
677367	08/13/2010	TEAMSTERS LOCAL UNION # 696	4892	587.00
677368	08/13/2010	UNITED STATES TREASURY	5155	831.37
677369	08/13/2010	UNITED STATES TREASURY	5156	92.31
677370	08/13/2010	WILLIAM GRIFFIN CHAPTER 13 TRU	5446	1,102.69
677371	08/13/2010	WISCONSIN SUPPORT COLLECTIONS	5503	87.69
677372	08/13/2010	WPC LOCAL UNION	5544	610.90
677373	08/13/2010	FASTENAL COMPANY	1619	26.96
677374	08/13/2010	MEIERS READY MIX	3338	418.00
677375	08/13/2010	NEAL & SONS CONSTRUCTION INC	3643	4,563.45
677376	08/13/2010	NORTHEAST KANSAS HYDRAULICS IN	3705	372.64
677377	08/13/2010	OLDCASTLE PRECAST INC - VANGUA	3739	1,360.00
677378	08/13/2010	SAMCO	4355	660.00
677379	08/13/2010	SHAWNEE COUNTY REFUSE DEPT	4518	544,381.32
677380	08/13/2010	TOPEKA BATTERY INC	5014	136.78
677381	08/13/2010	SANDBERG, CONNIE	6823	240.00
677382	08/13/2010	ALMANZA, DAVID	6818	100.00
677383	08/13/2010	INGENTHRON, VALERIE	6820	50.00
677384	08/13/2010	MEDFORCE TECHNOLOGY	6821	100.00
677385	08/13/2010	CANFIELD, MICHAEL	6819	30.08
677386	08/13/2010	PAYLESS SHOESOURCE	6822	50.00
677387	08/13/2010	SEARS	6824	100.00
677388	08/13/2010	TARGET	6825	50.00
677389	08/13/2010	WAGEMAKER, WILLIAM	6826	50.00
677390	08/13/2010	LOBB, CAREY	3083	102.00
677391	08/13/2010	LOBB, CAREY	3083	306.00
			Total for Check Payments	**1,008,588.42**
			TOTAL OF PAYMENTS	**2,021,433.24**

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
Electronic Payments					
6584	08/13/2010	COOK & FISHER LLP	1088		9,660.00
8				9,660.00	
6585	08/13/2010	MCANANY, VAN CLEAVE AND PHILLI	6758		3,470.85
384693				435.00	
386555				3,035.85	
6586	08/13/2010	MCVAY LAW OFFICE LLC	3322		2,000.00
637				2,000.00	
6587	08/13/2010	PARKER AND HAY LLP	3818		1,888.50
6523				1,401.00	
6524				487.50	
6588	08/13/2010	WHITNEY B DAMRON PA	5418		1,035.71
558989 7				1,035.71	
6589	08/13/2010	GERALD K BIGGS	6257		78.00
40387.6590	EE-SAFETY BOOTS(FOP)			78.00	
6590	08/13/2010	GILCHRIST, SCOTT D	1890		465.05
40365.3993	ADV- LAS VEGAS, NV 8/15-21/10			465.05	
6591	08/13/2010	THOMPSON, STEPHEN J	4971		14.00
40394.3634	lasvegas 7/27-8/1			14.00	
6592	08/13/2010	WHITE JR, WILLIAM J	5405		50.60
40389.6270	hutchinson7/26-29/10			50.60	
6593	08/13/2010	ZELLER, DANIEL	5590		130.74
40381.3146	SAFETY BOOTS			130.74	
6594	08/13/2010	A-1 RENTAL INC	20		340.00
11257				170.00	
11802				170.00	
6595	08/13/2010	A-CUT ABOVE LAWN LLC	6541		2,347.29
7010				1,795.29	
7011				552.00	
6596	08/13/2010	AAA ALLIED GROUP INC	22		3,272.50
260197				38.50	
260198				38.50	
260335				38.50	
260336				38.50	
260442				38.50	
260443				38.50	
260444				38.50	
260446				38.50	
260447				38.50	
260538				38.50	
260539				38.50	
260540				38.50	
260546				38.50	
260567				38.50	
260568				38.50	
260572				38.50	
260573				38.50	
260575				38.50	
260576				38.50	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number	Check Amount
260578			38.50
260579			38.50
260580			38.50
260582			38.50
260611			38.50
260619			38.50
260626			38.50
260628			38.50
260730			38.50
260732			38.50
260733			38.50
260736			38.50
260738			38.50
260741			38.50
260742			38.50
261076			38.50
261081			38.50
261082			38.50
261085			38.50
261124			38.50
261125			38.50
261126			38.50
261127			38.50
261128			38.50
261131			38.50
261133			38.50
261134			38.50
261140			38.50
261141			38.50
261142			38.50
261166			38.50
261169			38.50
261172			38.50
261176			38.50
261223			38.50
261239			38.50
261240			38.50
261259			38.50
261261			38.50
261263			38.50
261264			38.50
261265			38.50
261266			38.50
261271			38.50
261276			38.50
261278			38.50
261280			38.50
261281			38.50
261304			38.50
261306			38.50
261309			38.50
261312			38.50
261313			38.50
261354			38.50
261359			38.50
261361			38.50
261364			38.50
261365			38.50
261366			38.50
261401			38.50
261402			38.50

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
261403				38.50	
261405				38.50	
261457				38.50	
261503				38.50	
261552				38.50	
6597	08/13/2010	ACISS SYSTEMS INC	40		6,386.50
99573				6,386.50	
6598	08/13/2010	AMERIPRIDE	197		1,709.87
T687372				72.07	
T687935				124.28	
T687936				61.21	
T687937				52.52	
T687938				13.40	
T689811				72.07	
T690377				124.28	
T690378				61.21	
T690379				52.52	
T690380				13.40	
T692043				72.07	
T692616				124.28	
T692617				61.21	
T692618				52.52	
T692619				13.40	
T692936				169.29	
T693934				17.75	
T694292				66.55	
T694311				29.75	
T694855				124.28	
T694856				61.21	
T694857				52.52	
T694858				13.40	
T695184				35.39	
T695185				169.29	
6599	08/13/2010	BARTLETT & WEST ENGINEERS	391		141,624.00
730024897				4,530.00	
730024960				110,484.00	
730024961				17,700.00	
730025052				2,130.00	
730025195				620.00	
730025362				2,620.00	
730025425				3,540.00	
6600	08/13/2010	BLUE BELL CREAMERIES LP	526		679.92
0480802940				367.44	
0480803032				312.48	
6601	08/13/2010	BLUE CROSS BLUE SHIELD INC	528		88,218.03
W/E 8/10/10	Blue Cross Claims for 8/10			88,218.03	
6602	08/13/2010	BLUE CROSS BLUE SHIELD OF KANS	530		5,461.10
558555 14				1,804.20	
558555 15				3,656.90	
6603	08/13/2010	BLUE DOT INC	531		2,100.00
188903				2,100.00	
6604	08/13/2010	CELERITAS TECHNOLOGIES LLC	859		600.00
17879				600.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
6605	08/13/2010	CONTINENTAL ANALYTICAL SERVICE	1081		160.00
128907				160.00	
6606	08/13/2010	COPY CENTER OF TOPEKA	1107		1,310.00
099708				1,310.00	
6607	08/13/2010	CRAIG LAWSON PAINTING	1159		1,700.00
1220 CLAY				1,700.00	
6608	08/13/2010	CREATIVE LANDSCAPING	1166		1,964.04
14510				982.02	
14511				982.02	
6609	08/13/2010	CROSS MIDWEST TIRE INC	1183		1,981.10
20136409				214.50	
20137399				21.00	
20137781				117.90	
20137966				536.75	
20138313				126.15	
20138350				10.50	
20138577				18.75	
20138619				21.00	
20138637				312.50	
20138641				11.00	
20138642				10.50	
20138654				309.25	
20138742				167.05	
20138777				104.25	
6610	08/13/2010	DANKO EMERGENCY EQUIPMENT COMP	1248		159.00
29628				159.00	
6611	08/13/2010	DEER OAKS EAP SERVICES LLC	1297		4,612.50
TOPEKA 709				4,612.50	
6612	08/13/2010	DELTA DENTAL OF KANSAS INC	1323		19,043.40
WE 072910				8,203.20	
WE 080510				10,840.20	
6613	08/13/2010	DIAMOND INTERNATIONAL INC	1347		26.31
T151880				26.31	
6614	08/13/2010	DIGITAL REPROGRAPHICS LLC	1358		428.90
30348				428.90	
6615	08/13/2010	EDWARDS CHEMICALS INC	1488		150.00
96468				150.00	
6616	08/13/2010	FISHER, KEN	1694		1,950.00
559786				1,950.00	
6617	08/13/2010	HALL FLOOR COVERING	2054		4,700.00
4209				4,700.00	
6618	08/13/2010	HERNLY ASSOCIATES INC	2214		1,050.00
9447				150.00	
9448				150.00	
9454				150.00	
9456				300.00	
9458				150.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
9696				150.00	
6619	08/13/2010	INLAND BUSINESS SYSTEMS INC	2404		263.00
0083246 IN				263.00	
6620	08/13/2010	INTERSTATE ELEVATOR INC	2438		219.44
6005				219.44	
6621	08/13/2010	IREY, MARVIN W	2443		750.00
10037				500.00	
557095 5				250.00	
6622	08/13/2010	ISS FACILITY SERVICES INC	2447		2,194.65
4466				2,194.65	
6623	08/13/2010	ITG CONSULTING INC	2449		4,820.00
2822				4,820.00	
6624	08/13/2010	J W LAWN SERVICE	2468		7,000.39
77770				347.16	
77783				1,568.15	
77784				893.95	
77785				940.59	
77786				315.06	
77787				733.37	
77789				1,320.42	
77790				881.69	
6625	08/13/2010	KAN EQUIPMENT INC	2621		5,070.44
6 161791				44.05	
6 161967				250.79	
6 162378				60.80	
6W111025				1,227.51	
6W111151				1,124.10	
6W111152				163.74	
6W111177				868.79	
6W111178				1,330.66	
6626	08/13/2010	KANSAS GAS SERVICE INC	2707		13.89
510000343201072164 6				13.89	
6627	08/13/2010	KEY STAFFING INC	2849		1,893.75
3010235				493.75	
3010538				400.00	
3010609				500.00	
3010691				500.00	
6628	08/13/2010	LIBERTY FRUIT COMPANY INC	3057		2,733.45
387369				215.15	
389532				265.05	
391917				284.90	
393712				241.90	
396131				238.90	
400222				254.05	
402312				228.00	
403674				279.00	
405531				42.45	
407009				207.25	
408862				284.55	
411112				192.25	

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Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
6629	08/13/2010	LIGHTHOUSE CONTRACTING INC	3061		1,500.00
10031 FINAL				1,500.00	
6630	08/13/2010	LT TRUCKING & TRENCHING	3126		22,800.90
1588				19,987.00	
1595				2,813.90	
6631	08/13/2010	MICHAEL & SONS INC	3377		2,520.00
257395				2,520.00	
6632	08/13/2010	MISSISSIPPI LIME CO INC	3471		54,572.20
909928				2,893.04	
910405				2,831.56	
910734				2,866.36	
910942				2,842.00	
911084				2,881.44	
911454				2,843.16	
911657				2,980.04	
911855				2,847.80	
912045				2,900.00	
912809				2,944.08	
912888				2,846.64	
913100				2,900.00	
913304				2,876.80	
913627				2,881.44	
913637				2,852.44	
914016				2,842.00	
914247				2,786.32	
914360				2,854.76	
914470				2,902.32	
6633	08/13/2010	MOORE PLUMBING INC	3506		1,500.00
2010245				1,500.00	
6634	08/13/2010	NEENAN COMPANY	3649		655.93
S1687110 001				431.93	
S1691785 001				224.00	
6635	08/13/2010	O REILLY AUTO PARTS	3714		769.34
0152 158943				6.27	
0152 158966				21.28	
0152 159245				22.45	
0152 159273				120.67	
0152 159357				151.25	
0152 159558				0.96	
0152 159559				2.99	
0152 159722				21.28	
0152 159878				183.48	
0152 159901				46.97	
0152 159917				4.38	
0152 159925				150.41	
0152 159926				15.99	
0191 217033				20.96	
6636	08/13/2010	OXFORD GLOBAL RESOURCES INC	3788		120.00
953819				120.00	
6637	08/13/2010	POTWIN POTTERY	3983		1,275.00
559812 2				125.00	
559812 3				75.00	
559812 4				200.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
559812 FINAL				500.00	
559813 2				90.00	
559813 3				45.00	
559813 4				60.00	
559813 FINAL				75.00	
559814 1				30.00	
559814 2				60.00	
559814 3				15.00	
6638	08/13/2010	PRODIGY YOUTH SOCCER ASSOCIATI	6565		720.00
560236				720.00	
6639	08/13/2010	PROFESSIONAL ENGINEERING	4018		57,404.90
608053				31,526.20	
608094				18,901.20	
608103				6,977.50	
6640	08/13/2010	R & R VENTURES OF TOPEKA	4065		3,507.00
2010 12				1,323.00	
2010 13				2,184.00	
6641	08/13/2010	RAY ALLEN MANUFACTURING CO INC	4115		5,224.90
255119				3,774.90	
256610				1,450.00	
6642	08/13/2010	RAY O HERRON COMPANY	4118		176.58
1016222 IN				176.58	
6643	08/13/2010	RED THE UNIFORM TAILOR INC	4131		340.20
R8764				340.20	
6644	08/13/2010	REIN, LINNEA S	4166		1,195.50
552235				66.00	
552236				30.00	
552237				28.00	
552238				93.00	
552239				24.00	
552240				10.50	
552242				18.00	
552243				14.00	
552245				3.50	
552246				3.50	
552247				19.50	
552250				61.50	
588301				7.00	
588302				56.00	
588303				7.00	
588305				64.00	
588306				39.00	
588308				22.00	
588310				95.50	
588311				120.00	
588312				10.50	
588313				19.00	
588315				55.00	
588317				10.00	
588318				30.00	
588320				71.00	
588322				29.00	
588323				25.00	
588325				7.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
588327				31.00	
588328				7.00	
588330				20.00	
588331				32.00	
588332				57.00	
588333				10.00	
6645	08/13/2010	RINNER CONSTRUCTION CO INC	6581		21,244.50
559942 1				21,244.50	
6646	08/13/2010	SANTA FE SIDING COMPANY	4373		12,620.00
1466				12,620.00	
6647	08/13/2010	SELLERS EQUIPMENT INC	4470		7,997.38
IC213685				24.38	
IW209377				7,973.00	
6648	08/13/2010	SIEMENS WATER TECHNOLOGIES COR	4555		12,035.74
8414672				5,480.24	
8414676				6,555.50	
6649	08/13/2010	SOUND PRODUCTS INC	4663		46.56
3095415 IN				46.56	
6650	08/13/2010	SPARKS, HARLEY E	4685		5,434.58
559134 7				5,434.58	
6651	08/13/2010	STEPHENS, BILL	4746		1,300.00
63010				1,300.00	
6652	08/13/2010	TERRY'S PLUMBING	4908		8,505.00
2010259				7,555.00	
881327				950.00	
6653	08/13/2010	TOPEKA CEMETERY INC	5019		25,000.00
559484 2				25,000.00	
6654	08/13/2010	TOPEKA YOUTH PROJECT INC	5060		3,564.00
1007				3,141.00	
1008				423.00	
6655	08/13/2010	TRUCK PARTS & EQUIPMENT INC	5102		346.55
263639				53.13	
263690				37.16	
263900				207.63	
263992				48.63	
6656	08/13/2010	UNIVERSAL SYSTEMS INC	5161		2,813.64
349036				2,813.64	
6657	08/13/2010	VETERINARY MEDICAL & SURGICAL	5222		2,472.86
46743				2,472.86	
6658	08/13/2010	VICTOR L PHILLIPS COMPANY INC	5225		88.85
WT29230				88.85	
6659	08/13/2010	VITAL SUPPORT SYSTEMS	5239		432.00
40113				432.00	
6660	08/13/2010	WALKER TOWEL & UNIFORM SERVICE	5266		257.60
1262428				21.60	

Check No.	Check Date	Vendor Name and Number			Check Amount
1263527				16.90	
1263528				2.40	
1263529				27.70	
1263530				3.60	
1263531				15.00	
1263532				11.60	
1263537				8.00	
1268933				16.90	
1268934				2.40	
1268935				27.70	
1268936				3.60	
1268937				15.00	
1268938				11.60	
1268943				8.00	
1270627				21.60	
1270628				12.45	
1271172				7.65	
1271173				23.90	
6661	08/13/2010	WINGFOOT COMMERCIAL TIRE SYSTE	5494		155.92
123 1036410				155.92	
6662	08/13/2010	WOOLPERT INC	5533		26,120.00
2010004826				26,120.00	
6663	08/13/2010	YWCA OF TOPEKA	5583		2,344.12
558970 3				2,344.12	
6664	08/13/2010	MEDTRAK SERVICES LLC	3330		87,249.96
86885				85,149.96	
WT153				2,100.00	
6665	08/13/2010	DEAN, ROBERT	1290		240.00
8/8/10ASBRD	Adult Softball			240.00	
6666	08/13/2010	EDISON, MARY	1486		175.00
559085 7				175.00	
6667	08/13/2010	MCCOY, SHANE	3275		1,171.80
10 210				1,171.80	
6668	08/13/2010	SMITH, TOMMIE	4638		64.00
8/8/10ASBTS	Adult Softball			64.00	
6669	08/13/2010	TENNAL, KENTON D	4897		300.00
560231				300.00	
6670	08/13/2010	WHYE, ROLAND A	5423		34.00
8/8/10ASBRW	Adult Softball			34.00	
6671	08/13/2010	ZABALA, DAWN L	6607		280.00
560065				280.00	
6672	08/13/2010	AFSCME MISSOURI STATE COUNCIL	83		1,814.40
20100813-1	Pay Period Ending 8/13/10			1,814.40	
6673	08/13/2010	ALLSTATE WORKPLACE DIV / SHORT	147		2,056.07
20100813-2	Pay Period Ending 8/13/11			2,056.07	
6674	08/13/2010	ALLSTATE WORKPLACE DIV/CANCER	148		4,628.64
20100813-3	Pay Period Ending 8/13/12			4,628.64	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
6675	08/13/2010	CITY OF TOPEKA FRIENDSHIP FUND	948		314.20
20100813-5		Pay Period Ending 8/13/14		314.20	
6676	08/13/2010	FIREMENS OFF DUTY RELIEF FUND	1676		2,656.00
20100813-7		Pay Period Ending 8/13/16		2,656.00	
6677	08/13/2010	ING AETNA FINANCIAL SERVICES	2397		45,039.61
20100813-10		Pay Period Ending 8/13/19		41,808.72	
20100813-9		Pay Period Ending 8/13/18		3,230.89	
6678	08/13/2010	INTERNATIONAL ASSOC OF FIREFIG	2424		6,664.38
20100813-11		Pay Period Ending 8/13/20		6,678.12	
20100813-12		Pay Period Ending 8/13/21		-13.74	
6679	08/13/2010	KANSAS ASSOC OF PUBLIC EMPLOYE	2630		2,091.60
20100813-14		Pay Period Ending 8/13/23		2,091.60	
6680	08/13/2010	UNITED WAY OF GREATER TOPEKA	5157		1,092.84
20100813-24		Pay Period Ending 8/13/33		1,092.84	
6681	08/13/2010	BETTIS ASPHALT & CONSTRUCTION	470		1,700.10
559416 2				1,700.10	
6682	08/13/2010	CAPITAL BELT & SUPPLY INC	776		175.20
38177				23.85	
38855				28.65	
38942				122.70	
6683	08/13/2010	CAPITAL CITY OIL CO INC	778		59,797.80
83896				28,480.74	
84248				30,193.34	
DA 579				1,123.72	
6684	08/13/2010	CONTECH CONSTRUCTION PRODUCTS	1079		2,234.08
80 07 0017				250.56	
80 07 0018				344.52	
80 07 0161				1,639.00	
6685	08/13/2010	EMCON INC	1523		78,489.85
559645 4				78,489.85	
6686	08/13/2010	JCI INDUSTRIES INC	2507		20,219.00
8016938				20,219.00	
6687	08/13/2010	JOHNSON CONTROLS INC	2546		18,658.00
00027470299				18,658.00	
6688	08/13/2010	KEY EQUIPMENT & SUPPLY CO	2847		512.06
213010				24.72	
213048				280.94	
213121				206.40	
6689	08/13/2010	LINDYSPRING WATER LLC	3071		48.90
535946				11.90	
542036				21.00	
543292				8.00	
543652				8.00	
6690	08/13/2010	LINWELD INC	3073		14.42
TO26306				14.42	

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Check No.	Check Date	Vendor Name and Number			Check Amount
6691	08/13/2010	PIPING CONTRACTORS OF KANSAS I	3947		520.80
18411				520.80	
6692	08/13/2010	SALISBURY SUPPLY COMPANY INC	4352		88.59
00950387				6.04	
00952212				51.80	
00952488				4.75	
00953350				26.00	
6693	08/13/2010	TAZCO INC	4885		3,102.50
2396				3,102.50	
6694	08/13/2010	TOPEKA ELECTRIC MOTOR REPAIR I	5025		2,376.82
30979				240.00	
31197				1,548.15	
31198				588.67	
6695	08/13/2010	WHITE STAR MACHINERY & SUPPLY	5408		1,481.43
06043956				25.98	
06044374				30.98	
06044562				19.99	
06044660				24.99	
06044764				62.96	
06044810				89.91	
06044811				71.94	
06044815				188.97	
06044850				49.98	
06044906				207.97	
06045008				48.97	
06045103				9.98	
06045111				16.98	
06045198				22.99	
06045359				75.95	
06045437				11.99	
06045527				23.99	
06045539				30.99	
06045543				139.98	
06045550				109.99	
06045559				13.99	
06045561				171.97	
06045596				29.99	
6696	08/13/2010	A-1 RENTAL INC	20		330.00
11799				90.00	
11801				240.00	
6697	08/13/2010	AAA ALLIED GROUP INC	22		115.50
260630				38.50	
261145				38.50	
261282				38.50	
6698	08/13/2010	KEY STAFFING INC	2849		2,037.50
3010316				456.25	
3010467				450.00	
3010539				200.00	
3010610				431.25	
3010692				500.00	
6699	08/13/2010	LANGUAGE LINE SERVICES INC	2967		285.45
2552780				285.45	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
6700	08/13/2010	MORNING STAR CONSTRUCTION INC	3524		2,979.00
10021				2,979.00	
6701	08/13/2010	PEPSI COLA OF TOPEKA	3887		825.96
16048037				109.40	
1604812				29.70	
16048124				44.55	
16048176				678.53	
3043508CR				-196.00	
3043636				159.78	
6702	08/13/2010	SOUND PRODUCTS INC	4663		46.56
3096644 IN				46.56	
6703	08/13/2010	JOHNSON CONTROLS INC	2546		37,969.00
1 1125805622				37,969.00	
6704	08/13/2010	LINWELD INC	3073		175.13
R575502				108.57	
R575503				20.14	
R575504				46.42	
		Total for Electronic Payments			**1,012,844.82**
Check Payments					
677179	08/09/2010	BOYD, DAVID L	6782		48.37
720106782	Franchise Fee Refund Claim Yea			48.37	
677180	08/09/2010	BECK, LOREN	412		304.00
7/18/10ASBLB	Adult Softball			96.00	
7/25/10ASBLB	Adult Softball			128.00	
8/1/10ASBLB	Adult Softball			80.00	
677181	08/10/2010	BINSWANGER GLASS INC	493		154.19
59324312				154.19	
677182	08/10/2010	CARQUEST OF TOPEKA	814		1,067.88
2261 91833				355.96	
2261 91869				711.92	
677183	08/10/2010	CERTUS ARCHITECTURAL ENGINEERI	876		5,040.00
1119				5,040.00	
677184	08/10/2010	COMMERCIAL DOOR & SUPPLY LLC	1046		2,490.00
C 9231				2,490.00	
677185	08/10/2010	CONRAD FIRE EQUIPMENT INC	1073		1,456.64
466034				858.08	
466420				547.05	
466713				51.51	
677186	08/10/2010	CONSOLIDATED RURAL WATER DIST	1075		2,710.92
560158 JULY 10				2,710.92	
677187	08/10/2010	COYLE SUPPLY INC	6560		10,468.30
364191 1				10,106.80	
365303 1				361.50	
677188	08/10/2010	CUSTOM TREE CARE	1216		875.00
1540				875.00	

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Check No.	Check Date	Vendor Name and Number			Check Amount
677189	08/10/2010	DOORSTEP INC	1385		9,242.28
10 YSS D1				9,242.28	
677190	08/10/2010	ELECTRONICS SUPPLY CO INC	1505		3,085.90
1317256				3,085.90	
677191	08/10/2010	FACTORY MOTOR PARTS COMPANY	5676		138.93
40 1078243				138.93	
677192	08/10/2010	FORENSIC PSYCHOLOGY ASSOCIATES	1742		960.00
559293 5				960.00	
677193	08/10/2010	GENERAL CHEMICAL PERFORMANCE	1864		35,171.64
90339325				11,395.44	
90340872				11,757.20	
90343504				12,019.00	
677194	08/10/2010	GRAYBEAL CONSTRUCTION CO INC	1978		44,915.71
559598 3				44,915.71	
677195	08/10/2010	HERRMAN'S EXCAVATING INC	2218		16,366.50
559652 1				16,366.50	
677196	08/10/2010	JAMES M LEIGHTON	5776		695.00
LNJ 4414				695.00	
677197	08/10/2010	KANSAS RIVER WATER ASSURANCE	2742		6,062.22
2010 100				6,062.22	
677198	08/10/2010	LOWER HEATING & A/C INC	3119		2,884.00
7251				2,884.00	
677199	08/10/2010	MIDWAY WHOLESALE TOPEKA	3405		57.50
1127086				57.50	
677200	08/10/2010	OMB POLICE SUPPLY	3746		75.58
P018242000012				75.58	
677201	08/10/2010	SCHENDEL SERVICES INC	4390		196.15
21035774				196.15	
677202	08/10/2010	SHAWNEE COUNTY SHERIFF'S OFFIC	4520		1,012.48
2010 41				1,012.48	
677203	08/10/2010	SUNFLOWER SOCCER ASSOCIATION I	4818		145.00
559895 1				145.00	
677204	08/10/2010	TIFCO INDUSTRIES	4988		1,498.03
70606653				1,498.03	
677205	08/10/2010	BUILDERS RISK PLAN	696		95.97
JUNE 2010				95.97	
677206	08/10/2010	ULTRAMAX AMMUNITION	5126		7,938.00
115636				7,938.00	
677207	08/10/2010	WELLS, MARIE	5361		1,296.00
227				1,296.00	
677208	08/10/2010	YOUR HOMETOWN INFLATABLE	5579		600.00
7272010				600.00	

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Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
677261	08/10/2010	CUES	1196		1,015.10
329288				309.88	
329401				705.22	
677262	08/10/2010	MCCRAY LUMBER COMPANY	3280		751.92
158305				65.28	
158624				15.50	
159050				147.95	
159059				213.78	
159180				28.80	
159194				1.79	
159210				48.24	
159262				86.59	
159322				143.99	
677263	08/10/2010	MEIERS READY MIX	3338		2,187.00
294945				978.50	
294980				927.00	
295242				143.00	
295321				138.50	
677264	08/10/2010	NEAL & SONS CONSTRUCTION INC	3643		4,008.60
47326				4,008.60	
677265	08/10/2010	OLDCASTLE PRECAST INC - VANGUA	3739		213.09
120017399				33.09	
120017445				180.00	
677266	08/10/2010	TFM COMM INC	4914		891.31
88739				595.00	
89008				65.95	
89115				230.36	
677267	08/13/2010	BUTLER & ASSOCIATES PA	730		623.78
08131009L000195BELK				158.14	
08131009L007924BELK				158.14	
08131009L009010FOR(				226.03	
08131010L003642SACH				81.47	
677268	08/13/2010	CAVANAUGH AND LEMON PA	849		735.00
32165				735.00	
677269	08/13/2010	E LOU BJORGAARD PROBASCO	1460		704.89
08131001L005024BELK				158.13	
08131004L022140NEW				203.58	
08131009L001296FOR(				26.12	
08131009L022611THOI				88.02	
08131010L005666GREI				229.04	
677270	08/13/2010	EISENBARTH & ASSOCIATES	1495		2,111.50
72010				2,111.50	
677271	08/13/2010	NEWMAN REYNOLDS & RIFFEL	3671		37.59
08131009L021825				37.59	
677272	08/13/2010	STUMBO HANSON LLP	4803		387.50
46492				137.50	
46629				250.00	
677273	08/13/2010	VALENTINE & ZIMMERMAN PA	5186		493.96

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Check No.	Check Date	Vendor Name and Number			Check Amount
08131008L005498				132.40	
08131009L000251FROS				26.12	
08131009L021266				37.58	
08131010L006575COLL				297.86	
677274	08/13/2010	ACTION SIGNS TO GO	43		395.00
41811				125.00	
41819				270.00	
677275	08/13/2010	AMERICAN PRESORT	177		12,659.40
JULY 2010				12,384.27	
0738033665 072510				275.13	
677276	08/13/2010	AT&T	282		838.17
0780773571 072510				838.17	
677277	08/13/2010	BERRY TRACTOR & EQUIPMENT CO	463		163.95
03005344				163.95	
677278	08/13/2010	BOZARTH CHEVROLET	578		235.09
571899				50.60	
572098				184.49	
677279	08/13/2010	BRIDGESTONE FIRESTONE NORTH	617		39.50
13850				39.50	
677280	08/13/2010	BROWNS SUPER SERVICE INC	670		86.00
78761				86.00	
677281	08/13/2010	BUILDERS RISK PLAN	696		95.97
JUNE 2010V2				95.97	
677282	08/13/2010	CARQUEST OF TOPEKA	814		209.64
2261 92666				209.64	
677283	08/13/2010	CONRAD FIRE EQUIPMENT INC	1073		804.10
466637				304.52	
466647				24.77	
466712				38.91	
466745				159.66	
466752				62.64	
466755				213.60	
677284	08/13/2010	CONSOLIDATED RURAL WATER	1076		1,100.00
10128				1,100.00	
677285	08/13/2010	COREFIRST BANK & TRUST	1111		5,565.01
JULY 2010				5,565.01	
677286	08/13/2010	COYLE SUPPLY INC	6560		190.00
365767 1				190.00	
677287	08/13/2010	ESPOSITO, JOHN	1566		60.00
PSO7062010				60.00	
677288	08/13/2010	ESPOSITO, JOHN	1566		200.00
PFR632010				200.00	
677289	08/13/2010	FACTORY MOTOR PARTS COMPANY	5676		74.23
8 460636				74.23	

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Check No.	Check Date	Vendor Name and Number			Check Amount
677290	08/13/2010	FEDERAL SIGNAL CORPORATION	1630		48.26
93912344				48.26	
677291	08/13/2010	HAWK SYSTEMS INC	6540		36,062.40
05999				36,062.40	
677292	08/13/2010	KANSAS AUTOMOTIVE INC	2639		1,083.13
2313421				6.32	
2313435				0.54	
2313459				385.00	
2313626				10.76	
2313648				2.70	
2313727				18.31	
2313750				2.68	
2313798				41.09	
2313825				41.04	
2313826				6.25	
2313949				41.90	
2313955				44.67	
2313965				2.36	
2313992				9.92	
2314003				30.73	
2314046				20.96	
2314069				3.06	
2314076				7.14	
2314114				3.13	
2314131				10.81	
2314150				34.45	
2314186				4.84	
2314208				7.35	
2314248				2.36	
2314341				12.50	
2314344				35.95	
2314417				3.99	
2314527				4.12	
2314589				10.51	
2314725				4.56	
2314729				7.30	
2314787				94.39	
2314920				18.45	
2314927				9.00	
2315031				5.72	
2315041				20.92	
2315077				47.68	
2315102				52.75	
2315112				6.38	
2315157				3.40	
2315199				7.14	
677293	08/13/2010	KANSAS CITY FREIGHTLINER SALES	2654		130.59
1215303				130.59	
677294	08/13/2010	KANSAS DEPARTMENT OF REVENUE	6574		359.62
08131009ST002527KN(				359.62	
677295	08/13/2010	KEEP AMERICA BEAUTIFUL INC	2805		3,000.00
559310 3				3,000.00	
677296	08/13/2010	LAIRD NOLLER FORD INC	2939		642.03
1064891				6.93	
1064937				461.47	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
1065091				93.65	
1065092				79.98	
677297	08/13/2010	LEE'S TRUCK INC	3021		174.62
19445				174.62	
677298	08/13/2010	LUNDQUIST, BARBARA	6554		1,600.00
560013 3				1,600.00	
677299	08/13/2010	LYON COUNTY SHERIFF'S OFFICE	3150		1,350.00
558909 6				1,350.00	
677300	08/13/2010	PAPANS LANDING SENIOR CENTER I	3811		4,033.07
SS2010				4,033.07	
677301	08/13/2010	POLYDYNE INC	5879		14,344.00
544975				14,344.00	
677302	08/13/2010	POWERPLAN	5769		4,337.80
03 328797				383.55	
03 328881				1,919.00	
03 328897				49.50	
03 328910				173.79	
03 328915				604.46	
328888				1,207.50	
677303	08/13/2010	RDR EXCAVATING	4125		33,487.14
8095				33,487.14	
677304	08/13/2010	SHAWNEE COUNTY DEPT OF PUBLIC	4504		98,589.97
20100084504	This is a redo of batch 43			98,589.97	
677305	08/13/2010	SHAWNEE COUNTY EXTENSION COUNC	4508		24.00
10165				24.00	
677306	08/13/2010	SHAWNEE COUNTY REGISTER DEEDS	4519		208.00
558739 17				208.00	
677307	08/13/2010	STANDARD BATTERY INC	4718		550.88
R19457				550.88	
677308	08/13/2010	SUPERIOR SIGNALS INC	6761		143.00
249555				143.00	
677309	08/13/2010	THE LAUNDRY CHUTE	4931		480.75
0237 45				96.15	
0237 46				96.15	
0237 47				96.15	
0237 48				96.15	
0237 49				96.15	
677310	08/13/2010	TOPEKA GENERATOR EXCHANGE	5030		1,377.00
33406				172.95	
33407				91.10	
33410				1,112.95	
677311	08/13/2010	TOPEKA POWERSPORTS INC	5042		22.98
118135				22.98	
677312	08/13/2010	TROY WESTRUM INC	6789		1,045.00
2001				1,045.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
677313	08/13/2010	ULTRAMAX AMMUNITION	5126		4,912.00
112341				4,912.00	
677314	08/13/2010	UMB BANK NA	5127		2,881.58
PCARD08062010				34,135.78	
PCARD08102010				-61,005.37	
PCARD08112010				29,751.17	
677315	08/13/2010	WESTAR ENERGY	5376		25.42
4279170904JUL10				25.42	
677325	08/13/2010	ARMSTRONG, CHARLES	256		153.00
8/8/10ASBCA	Adult Softball			153.00	
677326	08/13/2010	BECK, LOREN	412		96.00
8/8/10ASBLB	Adult Softball			96.00	
677327	08/13/2010	BROWNE JR, THOMAS P	664		85.00
8/8/10ASBTB	Adult Softball			85.00	
677328	08/13/2010	BRYAN CLEMENTS	6138		64.00
8/8/10ASBCBC	Adult Softball			64.00	
677329	08/13/2010	BRYANT, RANDY	685		144.00
8/8/10ASBRB	Adult Softball			144.00	
677330	08/13/2010	DITCH, GREG	1363		102.00
8/8/10ASBGD	Adult Softball			102.00	
677331	08/13/2010	EZELL, HARRY	1597		221.00
8/8/10ASBHE	Adult Softball			221.00	
677332	08/13/2010	HARRIS, WARREN S	2111		96.00
8/8/10ASBWH	Adult Softball			96.00	
677333	08/13/2010	HENDERSON, WADDIE L	2186		68.00
8/8/10ASBWH2	Adult Softball			68.00	
677334	08/13/2010	HUNT, RON	6013		102.00
8/8/10ASBRH	Adult Softball			102.00	
677335	08/13/2010	JONES, ANTWAUN	2580		156.00
8/8/10ASBAJ	Adult Softball			156.00	
677336	08/13/2010	CARY SR, KANONAE S	6803		39.00
8/8/10ASBKC	Adult Softball			39.00	
677337	08/13/2010	KENNEDY, BRIAN	2832		187.00
8/8/10ASBBK	Adult Softball			187.00	
677338	08/13/2010	KLINE, MARC	2887		68.00
8/8/10ASBMK	Adult Softball			68.00	
677339	08/13/2010	LEWIS, JOHN	6172		32.00
8/8/10ASBJL	Adult Softball			32.00	
677340	08/13/2010	LUNA, NARCISO	3138		136.00
8/8/10ASBNL	Adult Softball			136.00	
677341	08/13/2010	LUTTERMAN, ERIC	3144		238.00

Check No.	Check Date	Vendor Name and Number			Check Amount
8/8/10ASBEL		Adult Softball		238.00	
677342	08/13/2010	PERRY, MICHAEL	6147		103.00
8/8/10SBMP				103.00	
677343	08/13/2010	MOCK, CLYDE	3485		102.00
8/8/10ASBCM		Adult Softball		102.00	
677344	08/13/2010	PAUL WOBUS	6165		102.00
8/8/10ASBPW		Adult Softball		102.00	
677345	08/13/2010	PEARSON, ALYSSA MARIE	6797		750.00
10024				750.00	
677346	08/13/2010	PLACHECKI, THOMAS E	3951		51.00
8/8/10ASBTP		Adult Softball		51.00	
677347	08/13/2010	QUARLES II, NORMAN W	4051		195.00
8/8/10ASBNQ		Adult Softball		195.00	
677348	08/13/2010	RABE, CHRISTIAN M	6595		52.00
8/8/10ASBCR		Adult Softball		52.00	
677349	08/13/2010	REGINALD MOORE	5992		102.00
8/8/10ASBRM		Adult Softball		102.00	
677350	08/13/2010	ROAN,RICHARD	6150		156.00
559894				156.00	
677351	08/13/2010	SCHULZ, JASON A	4420		112.00
8/8/10ASBJS		Adult Softball		112.00	
677352	08/13/2010	SMITH, CARL E	4616		56.00
8/8/10SBCS				56.00	
677353	08/13/2010	SMITH, ERNEST E	6156		408.00
8/8/10ASBES		Adult Softball		408.00	
677354	08/13/2010	TERRY SPANGLER	5951		128.00
8/8/10ASBTS2		Adult Softball		128.00	
677355	08/13/2010	THEIS, KENNY	4947		96.00
8/8/10ASBKT		Adult Softball		96.00	
677356	08/13/2010	TOPEKA ROUND UP CLUB	5049		4,860.00
560028				4,860.00	
677357	08/13/2010	CALIFORNIA STATE DISBURSEMENT	753		86.54
20100813-4		Pay Period Ending 8/13/13		86.54	
677358	08/13/2010	SMITH, CARL E	4616		78.47
7/18/10ABCS2				15.96	
7/25/10SBCS2				13.30	
8/1/10SBCS2				27.93	
8/8/10SBCS2				21.28	
677359	08/13/2010	SMITH, CARL E	4616		128.03
7/18/10SBCS3				26.04	
7/25/10SBCS3				21.70	
8/1/10SBCS3				45.57	
8/8/10SBCS3				34.72	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
677360	08/13/2010	FAMILY SUPPORT PAYMENT CENTER	6780		225.00
20100813-6		Pay Period Ending 8/13/15		225.00	
677361	08/13/2010	FRATERNAL ORDER OF POLICEMEN	1773		8,913.72
20100813-8		Pay Period Ending 8/13/17		8,913.72	
677362	08/13/2010	JAN HAMILTON CHAPTER 13 TRUSTE	2494		5,731.94
20100813-13		Pay Period Ending 8/13/22		5,731.94	
677363	08/13/2010	NATIONAL GUARDIAN LIFE INSURAN	5737		2,884.23
20100813-15		Pay Period Ending 8/13/24		2,884.23	
677364	08/13/2010	ROSANNE "SOTO" REYES	4283		286.15
20100813-16		Pay Period Ending 8/13/25		286.15	
677365	08/13/2010	SECURITY BENEFIT GROUP	5742		19,503.34
20100813-17		Pay Period Ending 8/13/26		2,090.45	
20100813-18		Pay Period Ending 8/13/27		16,551.89	
20100813-19		Pay Period Ending 8/13/28		861.00	
677366	08/13/2010	SUPPORT PAYMENT CLEARINGHOUSE	4831		239.08
20100813-20		Pay Period Ending 8/13/29		239.08	
677367	08/13/2010	TEAMSTERS LOCAL UNION # 696	4892		587.00
20100813-21		Pay Period Ending 8/13/30		587.00	
677368	08/13/2010	UNITED STATES TREASURY	5155		831.37
20100813-22		Pay Period Ending 8/13/31		831.37	
677369	08/13/2010	UNITED STATES TREASURY	5156		92.31
20100813-23		Pay Period Ending 8/13/32		92.31	
677370	08/13/2010	WILLIAM GRIFFIN CHAPTER 13 TRU	5446		1,102.69
20100813-25		Pay Period Ending 8/13/34		1,102.69	
677371	08/13/2010	WISCONSIN SUPPORT COLLECTIONS	5503		87.69
20100813-26		Pay Period Ending 8/13/35		87.69	
677372	08/13/2010	WPC LOCAL UNION	5544		610.90
20100813-27		Pay Period Ending 8/13/36		615.00	
20100813-28		Pay Period Ending 8/13/37		-4.10	
677373	08/13/2010	FASTENAL COMPANY	1619		26.96
KSTOP139340				26.96	
677374	08/13/2010	MEIERS READY MIX	3338		418.00
296089				418.00	
677375	08/13/2010	NEAL & SONS CONSTRUCTION INC	3643		4,563.45
47734				4,563.45	
677376	08/13/2010	NORTHEAST KANSAS HYDRAULICS IN	3705		372.64
25232				372.64	
677377	08/13/2010	OLDCASTLE PRECAST INC - VANGUA	3739		1,360.00
120017634				1,360.00	
677378	08/13/2010	SAMCO	4355		660.00
0037201 IN				660.00	

COUNCIL REPORT OF VENDOR PAYMENTS

Between 8/8/2010 and 8/14/2010

Check No.	Check Date	Vendor Name and Number			Check Amount
677379	08/13/2010	SHAWNEE COUNTY REFUSE DEPT	4518		544,381.32
20100084518V3				544,381.32	
677380	08/13/2010	TOPEKA BATTERY INC	5014		136.78
07232010				52.78	
NT178474				84.00	
677381	08/13/2010	SANDBERG, CONNIE	6823		240.00
CR 2007 0018269 PC				240.00	
677382	08/13/2010	ALMANZA, DAVID	6818		100.00
CR 2009 0006567 MS				100.00	
677383	08/13/2010	INGENTHRON, VALERIE	6820		50.00
CR 2009 0018301 MS				50.00	
677384	08/13/2010	MEDFORCE TECHNOLOGY	6821		100.00
CR 2010 0000895 PC				100.00	
677385	08/13/2010	CANFIELD, MICHAEL	6819		30.08
CR 2005 0030664 MS				30.08	
677386	08/13/2010	PAYLESS SHOESOURCE	6822		50.00
CR 2009 0001371 MS				50.00	
677387	08/13/2010	SEARS	6824		100.00
CR 2010 0001362 PC				100.00	
677388	08/13/2010	TARGET	6825		50.00
CR 2010 0004104 MS				50.00	
677389	08/13/2010	WAGEMAKER, WILLIAM	6826		50.00
CR 2009 0020932 MS				50.00	
677390	08/13/2010	LOBB, CAREY	3083		102.00
070410AP2				20.00	
071110AP2				20.00	
071810AP2				16.00	
072510AP2				24.00	
080110AP2				16.00	
8/8/10SBCL2				6.00	
677391	08/13/2010	LOBB, CAREY	3083		306.00
070410				60.00	
071110				60.00	
071810				48.00	
072510				72.00	
080110				48.00	
8/8/10SBCL				18.00	
		Total for Check Payments			**1,008,588.42**
		TOTAL OF PAYMENTS			**2,021,433.24**

Payment Listing

```
CB255 Date: 08/18/10           JOB SUBMISSION PARAMETERS
      Time: 10:32


User Name: HALL\chartman
Job Name : CB255CH
Step Nbr : 1



                Cash Code: 02     OPERATING ACCOUNT
      or  Cash Code Group:

         Transaction Code: SYS    AP SYSTEM PAYMENT
               Check Date: 080910  -  081510
                Check Nbr:             -
                  Company:    1

       Transaction Status:     All
          Report Sequence: C   By Transaction Code
            Detail Option:     Summary
```

Payment Listing

Payment Listing
Cash Code 02 OPERATING ACCOUNT
By Transaction Code (Status: All)

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
STOCKMAN D	677209	1	08/02/10	08/10/10		383.41	Historical	DEBORAH S STOCKMAN	COT	
KIRBY TYLE	677210	1	08/02/10	08/10/10		33.00	Historical	TYLER R KIRBY	COT	
WOODLAND M	677211	1	08/08/10	08/10/10		24.00	Historical	MASON D WOODLAND	COT	
SEIFERT JO	677212	1	08/08/10	08/10/10		334.00	Historical	JORDAN E SEIFERT	COT	
COOPER CRI	677213	1	08/08/10	08/10/10		100.00	Historical	CRISTIN SHEA COOPER	COT	
PFEIFER EM	677214	1	08/08/10	08/10/10		500.00	Historical	EMILY M PFEIFER	COT	
BOYD JALEN	677215	1	08/08/10	08/10/10		100.00	Historical	JALEN TROY BOYD	COT	
MENDEZ JR	677216	1	08/08/10	08/10/10		96.00	Historical	MARCUS J MENDEZ JR	COT	
REED TANNE	677217	1	08/08/10	08/10/10		557.00	Historical	TANNER B REED	COT	
SHANE RACH	677218	1	08/08/10	08/10/10		165.00	Historical	RACHEL R SHANE	COT	
COLLIER MA	677219	1	08/08/10	08/10/10		100.00	Historical	MARK P COLLIER	COT	
RONAYNE MI	677220	1	08/08/10	08/10/10		500.00	Historical	MICHAEL R RONAYNE	COT	
BRUMBAUGH	677221	1	08/08/10	08/10/10		67.00	Historical	TIMOTHY A BRUMBAUGH	COT	
WEAVER CHA	677222	1	08/08/10	08/10/10		100.00	Historical	CHAZMIN WEAVER	COT	
SHEPARD KE	677223	1	08/08/10	08/10/10		350.00	Historical	KELSIE N SHEPARD	COT	
SCHROER PA	677224	1	08/08/10	08/10/10		50.00	Historical	PAUL ROBERT SCHROER	COT	
MILLER JEN	677225	1	08/08/10	08/10/10		714.00	Historical	JENNA E MILLER	COT	
MATTHEWS	677226	1	08/08/10	08/10/10		160.00	Historical	ROBERT E MATTHEWS JR	COT	
REYNOLDS J	677227	1	08/08/10	08/10/10		42.00	Historical	JOSHUA DEAN REYNOLDS	COT	
GUERRERO-K	677228	1	08/08/10	08/10/10		55.00	Historical	LANCE GUERRERO-KUTZK	COT	
LEE ALAN M	677229	1	08/08/10	08/10/10		17.00	Historical	ALAN M LEE	COT	
ROBERTS MA	677230	1	08/08/10	08/10/10		500.00	Historical	MATTHEW C ROBERTS	COT	
LOCKHART D	677231	1	08/08/10	08/10/10		84.00	Historical	DAMETREA LOCKHART	COT	
WALGREENS	677232	1	08/08/10	08/10/10		119.90	Historical	WALGREENS	COT	
MEISSNER S	677233	1	08/08/10	08/10/10		25.00	Historical	SHARON MEISSNER	COT	
SLIGAR ALL	677234	1	08/08/10	08/10/10		25.00	Historical	ALLISON SLIGAR	COT	
AUBERT MAR	677235	1	08/08/10	08/10/10		50.00	Historical	MARCIA AUBERT	COT	
CARDONA CA	677236	1	08/08/10	08/10/10		50.00	Historical	CARLOS CARDONA	COT	
CARRILLO M	677237	1	08/08/10	08/10/10		50.00	Historical	MARIA CARRILLO	COT	
FERNANDEZ	677238	1	08/08/10	08/10/10		50.00	Historical	DULCE FERNANDEZ	COT	
PARNELL SA	677239	1	08/08/10	08/10/10		50.00	Historical	SANDI PARNELL	COT	
SOTO ELVIA	677240	1	08/08/10	08/10/10		50.00	Historical	ELVIA SOTO	COT	
ST JOHN'S	677241	1	08/08/10	08/10/10		50.00	Historical	ST JOHN'S LUTHERAN C	COT	
TAYLOR QUI	677242	1	08/08/10	08/10/10		50.00	Historical	QUINTON TAYLOR	COT	
VALENZUELA	677243	1	08/08/10	08/10/10		50.00	Historical	JUAN VALENZUELA	COT	
WILKERSON	677244	1	08/08/10	08/10/10		50.00	Historical	SONDRA WILKERSON	COT	
RODRIGUEZ	677245	1	08/08/10	08/10/10		90.00	Historical	KAREN RODRIGUEZ	COT	
BASALDUA S	677246	1	08/08/10	08/10/10		48.00	Historical	SARAH BASALDUA	COT	
LIFEHOUSE	677247	1	08/08/10	08/10/10		50.00	Historical	LIFEHOUSE CHILD ADVO	COT	
EASTON APR	677248	1	08/08/10	08/10/10		175.00	Historical	APRIL EASTON	COT	
GOTTSCHALK	677249	1	08/08/10	08/10/10		5.00	Historical	DEBRA GOTTSCHALK	COT	
SRS	677250	1	08/08/10	08/10/10		175.00	Historical	SRS	COT	
WELLS KIMB	677251	1	08/08/10	08/10/10		165.00	Historical	KIMBERLY WELLS	COT	
TOLIN DARR	677252	1	08/08/10	08/10/10		57.00	Historical	DARREN TOLIN	COT	
TOLIN DARR	677253	1	08/08/10	08/10/10		20.00	Historical	DARREN TOLIN	COT	
TOLIN VALE	677254	1	08/08/10	08/10/10		20.00	Historical	VALERIE TOLIN	COT	
GILLASPY T	677255	1	08/08/10	08/10/10		95.00	Historical	TIFFANY GILLASPY	COT	
RAGER JENE	677256	1	08/08/10	08/10/10		40.00	Historical	JENEE RAGER	COT	
WRIGHT COR	677257	1	08/08/10	08/10/10		30.00	Historical	CORRIE WRIGHT	COT	

Payment Listing

Payment Listing
Cash Code 02 OPERATING ACCOUNT
By Transaction Code (Status: All)

Transaction Code SYS AP SYSTEM PAYMENT

Reference Number	Payment Nbr	Co.	Post Date	Pay Date	Void Date	Amount	Status	Payee Name	Pay Group	Proc Grp
CRIDER TAM	677258	1	08/08/10	08/10/10		85.00	Historical	TAMARA CRIDER	COT	
CRIDER TAM	677259	1	08/08/10	08/10/10		95.00	Historical	TAMARA CRIDER	COT	
GOMEZ BILL	677260	1	08/08/10	08/10/10		150.00	Historical	BILL GOMEZ	COT	
MEYER RICK	677316	1	08/10/10	08/13/10		247.93	Historical	RICK D MEYER	COT	
WRIGHT LEW	677317	1	08/06/10	08/13/10		15.00	Historical	LEWIS WRIGHT	COT	
EWING TREV	677318	1	08/11/10	08/13/10		166.00	Historical	TREVON LERAY EWING	COT	
JASSO-RODR	677319	1	08/09/10	08/13/10		54.00	Historical	JUAN C JASSO-RODRIGU	COT	
RICE VIOLA	677320	1	08/06/10	08/13/10		350.00	Historical	VIOLA A RICE	COT	
MARCH MICH	677321	1	08/06/10	08/13/10		599.00	Historical	MICHAEL ANDREW MARCH	COT	
BRASE TIMO	677322	1	08/02/10	08/13/10		34.00	Historical	TIMOTHY J BRASE	COT	
BIANCHINO	677323	1	08/04/10	08/13/10		100.00	Historical	BENJAMIN PAUL BIANCH	COT	
MCGUIRE WI	677324	1	08/11/10	08/13/10		50.00	Historical	WILLIAM MCGUIRE	COT	

Transaction Code SYS Total	8617.24
Cash Code 02 Total	8617.24
Report Total	8617.24

*** REPORT COMPLETED ***

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 30, 2010

Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**David Thurbon/Bill Hoover**	**DOCUMENT #:**	**P10/9**
SECOND PARTY/SUBJECT:	**Echo Ridge Subdivision**	**PROJECT #:**	**N/A**
CATEGORY/SUBCATEGORY	**017 Plats/002 Final**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A FINAL PLAT for Echo Ridge Subdivision lying approximately 500 feet east of SE California Avenue between SE 13th and SE 21st Streets, all being within the City of Topeka. *(P10/9)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow a 5-lot, 3-block subdivision for up to 68 dwelling unit, single story duplexes with associated green space/community building.)

POLICY ISSUE:

Consistent with the Subdivision Regulations.

STAFF RECOMMENDATION:

The Planning Commission recommended that the final plat phase of **Echo Ridge Subdivision** be **APPROVED** by a vote of **7-0-1** at their **June 21, 2010** meeting as referenced in their attached minutes. The Planning Department recommended that this request be **APPROVED** as referenced in the attached staff report.

BACKGROUND:

- See staff report.
- Governing Body options:
- **Accept** the plat as presented for recording with the Shawnee County Register of Deeds; or,
- **Reject** the plat so it would **not** be eligble for recording with the Shawnee County Register of Deeds.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #24

ATTACHMENTS:

staff report

aerial

plat- pg 1

plat- pg 2

application

Commission Minutes 5-17-10

Commission Minutes 06-21-10

June 21, 2010
Agenda Item # F-1

SUBDIVISION REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase *Preliminary and Final Plat Phase* *Final Plat Phase*

NAME: Echo Ridge Subdivision - [P10/9]

OWNER/DEVELOPER: Topeka Housing Authority

ENGINEER/SURVEYOR: Cook, Flatt, & Strobel Engineers

GENERAL LOCATION: On property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st streets .

JURISDICTION: Class "A" subdivision- within the City of Topeka

ANNEXATION: N/A

Area	# of Lots	Residential Density	Proposed Land Use	Zoning
12.68 acres	5 (68 DUs)	5.4 DUs/acre	duplexes	M-1*
Pending Zoning Case: A proposal (PUD10/6) to rezone the property to "PUD" Planned Unit Development (M-1 use group) was approved by the Planning Commission on May 17, 2010. That rezoning proposal will be forwarded on to the City Council concurrently with this final plat.				
Design: The property is rectangular in shape except for a 100 ft. wide extension connecting to SE 13th Street and is surrounded by existing development on all sides. The proposal creates a 5-lot, 3-block subdivision for the 68-unit, single-story, duplex residential development with a community building. The subdivision's primary access is provided via SE Market Street (public street), that will connect the property with both SE 13th and SE 21st streets and allow means of ingress/egress into the subdivision. Internal access will be provided via the loop road SE Echo Ridge Circle (private street) that will connect to SE Market at both of its ends.				

BACKGROUND: The Planning Commission approved the preliminary plat on May 17, 2010.

SERVICES AND FACILITIES:

1. WATER SERVICE: The development is to be serviced by the City of Topeka public water supply and distribution system by means of a connection to the existing 12" water mains traversing the property in a north-south and east-west direction, respectively, along the east and south boundaries. All connections being at the developer's expense. The Water Division required the separate 15' water line easement be provided adjacent to the 27' U.E./A.E. (SE Echo Ridge Circle).

2. SEWAGE DISPOSAL: The development is to be serviced by the City of Topeka public wastewater treatment plant and collection system by means of connection to an existing 8" sanitary sewer main to be extended from just outside the southwest corner of the subdivision. All connections being at developer expense.

3. WASTEWATER PLAN SERVICE AREA: The property is located within the Urban Service Area which requires service by a sanitary sewer system as reflected by the Shawnee County Wastewater Management Plan. The proposal as depicted is in full compliance with said Plan.

4. DRAINAGE CONDITIONS: The Drainage Report as submitted by the Consultant to the City of Topeka Department of Public Works has been approved, per memo dated April 19, 2010. As required by the City Engineer, drainage detention facility easements have been dedicated within the southeast corner of Lot 2, Block A and on the north side of Lot 1, Block C.

5. STREET PLAN/ACCESS: The Preliminary Street Plans as submitted by the Consultant to the City of Topeka Department of Public Works have been approved, per memo dated March 23, 2010. The property has its primary access off of SE 13th and SE 21st streets by means of SE Market Street (public street) that will traverse the property in a north-south direction and also connect SE 13th Street to SE 21st Street. Internal circulation will be provided by the 27 ft. wide SE Echo Ridge Circle (private street) serving the residential units as a loop road connecting with SE Market at each end.

6. FIRE DISTRICT: City of Topeka

7. STREAM BUFFER: N/A

8. SCHOOL DISTRICT: U.S.D. 501 – Topeka Unified School District

9. PARKS/OPEN SPACE: The Parkland Development Fee Ordinance # 19323 applies to this subdivision since new residential units are being proposed. The property is located within Parkland Fee District #5 requiring a fee of $75 per new duplex unit. Therefore, a total fee of $5,100 will be required based upon 68 new two-family dwelling units. Since the property is located inside the City limits, fees will collected at the time of building permit approval.

WAIVER/VARIANCE TO STANDARDS: The Planning Commission granted a variance to Topeka Municipal Code (TMC) 18.40.120(a) to reduce the full width of the 16' utility easements along the subdivision boundaries to 12' along the north, south, and west boundary lines with approval of the preliminary plat.

CAPITAL IMPROVEMENT PLAN (CIP): The CIP (2010-14) includes no projects planned for this area.

CONFORMANCE TO COMPREHENSIVE PLAN: The Topeka Land Use and Growth Management Plan 2025 establishes this area for Urban/Suburban Residential land uses. With a residential density of 5.4 dwelling units per acre, this is still within the realm of being considered a medium density urban development. The Comprehensive Plan allows for medium density residential to be used carefully as infill development in older neighborhoods.

STAFF ANALYSIS:

The overall design conforms to the established standards and provisions of the City Subdivision Regulations relative to design criteria. The subdivision is compatible with adjacent development and will not overburden existing public infrastructure facilities. Based upon the above findings and staff analysis, the Planning Department recommends the final plat phase of Echo Ridge Subdivision be **APPROVED**, subject to:

1. Revising Note #8 to state, "The Topeka Planning Commission hereby grants a variance to TMC 18.40.120(a) to reduce the full 16 ft. utility easement along the west, north, and south subdivision boundaries to 12 ft."

2. Revising "David Thurbon" signature block to "David F. Thurbon, Secretary, Topeka Planning Commission" and changing the certification to read, "approved by the Topeka planning Commission this _________day of ____________ 20___.

3. Adding signature block for "Doug Bassett, Chairman, Topeka Planning Commission" to the left of David Thurbon's.

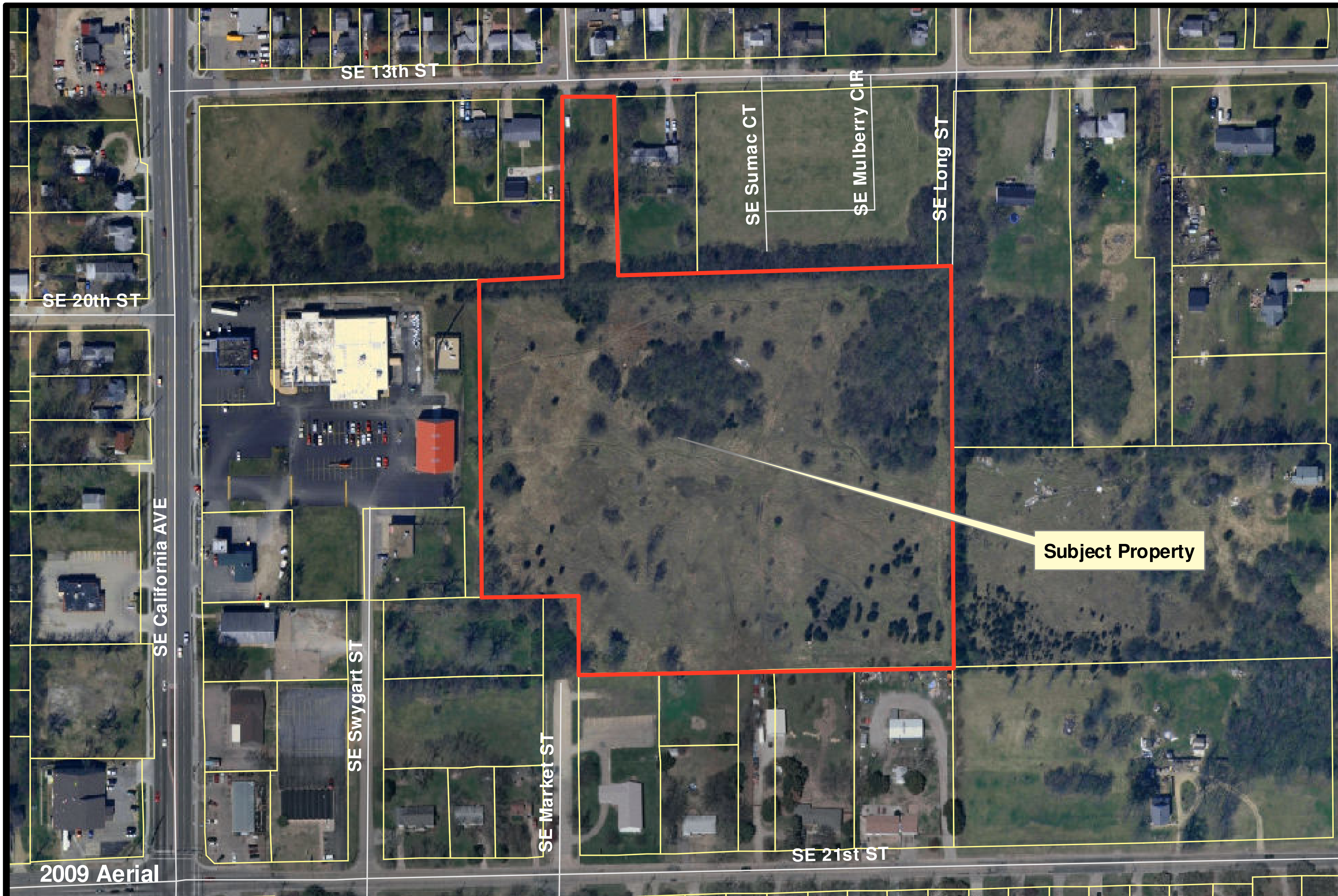
4. Add the following certification, "This subdivision has been presented to the City Council, City of Topeka, Kansas, this _________ day of ____________, 20___, for acceptance of land to be dedicated for public purposes. The City Council hereby accepts the land for public purposes." Add signature blocks beneath this for "William W. Bunten, Mayor" and "Brenda Younger, City Clerk".

5. Moving location of "Marilyn Nichols" signature block to upper right hand corner, underneath Book, Page, Date, and Time.

6. Moving the name for "SE Market Street" so that the street name is depicted within the plat boundary.

7. Delete the note about "Building Lines".

Prepared by:
Annie Driver, Planner

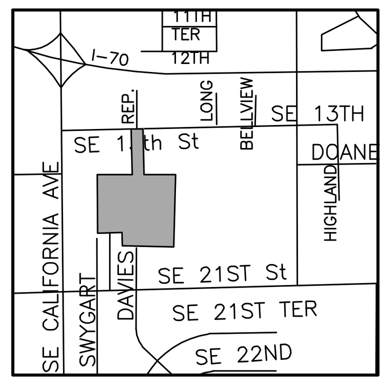


P10/9 Echo Ridge Subdivision

City of Topeka Planning Department

FINAL PLAT
ECHO RIDGE SUBDIVISION

BOOK: ________ **PAGE:** ________
DATE: ________ **TIME:** ________



VICINITY MAP
No Scale

A Re-plat of part of Lot 1, California Acres Shopping Center Subdivision and tract of land located in the Southwest Quarter of Section 4, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas

FILED FOR RECORD IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS this __________day of ___________________, 2010, at _____________o'clock __ M.

____
Marilyn L. Nichols, Register of Deeds

N

SCALE: 1"= 100'

100 0 100 200

EASEMENTS: Easements are hereby granted to the public as follows: "Utility Easements" to locate, construct and maintain or authorize the locations, construction, maintenance and use of conduits for all and any purpose, water, gas, sewer mains, poles and wires or any or all of them over, under and along the strips marked "Utility Easements". A temporary construction easement of 12 feet adjacent to the side of utility easement is dedicated for the use of the public utilities while construction is in progress.

ACCESS EASEMENTS: The access easements shown on this plat are for the purpose of access, ingress and egress by vehicular and pedestrian traffic including emergency vehicles, and are for the mutual non-exclusive benefit of every owner of the real property described herein, their respective successors, assigns, tenants, contractors, employees, agents, customers, licensees, and invitees.

DRAINAGE DETENTION FACILITY EASEMENT: Drainage Detention Facility Easements are hereby established as shown to provide for the detention of storm surface water and constructed as approved by the Director of the Department of Public Works of the applicable Governmental jurisdiction. All maintenance within the Drainage Detention Facility Easement (DDFE) shall be the right, duty and responsibility of the Home Owner's Association of Echo Ridge Subdivision, however, if maintenance is neglected or subject to other unusual circumstances and is determined to be a hazard or threat to public safety by the Director of the applicable Department of Public Works, corrective maintenance may be performed by the Governing jurisdiction with costs assessed to and borne upon, said property owner(s). Officials representing the applicable Department of Public Works shall have the right to enter upon the easement for the purposes of periodic inspection and/or corrective maintenance of the facility. Upon receiving written approval from the appropriate Department of Public Works, property owner(s) may construct improvements within the easement, provided the improvement does not interfere with the function of the detention facility.

STREETS: Streets shown on this plat and not heretofore dedicated to public use hereby so dedicated.

CERTIFICATE OF SURVEYOR: I hereby certify the details of this plat to be correct to the best of my knowledge and belief, that all boundary corners of this subdivision of land have been monumented, that iron pins are set as shown on the attached plat this ________ day of __________________________, 2010.

COOK, FLATT & STROBEL, ENGINEERS, P.A.
2930 SW Woodside Drive, Topeka, Kansas 66614

____
Michael A. Adams, L.S. 1126

Attachment number 3
Page 1 of 1

REVIEWED BY SHAWNEE COUNTY SURVEYOR, this ______________ day of __________________, 2010.

____
Rule A. Seymour, LS 834

ENTERED ON THE TRANSFER RECORD OF SHAWNEE COUNTY, KANSAS, this _________day of______________, 2010.

____
Cynthia A. Beck, County Clerk

This subdivision has been presented to the City Council, City of Topeka, Kansas, this _________day of ______________, 2010. for acceptance of land to be dedicated for public purposes. The City Council hereby accepts the land for public purposes.

____
William W. Bunten
Mayor

____
Brenda Younger
City Clerk

NOTES:

1. Subdivision to be served by existing public utilities.
2. No building permits shall be issued until arrangements for the installation of water mains and/or connection charges have been made with the city water department.
3. All utilities shall be installed underground pursuant to the City's right-of-way management standards.
4. Sanitary Sewer service shall be by the City of Topeka.
5. Water service shall be by the City of Topeka.
6. This property lies within Zone C (Area of minimal flooding) according to the Federal Emegency Management Agency, Flood Insurance Rate Map No. 20518700006 C and No. 2051870005 C, both with an effective date of December 1, 1981.
7. That portion of SE. Long Street as shown on the recorded plat of California Acres Shopping Center Subdivision to be vacated by this plat.
8. The Topeka Planning Commission hereby grants a variance to TMC 18.40.120(a) to reduce the full 16 ft. utility easement along west, north, and south subdivision boundaries to 12 ft.
9. The City of Topeka Model ROW Corridor #1 shall be utilized along SE. Market Street.
10. Utility Easements dedicated with this plat contain 70,096 square feet more or less.
11. Drainage Detention Easements dedicated to this plat contain 31,387 square feet more or less.
12. Waterline Easement dedicated to this plat contain 19,727 square feet more or less.
13. Street dedication for SE Market Street within this subdivision contain 50,166 square feet more or less.
14. Street dedication for SE 13th Street within this subdivision contain 2,881 square feet more or less.
15. Restricted Access: Vehicular access shall not be permitted from SE Market Street except at locations shown on the plat.
16. Basis of bearings: Assumed N 88°55'20" E along the South line of the Southwest Quarter of Section 4, Township 12 South, Range 16 East.

Approved by the Topeka Planning Commission this _________day of ______________________, 2010.

____
Chairman, Topeka Planning Commission

____
David F. Thurbon
Planning Director

DESCRIPTION:

The east 795 feet of Lot 1, California Acres Shopping Center Subdivision, Shawnee County, Kansas.

And

The West 96 feet of the East Half of the North Half of the North Half of the Southwest Quarter of the Southwest Quarter of Section 4, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas.

More particularly described as follows:

Part of the Southwest Quarter of the Southwest Quarter of section 4, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Commencing at the Southwest corner of said Section 4; thence North 88 degrees 55 minutes 20 seconds East along the South line of said Section 4 a distance of 1319.16 feet; thence North 00 degrees 07 minutes 06 seconds West a distance of 334.45 feet to the Southeast corner of California Acres Shopping Center Subdivision and the point of beginning; thence South 88 degrees 56 minutes 19 seconds West along the South line of said California Acres Shopping Center Subdivision, a distance of 628.87 feet, (measured), 629.28 feet (platted) to an angle point on the South line of said Subdivision; thence continuing along said South line, North 00 degrees 01 minutes 49 seconds West a distance of 130.92 feet (measured), 130.72 feet (platted) to an angle point on said South line; thence continuing along said South line, South 88 degrees 52 minutes 54 seconds West a distance of 196.84 feet; thence leaving said South line, North 00 degrees 03 minutes 58 seconds West a distance of 530.99 feet to the North line of said Subdivision; thence along said North line, North 88 degrees 54 minutes 33 seconds East a distance of 167.17 feet to the Southwest corner of the East Half of the North Half of the North Half of the Southwest Quarter of the Southwest Quarter of said Section 4; thence North 00 degrees 01 minutes 49 seconds West a distance of 332.22 feet to the Northwest corner of the East Half of the North Half of the North Half of the Southwest Quarter of the Southwest Quarter of said Section 4; thence North 88 degrees 52 minutes 48 seconds East along the North line of said East Half of the North Half of the North Half of the Southwest Quarter of the Southwest Quarter a distance of 96.02 feet; thence South 00 degrees 01 minutes 49 seconds East a distance of 332.27 feet to the North line of said California Acres Shopping Center Subdivision; thence North 88 degrees 54 minutes 33 seconds East along said North line a distance of 561.89 feet to the Northeast corner of said Subdivision; thence South 00 degrees 06 minutes 35 seconds East along the East line of said Subdivision a distance of 331.89 feet (measured), 332.11 feet (platted) to an angle point on the East line of said Subdivision; thence continuing along said East line, South 00 degrees 07 minutes 06 seconds East a distance of 330.23 feet (measured), 330.22 feet (platted) to the point of beginning.

Containing 12.68 ac. (M/L)

Error of Closure= 1:558,573

DEDICATION: The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as ECHO RIDGE SUBDIVISION.

IN TESTIMONY WHEREOF:

The Owner, Topeka Housing Authority, by its Executive Director, John Johnston, has caused these presents to be signed this __________ day of ____________, 2010

____
John Johnston, Executive Director

STATE OF KANSAS ss)
COUNTY OF SHAWNEE ss)

BE IT REMEMBERED, That on this ___________ day of _________________________ A.D., 2010, before me the undersigned, a Notary Public, in and for the County and State aforesaid, came who are personally known to me who executed the within instrument of writing.

IN TESTIMONY THEREOF, I have hereunto set my hand, and affixed my seal the day and year last above mentioned.

____
Term Expires

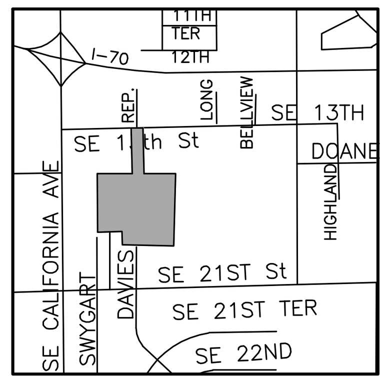
____
Notary Public

CFS
Cook, Flatt & Strobel
ENGINEERS, P.A.
2930 SW WOODSIDE DR. TOPEKA, KS 66614
(785)272-4706 FAX (785)272-4736

FINAL PLAT
ECHO RIDGE SUBDIVISION

BOOK: ________ **PAGE:** ________
DATE: ________ **TIME:** ________

A Re-plat of part of Lot 1, California Acres Shopping Center Subdivision and tract of land located in the Southwest Quarter of Section 4, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas



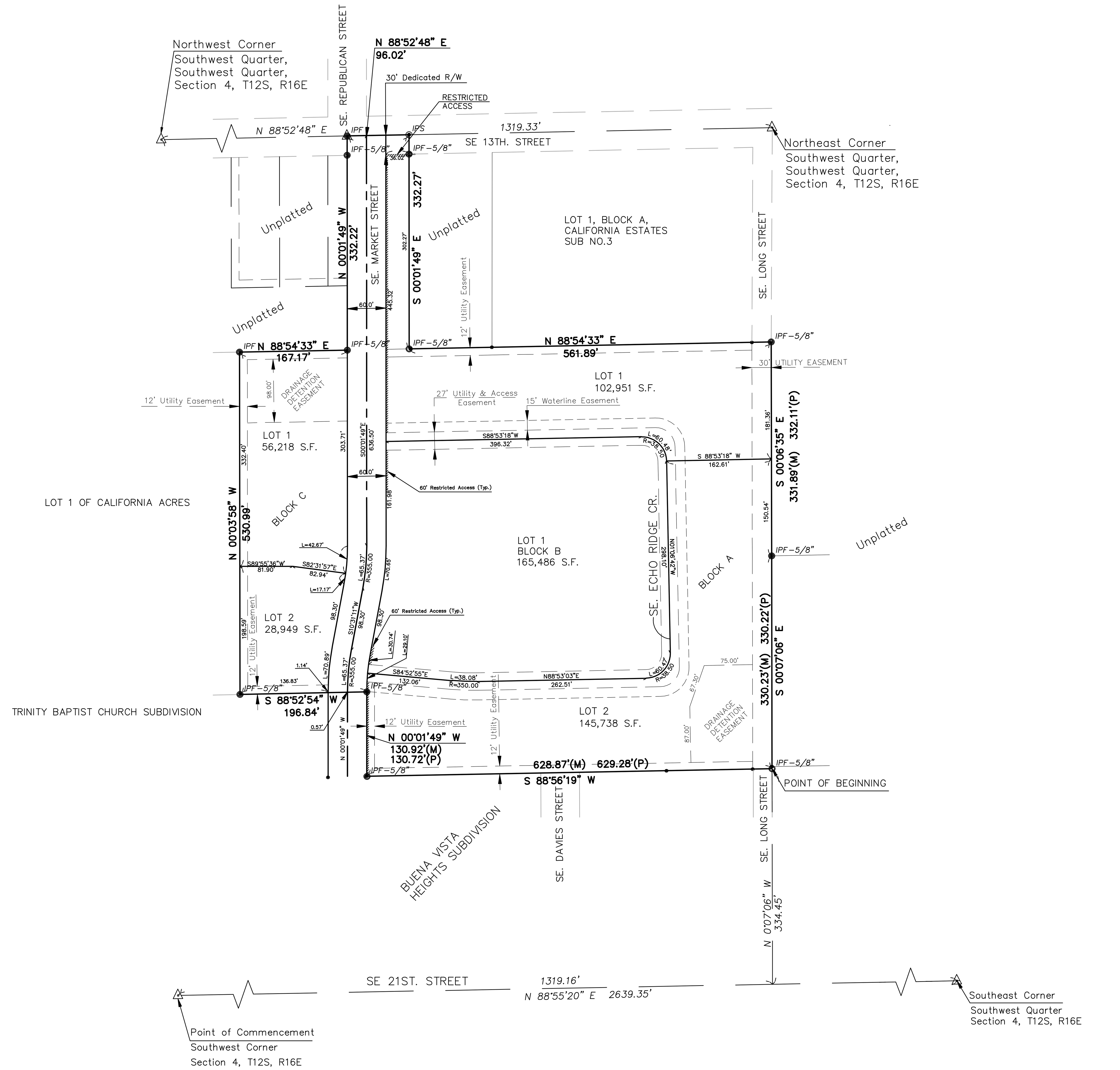
VICINITY MAP
No Scale

SCALE: 1"= 100'

100 0 100 200

LEGEND

◉ 5/8" Rebar w/Plastic Cap
○ 1/2" Rebar w/ Plastic Cap Set
(M) MEASURED
(P) PLATTED



J:\2010Pro\105038\DWGS\Surveyor DWGs\FINAL-PLAT.dwg 7/30/2010 - 2:07pm madams

CFS
Cook, Flatt & Strobel
ENGINEERS, P.A.
2930 SW WOODSIDE DR. TOPEKA, KS 66614
(785)272-4706 FAX (785)272-4736

APPLICATION FOR SUBDIVISION

City of Topeka Planning Department
620 SE Madison, 3rd Floor
Topeka, KS 66603-3241
Phone 785-368-3728 Fax 785-368-2535

Office Use Only

Date Received: 3/12/10 Application #: P10-19 Fee Received: 21000 - # 12032

Application Type: **Minor Plat** ○ **Pre-application Plat** ○ **Preliminary Plat** ◉ **Final Plat** ○

1.) Proposed Subdivision Name: Echo Ridge Subdivision

2.) Common Address or Location: SE 13th St. & SE Market St.

3.) Legal description of property: See Attached

4.) Land area (acres): 12.22 Acres (m/l) Number of lots: 2

5.) Current zoning: M-1 Proposed zoning (if any) PUD (M-1a Usage)

6.) Describe the planned use: Approximately 23 tri-plex units for low income residential housing are planned for Lot 1, Block A. Also, a Community Center is planned for Lot 1, Block B.

7.) Water Source: City of Topeka

8.) Sewage Disposal Source: City of Topeka

9.) Is any portion of the property within an established flood plain or stream buffer? NO If Yes, check below:

a. flood plain *100 year* ☐ *500 year* ☐

b. stream buffer *Type I* ☐ *Type II* ☐ *Type III* ☐

10.) Describe any infrastructure improvements that will not be the financial responsibility of the applicant/developer:

11.) Will the streets be constructed in phases? NO If Yes, is phasing plan attached (○) or on plat (◉)?

12.) Are there any requested variances to the Subdivision Regulations? NO If Yes, please list on plat map.

13.) Are any common areas proposed to be privately maintained? YES If Yes, are articles of incorporation attached? NO

14.) Consent for annexation will be provided on the final plat (○), by separate instrument (○), or is not applicable (◉)

Subdivision Name: Echo Ridge Subdivision

Applicant Information and Authorization

(attach name and contact information of any additional owners, local agents, buyers under contract, attorneys, etc. if necessary)

Owner(s) of Record 1: Topeka Housing Authority

Address: 2010 SE California Ave.

Topeka, KS 66607 Phone: (785) 357-8842

Owner(s) of Record 2: ______

Address: ______

______ Phone: ______

(if different than owner)

Developer(s): ______

Address: ______

______ Phone: ______

Other Contact (specify): ______

Address: ______

______ Phone: ______

This is to certify that all above Applicants of this subdivision have authorized me to prepare a plat of subdivision that fully complies with the provisions of the City of Topeka's Subdivision Regulations. The Applicant(s) further understands that if any contract, option, agreement, etc. with any other individual/entity is executed for purchase of said described real property prior to the recording of said plat of subdivision, such individual/entity is required to be signatory to the subdivision. The information and data indicated by this application is true and correct to the best of my knowledge and a copy of this completed application has been forwarded to the Applicant(s).

Date: 03-12-10

Kevin W. Beck, P.E., LEED AP
Print Name of Submitting Consulting Engineer/Surveyor

Kevin W Beck
Signature of Submitting Consulting Engineer/Surveyor

Firm Name: Cook, Flatt & Strobel Engineers, P.A.

Address: 2930 SW Woodside Dr.

Phone: (785) 272-4706 Fax: (785) 272.4736

e-mail: kbeck@cfse.com

Minutes of the
Topeka Planning Commission
Monday, May 17, 2010

Rich Beardmore left the room.

Echo Ridge development. Annie Driver summarized the staff report.

Echo Ridge Subdivision (Preliminary Plat Phase) (P10/9) by Topeka Housing Authority on property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st Streets. **(Driver)**

Discussion below is for both the rezoning and the plat.

Discussion by members:
Mike Lackey asked why the variance request for utility easement from 16' to 12'? Mrs. Driver replied they don't need the full width.

Proponents:
Kevin Beck, Cook, Flatt & Strobel Engineers, spoke in favor of the proposal. He said this is a development of duplexes. The project is being funded by a grant that has more of a green concept. Pervious concrete will be used and landscaping will help with water retention and drain-off.

Mark Boyd moved approval as written by staff, seconded by Lee Williams. **APPROVAL. (6-0-0)**

Minutes of the
Topeka Planning Commission
Monday, June 21, 2010

Echo Ridge Subdivision (Final Plat Phase) (P10/9) by Topeka Housing Authority on property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st Streets. **(Driver)**

No one spoke in favor or in opposition to the proposal.

Mark Boyd moved approval as written by staff, seconded by Howard Blackmon. **APPROVAL. (7-0-1) Commissioner Beardmore abstained due to a conflict of interest.**

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 18, 2010

← Back Print

DATE:	**August 31, 2010**		
CONTACT PERSON:	**David Thurbon/Bill Hoover**	**DOCUMENT #:**	**PUD10/6**
SECOND PARTY/SUBJECT:	**Topeka Housing Authority**	**PROJECT #:**	**N/A**
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 007 Zoning**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:	**08-24-10 First Reading**	**JOURNAL #:**	**10**
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located approximately 500 feet east of SE California Avenue located between SE 13th and SE 21st Streets from "M-1" Two Family Dwelling District TO PUD Planned Unit Development District ("M-1" use group). Final Reading. *(PUD10/6) (Council District No. 3)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would allow for up to 68 dwelling units of single-story duplex buildings with associated green space and a community building.)

POLICY ISSUE:

Request is consistent with the land use policies and principles of the Topeka Land Use and Growth Management Plan-2025.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of **6-0-0** at their **May 17, 2010** meeting as referenced in their attached minutes. The Planning Department recommended that this request be **APPROVED** as referenced in the attached staff report.

BACKGROUND:

- See staff report
- In a June 22, 2010 meeting with planning staff, the applicants expressed their intention to reduce the net density allowed in the PUD by six dwelling units and relocate the community center in order to allow for additional green space. The Planning Director indicated this change could be approved by minor amendment without proceeding back to the Planning Commission after this original PUD plan that is before the Governing Body tonight has been approved and recorded with the County Register of Deeds.
- The attached a document/sketch from the applicant indicates what the minor amendment will encompass. The changes primarily will occur in the block west of SE Market Street.

Item #25

- Governing Body options:
- **Adopt** the recommendation of the Planning Commission by Ordinance;
- **Override** the Planning Commission's recommendation by a two-thirds majority (7 votes) of the Governing Body membership; or,
- **Return** such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

staff report

aerial

zoning map

application

PUD plan-Pg 1

PUD plan- Pg 2

Ordinance

Planning Commission Minutes 5-17-10

Proposed minor amendment changes

May 17, 2010
Agenda Item # G-1a

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: PUD10/6 (Echo Ridge PUD) **By: Topeka Housing Authority**

PROPOSAL: Zone change from "M-1" Two-Family Dwelling District **TO** "PUD" Planned Unit Development District (M-1 use group)

LOCATION: On property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st streets.

PRESENT USE: Vacant 12.68 acre vacant tract (unplatted)

PROPOSED USE: A 68 dwelling unit (5.4 DUs/acre) public housing development comprising single-story duplexes (1, 2, or 3 bedroom apartments). Attached single-car garages will be provided for the 1,137 and 1,363 sq. ft. two- and- three bedroom units (Buildings A & C). The 781 sq. ft. one-bedroom units (Building B) will have cutback parking provided off of SE Echo Ridge Circle.

CHARACTER OF NEIGHBORHOOD: The majority of the surrounding properties in the neighborhood are low-density single-family residences in an area that lacks some basic urban infrastructure, such as: sidewalks, curbs, and gutters. There is sporadic commercial to the west along SE California; including a restaurant, gas station, cellular tower, Topeka Housing Authority offices and 4,800 sq. ft. maintenance building, and tavern. Housing conditions are favorable along SE 21st Street. Some of the single-family residences north of this property, along SE 13th Street, are beginning to deteriorate in condition. A 20 dwelling unit single-story, duplex tax credit community is under construction directly to the north of this property.

ZONING CLASSIFICATIONS AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North	"M-3"- Multiple Family Dwelling District "PUD" Planned Unit Development (M-1 use)	Single-family residence Duplex Housing– 20 DUs at 7.13 DU/acre (under construction)
South:	"R-1" Single-Family Dwelling District	Church and large lot single-family residential
East:	"R-1" Single Family Dwelling District	Large lot single-family residential
West:	"PUD" Planned Unit Development (C-4 uses)	Topeka Housing Authority, gas station, restaurant, cellular tower, Topeka Housing Authority maintenance building, tavern

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATIONS: This property has remained vacant since being re-zoned to "G" Commercial with Shopping Center Unit Plan in 1959, as a Resolution of Intent. That shopping center never materialized and the property has remained vacant ever since. The City of Topeka initiated the rezoning of the property to "R-1" Single-Family Dwelling District in 2005. In November 2009, the property was rezoned to "M-1" Two-Family Dwelling District.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: This property is to the west of low density single-family residential uses that front on surrounding rural type roads without sidewalks, curbs, and gutters (i.e. SE Golden and SE 13th). It is also to the south of a 20 dwelling unit duplex housing development (under construction). The current "M-1" zoning classification would allow for duplexes, but the present M-1 zoning classification does not allow for site development plan review. The PUD zoning is needed to ensure site and architectural compatibility with the surrounding neighborhood, to allow for the narrower private street, and to allow for shared parking with THA property to the west.

CONFORMANCE TO COMPREHENSIVE PLAN: As proposed, the project would permit 68 DUs (5.4 DUs/acre). This residential density is still within the realm of a medium density urban development. The Land Use and Growth Management Plan – 2025 allows for some medium density residential to be used carefully as infill development in older neighborhoods. Considering the significant amount of time this property has remained vacant and the need for new reinvestment in the area, slightly higher density development (5.4 DUs/acre) would be suitable for this property.

EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY: The surrounding neighborhood of the subject property is classified as an *"Out-Patient*" area by the City of Topeka's 2007 Neighborhood Health Map. Planning principles indicate that concentrating subsidized multiple-family housing units in an area that is primarily low-income and with a lack of basic infrastructure has the potential to push the neighborhood into more unfavorable conditions. However, allowing 68 additional duplex units in addition to the 20 duplex units already under construction should not constitute over concentrating the area with multi-family residential uses. New housing construction could potentially lead to further investment in this area and should have positive impacts on surrounding properties and the overall neighborhood. In addition, the subject proposal tries to incorporate some LEED (i.e. Leadership in Energy and Environmental Design) standards into the development. LEED is a green building rating certification system that addresses environmentally sustainable principles in construction projects; including site development, water savings, energy efficiency, materials selection and indoor environmental quality. This PUD tries to incorporate some of these principles in its site design by narrowing the typical street pavement width, emphasizing pedestrian connectivity within the development, using shared parking, and providing pervious pavement surfacing for some parking areas and driveways.

RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE LANDOWNER'S PROPERTY AS COMPARED TO HARDSHIP IMPOSED UPON THE INDIVDUAL LANDOWNER: The proposed reclassification should not impinge upon public health, safety, and welfare of the neighborhood; as it would allow for an increased opportunity to develop a property that has been always been vacant and would also provide needed quality, affordable housing construction in this neighborhood. The PUD allows for a similar residential density as previously proposed under the M-1 zoning, but will also ensure compatibility with the neighborhood through site plan review. Therefore, the reclassification appears to present no hardship upon individual landowners.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to the surrounding area and will be extended to this property at developer expense. SE Market Street will be extended as a public street to connect SE 13th Street to SE 21st Street. As a private street, SE Echo Ridge Circle will provide internal circulation.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS: The parking requirement is 1.5 spaces per residential unit and 1 per 300 sq. ft. of floor area for the community building. The normal required parking is being reduced from 2 spaces per unit due to the pedestrian-oriented nature of the project, the property's proximity to a bus route along SE California, their intent to use shared parking with the Topeka Housing Authority's property to the west, and the fact that this development is planned for affordable housing where not every resident will likely own an automobile. The PUD plan indicates 1.5 spaces per dwelling unit will be required for a total of 102 spaces. However, the plan indicates Buildings A & C will have a garage and one driveway space. Building B will have two parking stalls per unit. Therefore, a total of 136 off-street parking spaces are actually provided for the residential uses. The community center parking lot will only provide parking for ½ its required number of stalls at the rate of 1 space per 300 sq. ft. (i.e. Reducing the total number from 17 spaces to 9 spaces). Parking will also be provided by on-street parking along SE Market (public street) and by shared parking within the Topeka Housing Authority property to the west. The PUD plan depicts a future pedestrian connection to the west. However, the Topeka Housing Authority will also have to amend their Master PUD plan for California Acres (Case #59/21C) to allow for shared parking prior to any building permit approvals on this property.

Minimum Lot Area: **Compliant –** (12.62 acres) – The minimum lot area per dwelling unit as required in the "M-1" District for two-family dwelling buildings is 4,500 sq. ft. per unit. The overall density proposed (5.4 DUs/acre) still meets this minimum lot area.

Setbacks: **Compliant** – (No existing structures) – Setbacks will be consistent with the setbacks required in the "M-1" District with 25-feet front yard setbacks measured from back-of-curb to the front of the duplex building. The perimeter boundary building setback is 25-feet.

Platting: **Non-Compliant –** unplatted (A preliminary plat for Echo Ridge Subdivision (P10/9) is heard in conjunction with this proposal.)

CONCERNS OF STAFF AND REVIEWING AGENCIES: As required by City of Topeka Development Services and Fire Departments, parking along SE Echo Ridge Circle shall only be permitted along one side of the street with signage posted accordingly. Signage shall also be erected at intersections stating, "All City of Topeka Ordinances shall be enforced upon this property."

ADDITIONAL FACTORS:

1. Neighborhood Improvement Association: N/A
2. Capitol Area Plaza Authority: N/A
3. Flood Hazard Area: N/A
4. Airport Hazard Area: N/A
5. Historic Properties: N/A

STAFF RECOMMENDATIONS: Based upon the above findings and analysis, the planning staff recommends **APPROVAL** of this proposal, subject to the following conditions:

1. *Use and development of the property in accordance with the Master Planned Unit Development Plan for Echo Ridge.*

2. *Clarifying Note #3 under* ***Landscaping Notes****: What green space is this referring to? Green space areas should be labeled on the PUD plan. (Does this note include signage and playground equipment? It is presumed signage for the development will be located in flag area off of SE 13*th *Street, as indicated by Note #1 under* ***Signage****.)*

3. *Depicting the "Drainage Detention Facility Areas" on Lot 2, Block A and Lot 1, Block C. Removing the old labeling of "proposed parking lot" and "Area 5" from this plan.*

4. *Indicating the area in the middle of Lot 1, Block B as a "playground area".*

5. *Moving* ***Project Performance Objectives*** *Section to the beginning of the PUD notes.*

6. *Revising Note #3 "Community Center" under* ***Project Performance Objectives*** *to state: "To create a community center and associated parking lot for use by the Topeka Housing Authority and/or the owner(s), residents, and other entities approved by the Topeka Housing Authority and/or the owners. . ."*

7. *Revising note stating: "This Master Planned Unit Development Plan has been reviewed and approved in accordance. . ." to "Section 48-24.****06****".*

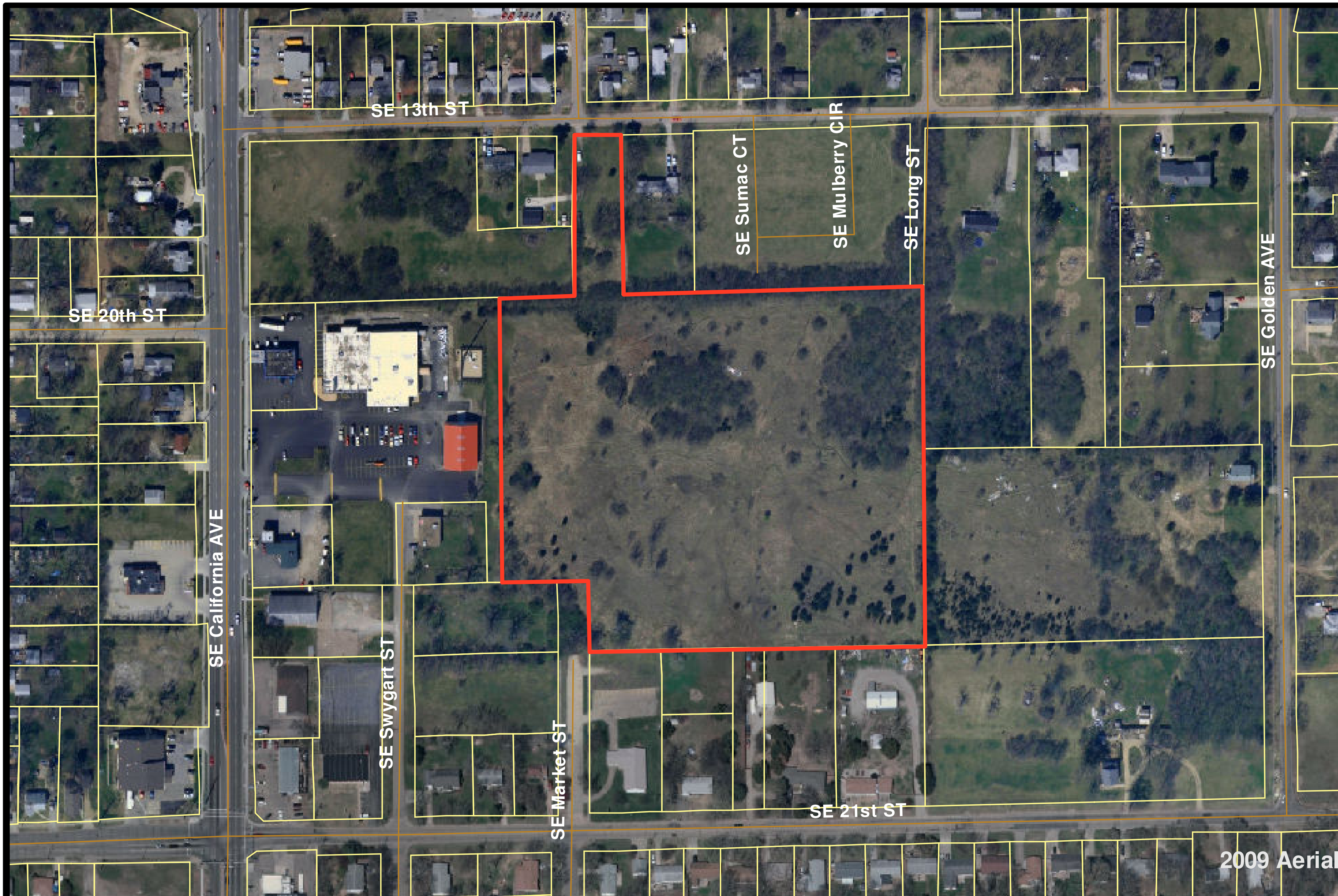
8. *Removing "Existing Zoning" note on the Master PUD Plan.*

9. *Showing a separate 15' water easement adjacent to 27' U.E./A.E., which can be located within the building setback.*

10. *Revising all "Multi-Family Dwellings" to "Two-Family Dwellings" under* ***Project Information*** *notes.*

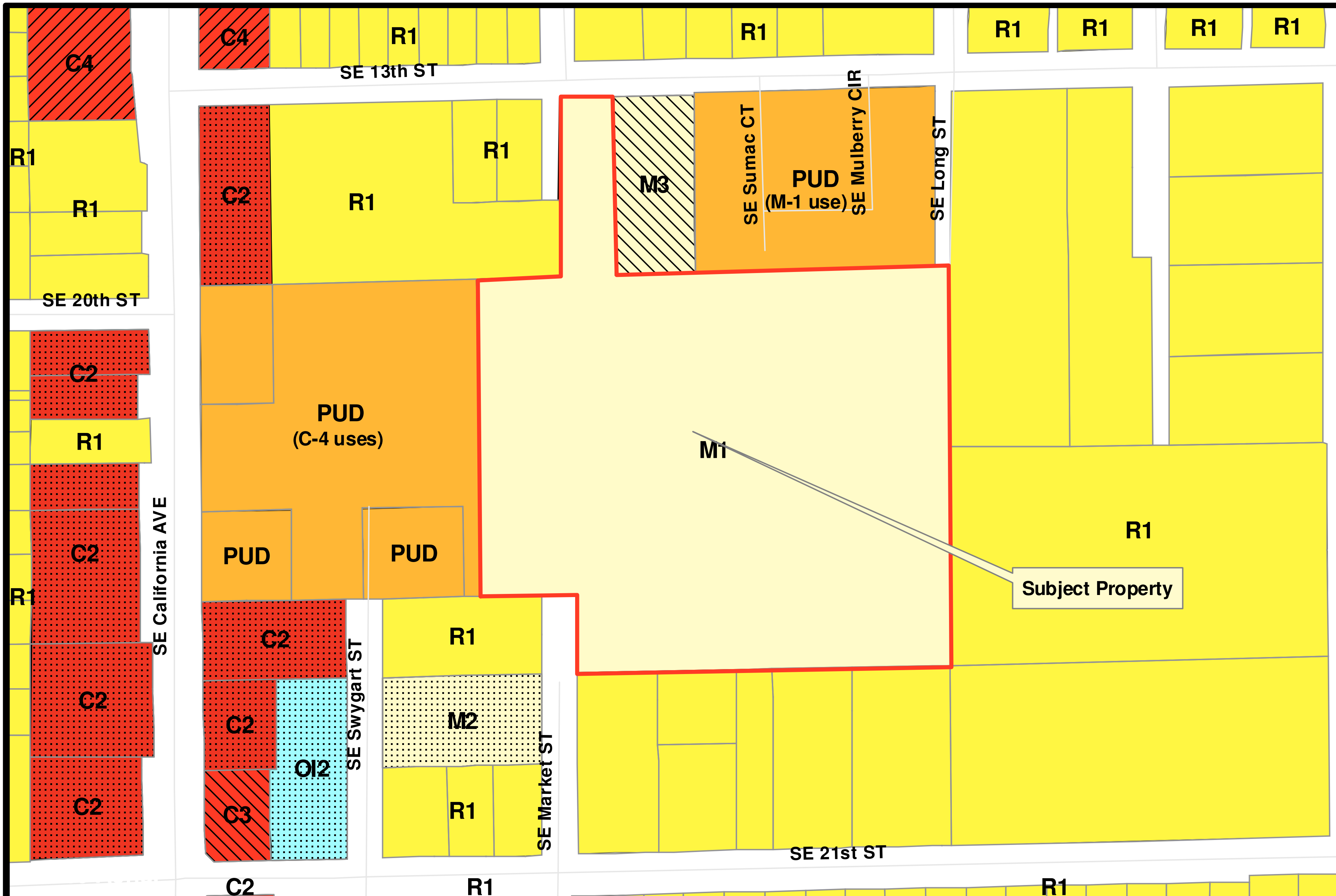
11. *Revising "This" under* ***Signage*** *notes to "These".*

Prepared by:
Annie Driver, Planner



PUD10/6 by: Topeka Housing Authority (Echo Ridge)

City of Topeka Planning Department



PUD10/6 by:Topeka Housing Authority (Echo Ridge)

City of Topeka Planning Department

PUD 10/16

Zoning Application Form

(including PUDs and CUPs)

City of Topeka Planning Department
620 SE Madison, 3rd Floor (Unit #11)
Topeka, KS 66607-1118
Phone 785-368-3728 Fax 785-368-2535
www.topeka.org/planning

Applicant Information

Property Owner(s): Topeka Housing Authority

Street Address: 2010 SE California Ave.

City: Topeka State: KS Zip: 66607 E-mail: JJohnston@THA.gov

Work phone: (785) 357-8842 x120 Home phone: ____ Fax: ____

Authorized Owner Representative (if any): Mr. John Johnston, President & CEO

Street Address: 2010 SE California Ave.

City: Topeka State: KS Zip: 66607 E-mail: JJohnston@THA.gov

Work phone: (785) 357-8842 x120 Home phone: ____ Fax: ____

Authorized Professional Agent (Engineer, Architect, Attorney, etc.) – if different from above

Cook, Flatt & Strobel Engineers, P.A.

Street Address: 2930 SW Woodside Dr.

City: Topeka State: KS Zip: 66614 E-mail: kbeck@cfse.com

Work phone: (785) 272-4706 Home phone: ____ Fax: (785) 272-4726

Authorization

I (we) am (are) the owner(s) of record for the subject property and hereby authorize filing of this application and any agent listed in this application to represent the owner(s). I (we) allow posting of signage on the property by the City of Topeka for the requested zoning change. I (we) declare that all submitted information is complete and accurate. I (we) hereby acknowledge that all zoning application procedures have been reviewed and understood as part of this submittal.

Owner 1 Name: John Johnston

Owner 1 Signature: [signature] **Date:** 03/25/10

Owner 2 Name: ____

Owner 2 Signature: ____ **Date:** ____

Requested Action and Site Information

Address or Location of Property to be Re-Zoned: Between 13th St. and 21st St., Market St. and Long St.

Legal Description of Property*: *lot(s)* 1 *block* ____ *subdivsion* California Acres Shopping Center Subdivision

lot(s) ____ *block* ____ *subdivsion* ____

**if unplatted, attach metes and bounds description*

Total Area (acres/square feet): 12.62 acres

Type of Application:

1. *Re-zoning from:* M-1 *to:* PUD
2. *Planned Unit Development (PUD) zoning use group(s):* M-1a
3. *Conditional Use Permit (CUP) proposed use:* ____

Existing Use(s) on the property: Vacant Land

How long has the existing use been active on the property? Unknown

Proposed Use(s), if known (please describe to ensure conformity to the proposed zoning):

Low income housing consisting of tri-plex buildings that include attached garages. The development will also include a clubhouse/community center that will serve for gatherings and educational purposes. The development will incorporate sustainable design techniques.

Was a Pre-Application Meeting or Zoning Inquiry completed with Staff? Yes **If Yes, when?** 2/26/2010

FOR OFFICE USE ONLY

Date submitted: 3/5/10

Application no.: PUD10/6

Filing fee: 1580⁰⁰ **Receipt no.:** 120280

Date notice sent: 3/26/10

Date advertised: 3/29/10

Date of hearing: 4/19/10

Council district: #3

NIA/NA: ~~Jefferson Square NIA~~

Items Missing? Yes___No___ **List any incomplete items:**

aD
3/12/10 → Not in a organized NIA

Applicant Justification

This section is intended to provide you with the opportunity to present information in support of your request. It is important to bear in mind that the presumption of validity rests with the present zoning and use of the property. It is the burden of the applicant to demonstrate that the proposed change in zoning or proposed conditional use is appropriate. Please attach additional sheets if necessary.

1. **How is the land more suitable for the uses allowed under your proposed zoning vs. the uses allowed under the current zoning?**

The current zoning includes single family and duplex units. The proposed zoning includes those units plus tri-plex and quad-plex units.

2. **What effect would the proposed zoning have on the character of the neighborhood and surrounding properties?**

The surrounding neighborhood consists of single family residential to the north and south with commercial to the west and undeveloped to the east. There is a new PUD (M-1 usage) with duplex units currently under construction adjacent to the northeast corner of the property. Additionally, there is a lot with M-2 zoning along the north property line as well as a lot to the southwest, along Market St., with M-2 zoning. Therefore, the proposed zoning is in line with the surrounding properties. Additionally, the planned increased green space within the development will reduce any effects the zoning may create.

3. **If known, how does the proposed zoning conform to the City's Comprehensive Plan?**

A draft of the 2030 Regional Land Use Plan Map indicates the area between the commercial district along California Ave. and Golden Ave. and between I-70 and 21st Street to be residential, low density. However, there is an area located directly south of 21st Street that is planned to be medium to high density residential. That area is currently zoned R-1 for low density residential.

Real Property Tax Status

As part of the official application for a zoning amendment, the Zoning Regulations of the City of Topeka require:

"Proof that all real property taxes are paid to date and are current for the subject property. In the event real property taxes including any special assessments are delinquent, the application shall not be scheduled for public hearing until such time all taxes are paid or satisfactory escrow arrangements for the payment of such taxes or special assessment have been made and presented to the City Attorney's Office for approval."

There are two ways to provide proof with this application:

1. Submit a copy of the property's tax status found on-line at the Shawnee County Appraiser's web-site (http://www.co.shawnee.ks.us/Ap/). Click on "residential search" or "commercial search", input the address, and follow the links to the property's tax information. Print off the Shawnee County Treasurer's page indicating the amount of any unpaid property tax.

OR

2. Complete the information below at the Shawnee County Register of Deeds and the Shawnee County Treasurer for verification of real property tax/special assessment status. Both offices must sign the form below for it to be complete. The Register of Deeds and Treasurer of Shawnee County, Kansas, are located in the Shawnee County Courthouse, 200 S.E. 7th Street, Topeka, Kansas, Rooms 108 and 101, respectively

Applicant

Property Address: Between 13th St. and 21st St., Market St. and Long St.

Owner of Record Name(s): Topeka Housing Authority

Legal Description: The east 795 feet of Lot 1 of California Acres Shopping Center Subdivision, plus the west 96 feet of the East half of the North half of the North half of the Southwest quarter of the Southwest quarter of Section 4, Township 12 South, Range 16 East of the 6th P.M., Shawnee County, Kansas.

Shawnee County Register of Deeds

Property Identification Number (PIN):________

X________
Shawnee County Register of Deeds

____
Date

Shawnee County Treasurer

As of this date, I hereby certify that the real property tax liabilities and special assessments applicable to the property described and identified above, to be of the following status:

Paid in Full_____ Current_____ Delinquent_____ In Dispute_____ Exempt_____

X________
Shawnee County Treasurer

____
Date

Taxes current as of 3/5/10
LMintz, Planning

Infrastructure Availability (optional)

Please consult the Engineering Division of Topeka Public Works Department for information below (368-3842)

1. Water

a. Location and size of water main serving site:

There is an existing 12 Inch water line along the south and east property lines

b. Does the current system have adequate capacity?

Yes

2. Sanitary Sewer

a. Location and size of sewer main serving site:

There is an existing 8" gravity line in the southeast corner of the property. There is also an 8" gravity line that is accessible approximately 200' south of the southwest corner via the Long Street right of way.

b. Does the current system have adequate capacity? If not, are improvements anticipated?

Yes

3. Storm Drainage

a. How will storm water run-off be handled on site?

The Stormwater Runoff will be handled with an array of methods including BMP usage, pervious pavement usage and stormwater retention/detention areas. The stormwater release rate will be equal to or below the existing release rate.

b. Does the current storm sewer system have adequate capacity for proposed use?

Yes

4. Traffic Circulation

a. What are the site's existing and proposed access points?

Access will be on Market Street from 21st Street and the new proposed Market Street connection to 13th Street. Within the development, a planned private "loop" will provide access to Market Street

b. Are any street or traffic control improvements proposed?

An extension of existing Market Street from the south, north across the site and connecting to 13th Street. Also a looped private street system within the development. There is a small section of Market St. that is planned to be a two-way divided street within the development.

ECHO RIDGE
MASTER PLANNED UNIT DEVELOPMENT PLAN

BOOK _____ PAGE _____
DATE _____ TIME _____

RECORDED with the Shawnee County Register of Deeds:

____
Marilyn L. Nichols – Register of Deeds

PROJECT PERFORMANCE OBJECTIVES:

1. OVERALL:
To create an innovative, economical, and affordable infill residential housing development consisting of up to thirty–four (34), single–story, duplex buildings for up to 68 dwelling units along with a community center/leasing office, and incorporating significant open space areas and natural features into the development. The development will also incorporate enviromentally sustainable elements and best management practices regarding storm water runoff practices.

2. TYPE A , B AND C STRUCTURES:
To create an economical mix of one–two and three bedroom multi–family housing units, ranging from 780 to 1650 square feet of living area. The residential structures will be single–story duplex units constructed of wood framing members. One single stall garage per unit (two per structure), 10'x20' min., will be provided within the structure. Greenspace will be maximized within these areas in order to maintain a more eco–friendly and community environment.

3. COMMUNITY CENTER:
To create a community center and associated parking lot for use by the Topeka Housing Authority and/or the owner(s), residents, and other entities approved by the Topeka Housing Authority and/or the owner(s).. The Community Center will consist of between 2500 and 5000 square feet and will provide educational opportunities for sustainable design and healthy living.

GENERAL NOTES:

1. Pursuant to Topeka Municipal Code 18.190.060(b), the applicant must record the Master PUD Plan with the Shawnee County Register of Deeds within sixty (60) days upon approval of City Council. Failure by the applicant to record the plan within the prescribed time period or provide the Planning Department fifteen (15) copies of the recorded plan within ninety (90) days of the date of action by City Council shall deem the zoning petition null and void.

2. All applicable use group regulations shall apply, unless stated otherwise.

3. No building permits shall be issued untill the property is platted.

4. No building permits shall be issued until individual site development plans have been reviewed by City staff and approved by the Planning Director to address the following: Building footprint and location, setbacks, landscaping, internal pedestrian walkways, external lighting, drainage, pull–off parking and internal circulation, fencing, signage, suggested CPTED measures, building materials and architectural features, etc.

5. Building layouts and pedestrian walkways on the PUD Plan are for conceptual purposes only and may be reconfigured or re–oriented during the site plan review stage, subject to City staff review and Planning Director approval.

6. Prior to issuance of any building permits, a minor amendment to the Topeka Housing Authority's California Acres Master PUD Plan (Case #Z59/21C) shall be approved designating a visitor parking area for the Echo Ridge development on that Master PUD Plan and showing a pedestrian walkway connection from SE California through that property over to its east boundary line.

CIRCULATION, PARKING AND TRAFFIC:

1. Public Streets: Market Street shall be a public street and shall be two–lane. Storm water will be collected in a curb inlet system and discharged into planned detention/retention areas with metered release into City system. Some use of BMP systems may also be provided within the system.

2. Private Streets: All other streets shall be private streets and shall be two–way and 27 feet back of curb to back of curb, constructed to urban street design standards. Storm water will be collected within the outer curbed areas, collected in curb inlets and enclosed storm sewer system and released into planned detention/retention areas with a metered release into the City's system. Some use of BMPs and swales will occur along the back sides of the structures. All stormwater that approaches City right of way will be collected in an underground collection system and connected to the City curb inlet system (Reference Echo Ridge Subdivision Drainage Report on file with the City of Topeka Engineering Department). Streets will be posted with sign names, which shall have the approval of the City of Topeka Engineer.

3. Pedestrian access shall be provided between all buildings and shall connect to the outer limits of the property along SE Market Street with specific locations to be determined at site plan review.

4. A 40 foot sight triangle, measured from the face of curb extended, shall be maintained at all entrances. No obstructions greater than (30) inches above grade of any adjacent street or entrance may be placed within this area. (Reference City of Topeka Code for Fence Construction).

5. Parking for Type (A) and (C) Structures: All units will have a single stall garage and shared driveway. The driveway will be a minimum of twenty–four feet (24') in width and will extend a minimum of twenty feet (20') beyond the back of sidewalk. Total parking for the area shall be at the rate of one and one half stalls per residential unit (min.) and shall include the garage as one stall and the driveway as one stall. Additional parking may be provided along the inside curb of SE Echo Ridge Circle. All pull off parking locations will be as approved by City of Topeka Engineer.

6. Parking for Type (B) Structures: Parking for these structures will be provided as cutback parking along the interior of SE Echo Ridge Circle and centrally located to the units. Each stall shall be a minimum of 9' in width and 20' in depth, measured from the back of curb. Additional parking will be provided along the inside curb of SE Echo Ridge Circle.

7. Parking for the Community Center: Visitor parking will be provided by pull off parking into the Community Center's parking lot. Total for the area shall be at the rate of one stall per 300 sq.ft. of floor area. The parking lot will provide one half (1/2) of the required stalls including the required number of ADA stalls. The remainder will be provided within the existing Topeka Housing Authority parking lot to the west. The walkway connection to the Topeka Housing Authority parking lot to the west will provide additional parking spaces for special gatherings and events. Additional parking may be provided at locations approved by the City of Topeka Engineer.

7. Portions of the private sidewalks, private streets, residential driveways, and community center parking lots may be approved to use permeable pavement surfacing. The actual pavement materials used shall be subject to final approval by the City of Topeka Public Works and Fire Departments at the site plan review stage prior to issuance of any building permits.

8. Signage shall be erected along SE Echo Rige Circle stating "No Parking" along the outside curb.

9. Signage shall be erected at both intersections of SE Market St. and SE Echo Ridge Circle, facing eastbound traffic, stating "All City of Topeka Ordinances Shall Be Enforced On This Property".

SIGNAGE NOTES:

1. A maximum of two (2) monument ground signs only shall be permitted at locations to be determined at the site plan review stage. Signage shall be a maximum 5' high and 40 sq. ft. per sign face. These monument signs shall include 30" of landscaping around the base of the signs to be determined at site plan review.

BUILDING AND STRUCTURAL NOTES:

1. The minimum distance between all principle buildings shall be 10 feet.

2. Typical setback from the street right–of–way along SE Market St. shall be 25 feet. Typical setback from the street (back of curb) on SE Echo Ridge Circle shall be 26' to allow for a 6' sidewalk width and 20 feet driveway. There shall be no less than 10 feet separation between structures. There will be a minimum of 25' setback from all outer lot lines or right of way lines.

3. A 120 sq. ft. geothermal pump station shall be permitted on the property. The location of which shall be determined at site developement plan review.

LANDSCAPING NOTES:

1. The care, maintenance, and ownership of common open space, parking areas, utilities, private streets, drainage easements, green space easements, playground equipment, fencing, community center and landscaping shall be the responsibility of the Topeka Housing Authority and/or the owner(s). All landscaping shall be installed pursuant to phasing schedule and properly maintained. If any portion of the landscaped material dies, it shall be replaced by the next planting season.

2. This development shall conform to the Landscape Regulations adopted by the Topeka City Council, Ordinance No. 17846, dated June 19, 2002. Season permitting, all landscaping shall be installed prior to occupancy of the structures. If season proves to be prohibitive, landscaping shall be installed as soon as the weather allows per specific landscaping material planting requirements. The perimeter areas will be landscaped with one or more of the following: Sod, shrubs, earth berm that range between 36 inches to 48 inches in height, and ornamental trees of height and spacing with sufficient density to create an effective screening buffer. The interior will be landscaped with one or more of the following: Sod, shrubs, and ornamental trees.

3. Greenspace located on the east side of SE Market St. at the Northerly end of the property are reserved for landscaping amenities and natural features, but may also include walking pathways, park benches and one monument sign (location to be determined at site plan review).

UTILITY NOTES:

1. All utilities shall be installed underground pursuant to the City's right–of–way management standards.

2. Sanitary sewer service shall be by the City of Topeka.

3. Water service shall be by the City of Topeka.

4. All infrastructure improvements shall be to City of Topeka standards.

5. Illumination shall be confined to the subject site and is not to exceed 3 foot–candles as measured at the lot line. The majority of the site lighting will be achieved by building–mounted lighting sources. Additional lighting for the remainder of the site shall generally be achieved by residential style yard lighting. No source of illumination shall be visible from adjacent property lines.

ANTICIPATED DEVELOPMENT PHASING SCHEDULE:

1. Construction of all units in single phase is anticipated with Completion in 2011.

VARIANCES:

1. The Topeka Planning Commission hereby grants a variance to Topeka Municipal Code 18.240.030(a) and (b) to reduce the required off–street parking for residential uses and the community center, as stated herein.

CERTIFICATION OF MASTER PUD PLAN APPROVAL:

______________________________ ______________
David F. Thurbon, AICP, Planning Director — Date
Secretary, Topeka Planning Commission.

Be it remembered that on this ________ day of ______________________, A.D., 2010, before me, the undersigned, a notary public in and for said County and State came David F. Thurbon, who is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

In Witness Whereof, I hereby set my hand and affix my notarial seal the day and year last written above.

______________________ ______________________
Commission Expires: — Notary Public

This Planned Unit Development (PUD) Master Plan has been reviewed and approved in accordance with the provisions of Chapter 18.190 of the Topeka Municipal Code, and may be amended only as prescribed in Section 18.190.070 of said Chapter and as set forth on this document or as may subsequently be approved and recorded.

OWNER'S CERTIFICATE: Topeka Housing Authority, Shawnee County, Kansas, agrees to comply with the conditions and restrictions as set forth on the Master PUD Plan.

In Testimony Whereof:

The Owner of the below described property, Topeka Housing Authority, Shawnee County, Kansas, has signed these presents this ________day of ____________________, 2010.

____
John Johnston, President and CEO
Topeka Housing Authority,
Shawnee County, Kansas

Be it remembered that on this ________day of ____________________ A.D. 2010, before me, a notary public in and for said County and State came John Johnston, President and CEO, Topeka Housing Authority, Shawnee County, Kansas, owner of the below described property.

I hereby set my hand and affix my notarial seal the day and year last written above.

______________________ ______________________
Commission Expires: — Notary Public

LEGAL DESCRIPTION (PUD)

The East 795 feet of Lot 1 of California Acres Shopping Center Subdivision, plus the west 96 feet of the East Half of the North half of the North half of the Southwest quarter of the Southwest quarter Section 4, Township 12 South, Range 16 East of the 6th P.M. Shawnee County, Kansas.

PROPERTY OWNERS

Topeka Housing Authority
2010 SE California Ave.
Topeka, Shawnee County, Kansas
66607

PROJECT INFORMATION NOTES:

USE GROUP CATEGORY: "M–1" MULTIPLE–FAMILY DWELLING DISTRICT.

TOTAL DENSITY: 12.68 acres less 1.16 acres of R/W=11.52 Acres
68 Units/11.52 Acres = 5.9 units per acre

TOTAL STRUCTURES: Up to Thirty–Four (34) Structures, Sixty–Eight (68) Units

Type (A) Structures: Duplex Structures, Two–Bedroom, Two–Family Dwellings
Up to Twenty (20) Buildings @ 2,826 S.F. (Gross Floor Area, including garages)
Two Single Stall attached garages per Duplex.

Type (B) Structures: Duplex Structures, One Bedroom, Two–Family Dwellings
Eight (8) Buildings @ 1,562 S.F. (Gross Floor Area)
Two Detached Parking Stall Per Unit.

Type (C) Structures: Duplex Structures, Three Bedroom Two–Family Dwellings
Six (6) Buildings @ 3,231 S.F. (Gross Floor Area, including garages)
Two Single Stall attached garages per Duplex.

Community Center: Community Center and Parking Lot
One (1) Building @ 5000 S.F. (Gross Floor Area)

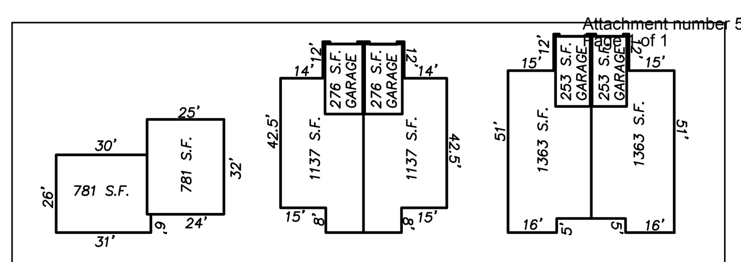
MAXIMUM BUILDING HEIGHT: 45 FEET

PARCEL SIZE: 552,340.80 Square Feet (12.68 Acres)

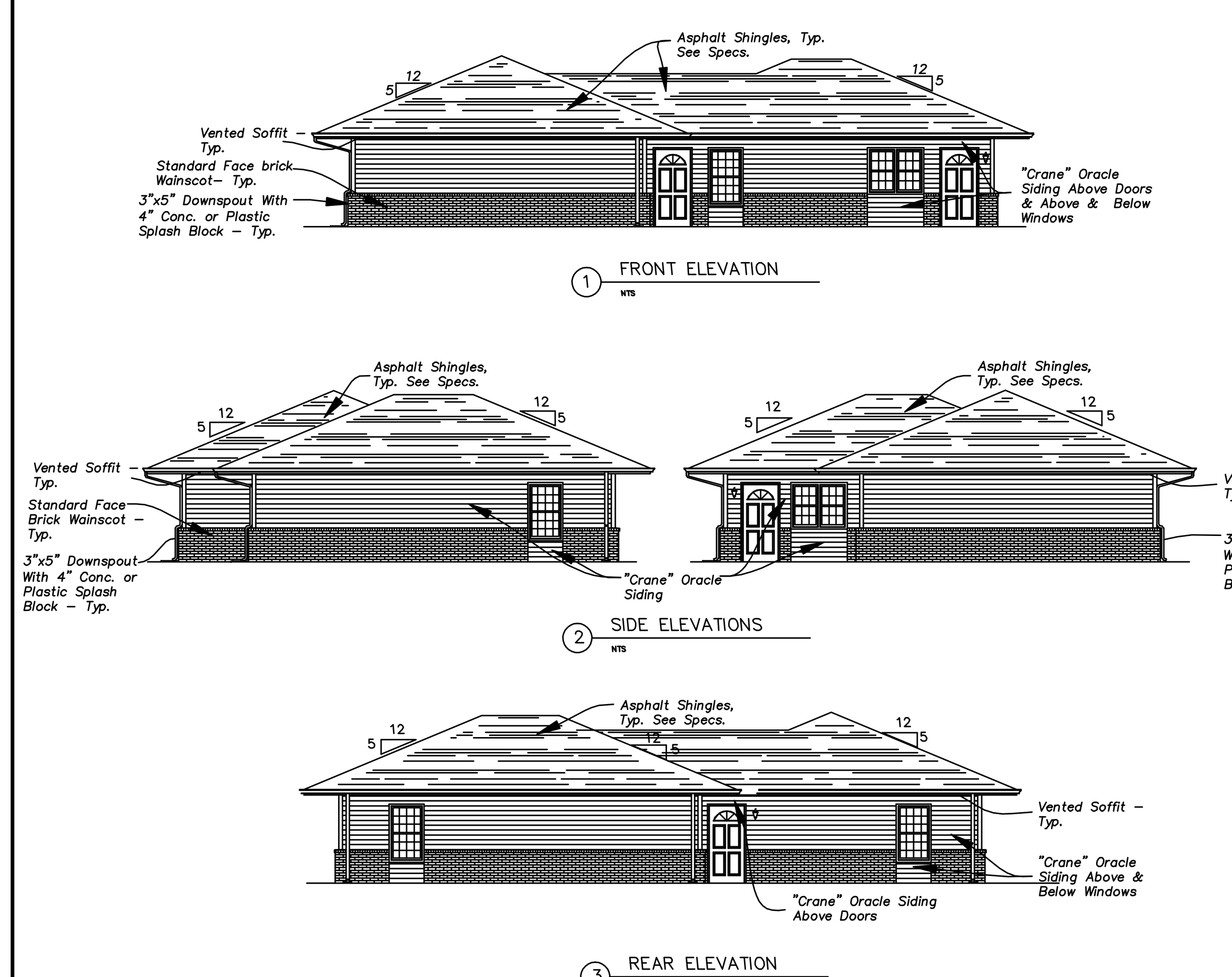
PARKING REQUIRED: Residential: 1.5 Space Per Dwelling (one attached garage per unit to count in spaces provided) = 102 Spaces
Community Center: 1 Space Per–300 S.F. = 17 spaces (based on 5000 S.F.)

DATE:

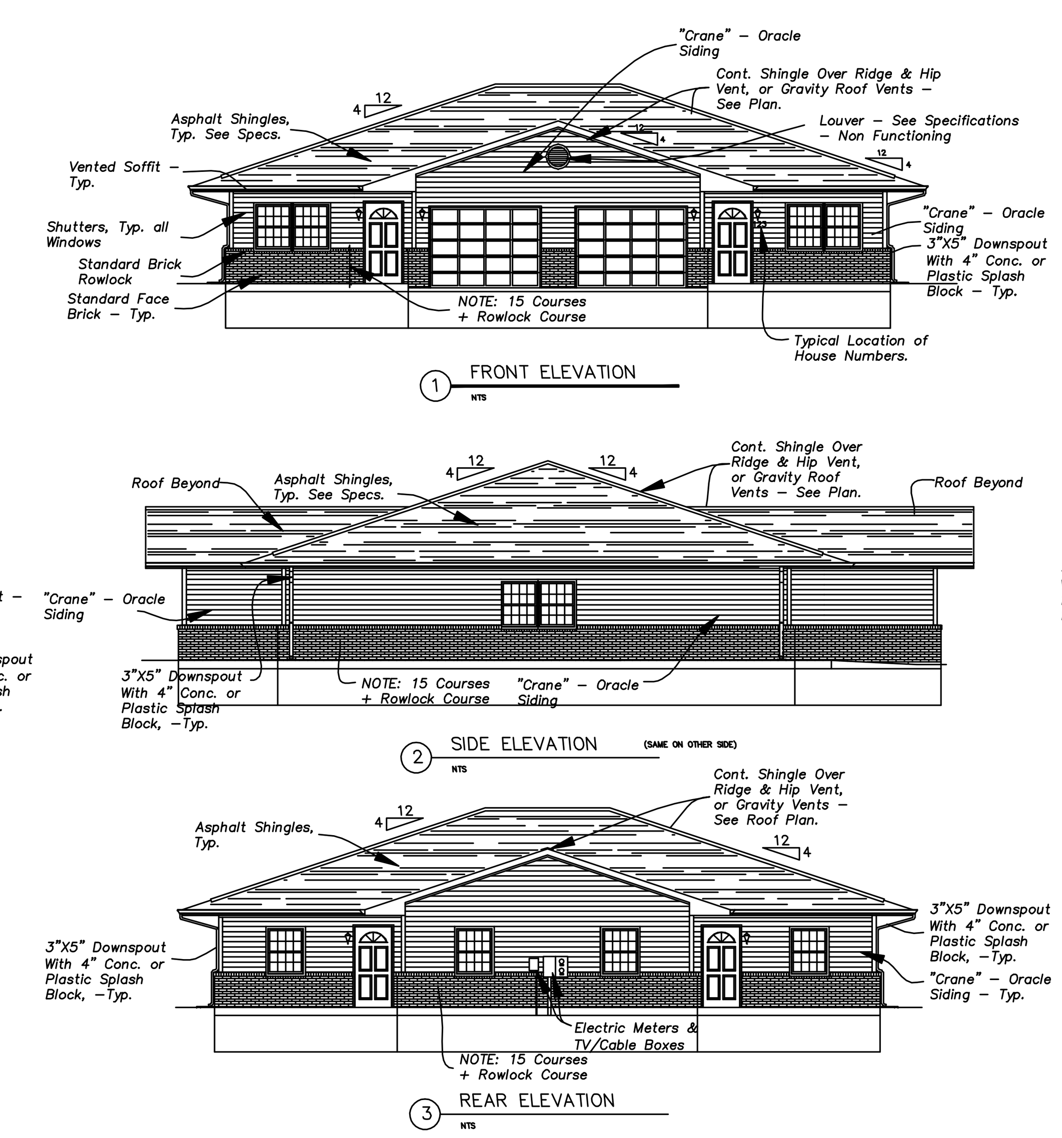
April 30, 2010



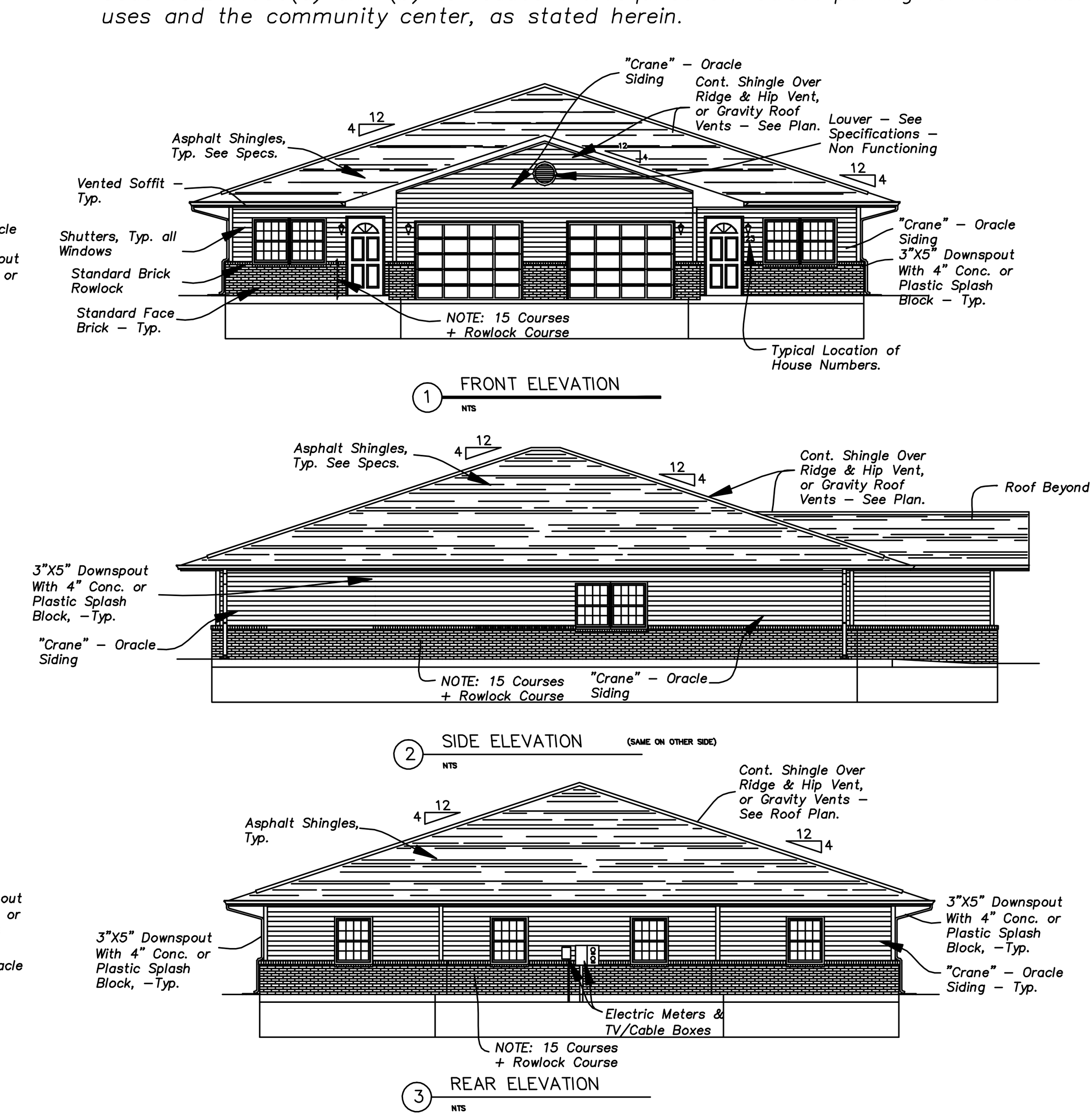
TYPICAL UNIT LAYOUT



TYPICAL ONE–BEDROOM ELEVATIONS
TYPE (B) STRUCTURES



TYPICAL TWO–BEDROOM ELEVATIONS
TYPE (A) STRUCTURES



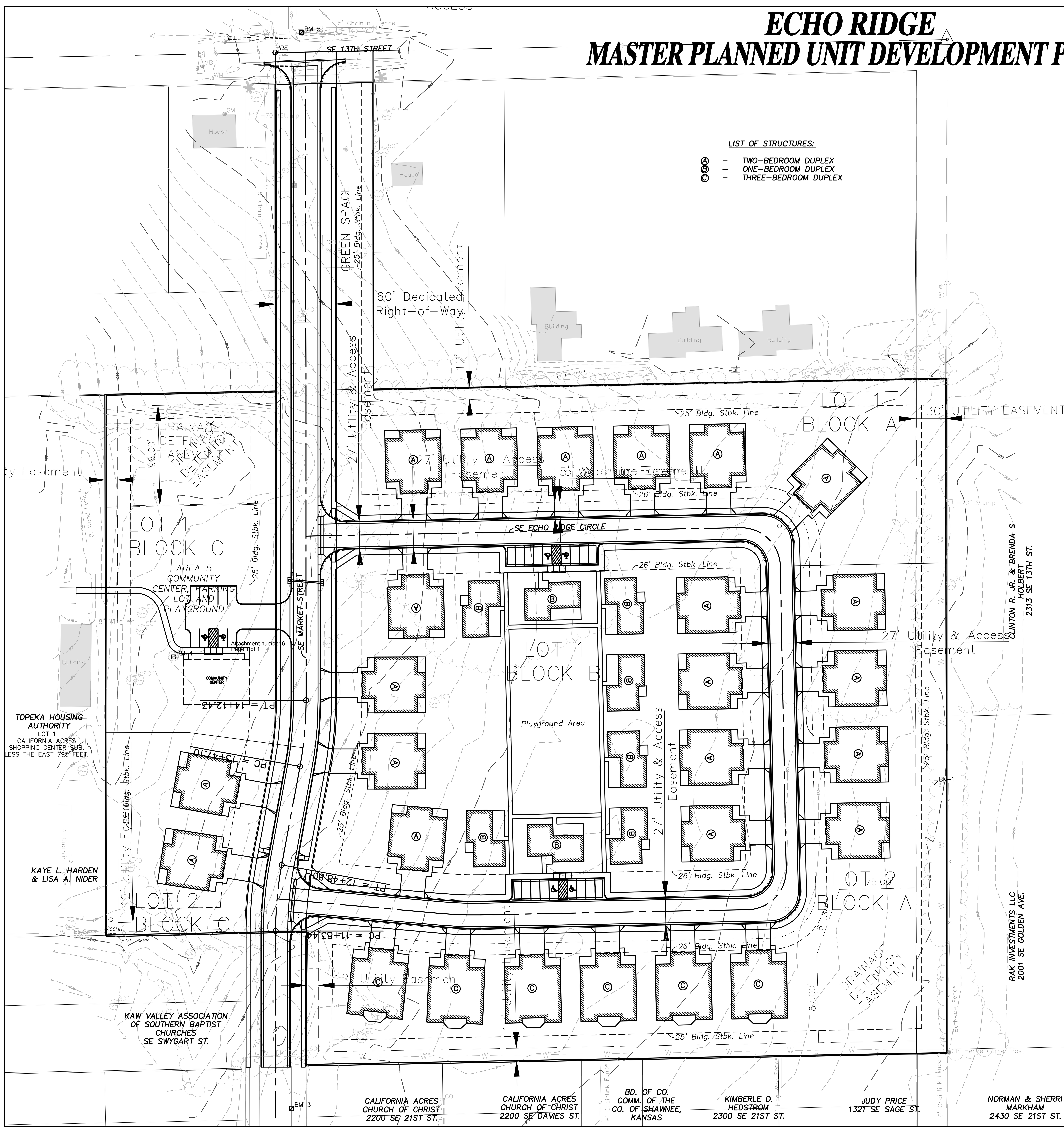
TYPICAL THREE–BEDROOM ELEVATIONS
TYPE (C) STRUCTURES

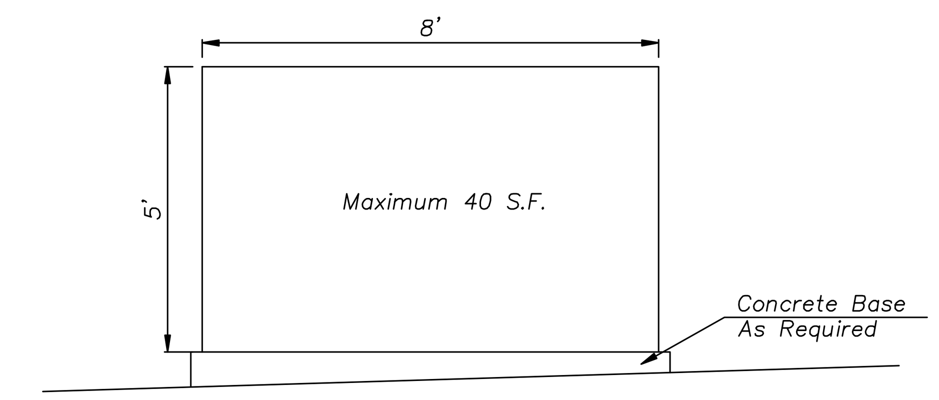
CFS Cook, Flatt & Strobel ENGINEERS, P.A.

Case #PUD10/6
Sheet 1 of 2

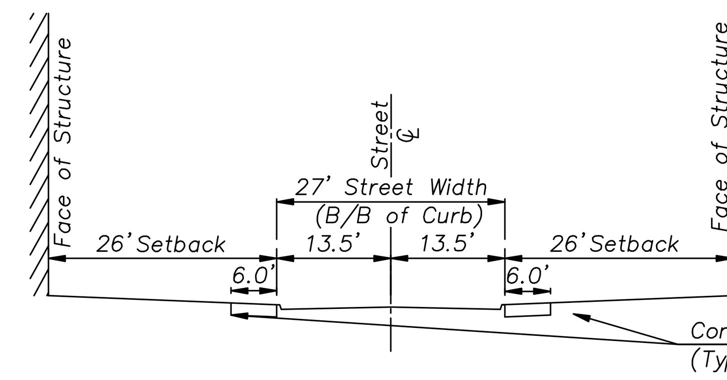
ECHO RIDGE
MASTER PLANNED UNIT DEVELOPMENT PLAN

BOOK ______ PAGE ______
DATE ______ TIME ______

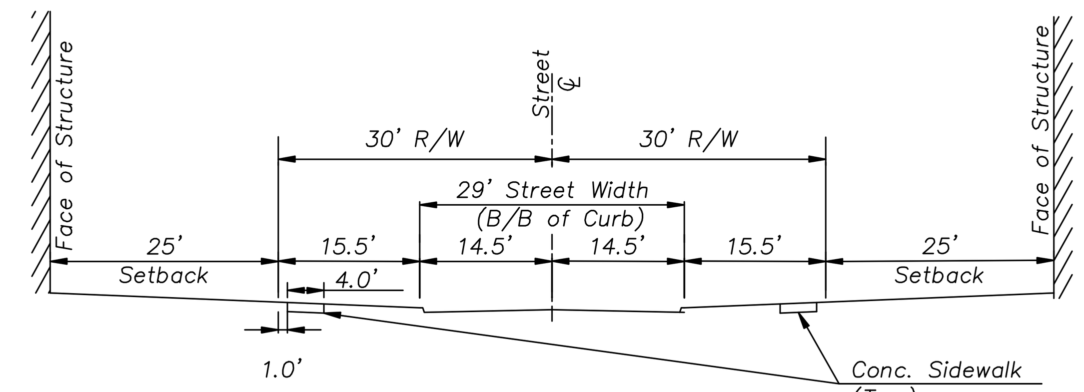




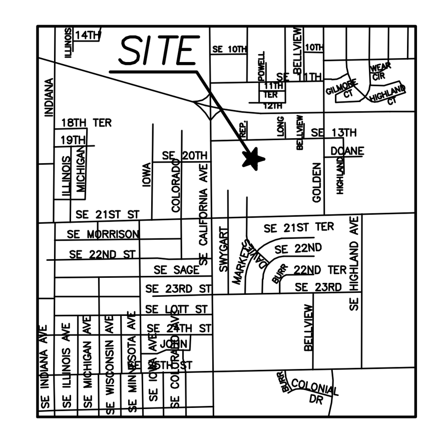
TYPICAL DETAIL
MONUMENT SIGN



TYPICAL DETAIL
PRIVATE STREET SETBACK



TYPICAL DETAIL
PUBLIC STREET SETBACK



VICINITY MAP

LEGEND

- Railroad Spike Found
- Iron Pin Found
- Iron Pin Set
- Telephone Pedestal
- Sanitary Sewer Manhole
- Water Meter
- Water Valve
- Power Pole
- Gas Valve
- Traffic Flow
- Light Pole
- Traffic Signal Box
- Tree
- Existing Fire Hydrant
- Water Line
- Gas Line
- Telephone Line
- Underground Electric
- Sanitary Sewer Line

SCALE: 1"=50'
50 0 50
CONTOUR INTERVAL 1'

Cook, Flatt & Strobel ENGINEERS, P.A.

Case #PUD10\6
Sheet 2 of 2

(Published in the Topeka Metro News
____)

ORDINANCE NO. ________________________

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st Streets from "M-1" Two Family Dwelling District **TO** PUD Planned Unit Development District ("M-1" use group). **(PUD10/6) (Council District No. 3)**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. The "District Map" referred to and made a part of the Zoning Ordinances by TMC 18.50.050, be, and the same is hereby amended, by reclassifying the follow described property:

The East 795 feet of Lot 1, California Acres Shopping Center Subdivision, plus the west 96 feet of the east half of the north half of the north half of the southwest quarter of the southwest quarter Section 4, Township 12 south, Range 16 east of the 6th P.M., Shawnee County, Kansas.

from "M-1" Two Family Dwelling District **TO** "PUD" Planned Unit Development District ("M-1" use group). **Subject to:**

1. **Use and compliance of the site in accordance with the recorded Master Planned Unit Development Plan for Echo Ridge.**

Section 2. The Master PUD Plan of for Echo Ridge shall be filed of record with the Shawnee County Register of Deeds in accordance with TMC 18.190.060(b). Following the recording of the Master PUD Plan and prior to any building and/or land development on the site, a site development plan shall be submitted for review and administrative approval by the Planning Director.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

Section 4. This Ordinance Number shall be fixed upon the "District Map".

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Governing Body of the City of Topeka, __________________, 2010.

____
William W. Bunten, Mayor

ATTEST:

____
Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified __X__

**Minutes of the
Topeka Planning Commission
Monday, May 17, 2010**

Rich Beardmore left the room.

Echo Ridge development. Annie Driver summarized the staff report.

Discussion below is for both the rezoning and the plat.

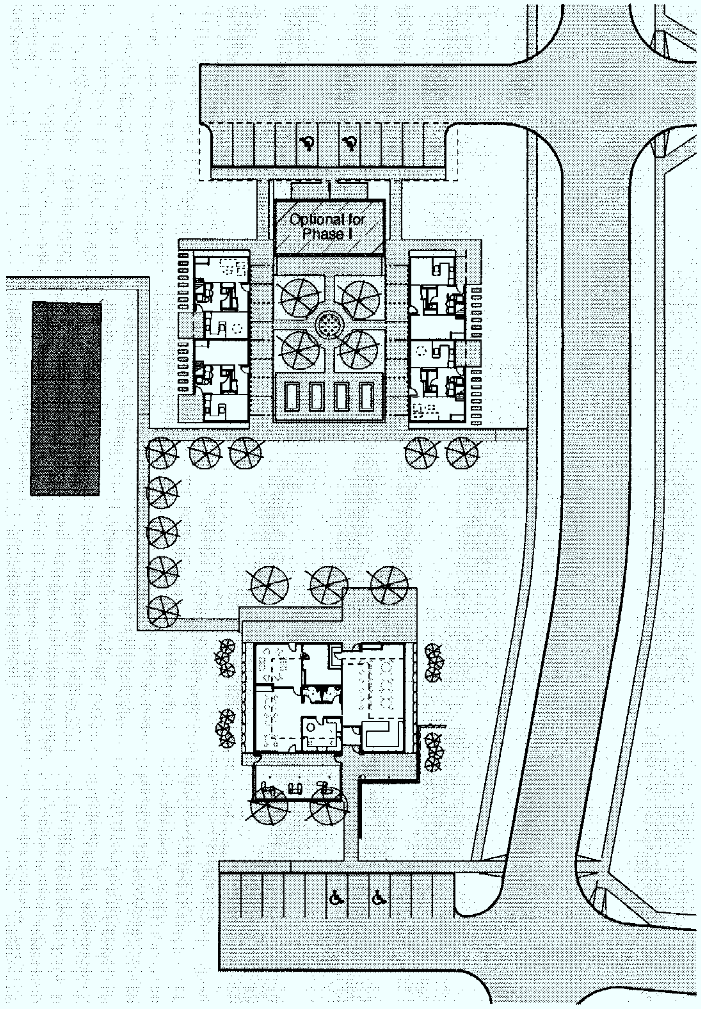
PUD10/6 Echo Ridge by Topeka Housing Authority requesting to amend the District Zoning Classification from “M-1” Two-Family Dwelling District **TO** “PUD” Planned Unit Development (“M-1a” use group) on property located approximately 500 feet east of SE California Avenue lying between SE 13th and SE 21st Streets. **(Driver)**

Discussion by members:
Mike Lackey asked why the variance request for utility easement from 16’ to 12’? Mrs. Driver replied they don’t need the full width.

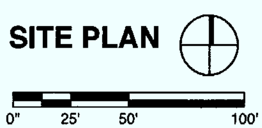
Proponents:
Kevin Beck, Cook, Flatt & Strobel Engineers, spoke in favor of the proposal. He said this is a development of duplexes. The project is being funded by a grant that has more of a green concept. Pervious concrete will be used and landscaping will help with water retention and drain-off.

Exparte communications - none

Mark Boyd moved approval as written by staff, seconded by Lee Williams. **APPROVAL. (6-0-0)**



SITE PLAN



Duplex Features

- Planted roof system
- Every room capitalizes on cross-ventilation from west to east
- Each unit has an insulated, louvered exhaust fan at top of stair tower
- Smaller footprint, less foundation and roof area
- Extensive solar shading facing the courtyard, reducing heat gain in units and on surface of sidewalk
- Energy Star appliances and lighting
- Recycled content and locally sourced materials used
- Gound source heat pump
- Community emphasis with family courtyard
- The courtyard features a raised garden for each 2-story unit, allowing and encourage locally grown food

Site Features

- Lower maintenance native plantings
- Best Management Practices: attractive rain gardens, detention basins reduce stormwater quantity and improve quality
- Centrally located green space between Community Center and duplexes
- Professional landscape design creates welcoming exterior space

Community Center Features

- Benef cial solar orientation
- Deep overhangs provide shade and protected exterior area for gatherings
- Water saving features such as green roof, rain barrels and rain gardens
- Insulated concrete frame walls and roof provide high insulative value
- Mechanical room houses equipment for ground source heat pumps for entire development.
- Energy star appliances and lighting
- Recycled content and locally sourced materials used
- Kitchen designed for teaching life skills to community related to cooking
- Kitchen garden extends lessons learned in kitchen outdoors
- Protected children-only play area
- Heavy duty exterior materials: limestone and pre-f hished metal siding
- Photovoltaic panels provide approximately 10% of power requirements
- Natural daylighting, including two daylight "towers" that also mark main entrances at night.

Echo Ridge PUD
project #1025

el dorado inc
510 aveneida cesar e chavez kansas city missouri 64108 p 816 474 3838 f 816 474 0836 www.eldoradoarchitects.com

A Capital City Government Working For You…

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 3, 2010

DATE:	**August 31, 2010**		
CONTACT PERSON:		**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY			
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

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		PAGE #:	

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #27

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		PAGE #:	

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SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available

Item #29