City of Topeka
City Council Agenda

City Council Chambers

214 SE 8th Street
Topeka, Kansas 66603

www.topeka.org

August 8, 2017
6:00 PM

Mayor: Larry E. Wolgast

Councilmembers

Karen A. Hiller	**District No. 1**	**Brendan Jensen**	**District No. 6**
Sandra Clear	**District No. 2**	**Elaine Schwartz**	**District No. 7**
Sylvia E. Ortiz	**District No. 3**	**Jeff Coen**	**District No. 8**
Tony Emerson	**District No. 4**	**Richard Harmon**	**District No. 9**
Michelle De La Isla	**District No. 5**		

Interim City Manager: Doug Gerber

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk at (785)368-3940 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) consecutive 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.

To make arrangements for special accommodations 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)

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. MAYORAL PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"None scheduled at this time."

3. ROLL CALL:

4. APPOINTMENTS:

A. Board Appointment - Citizens Advisory Council

BOARD APPOINTMENT recommending the appointment of Shampayne Lloyd to the Citizens Advisory Council for a term ending August 9, 2020. *(Council District No. 4)*

5. CONSENT AGENDA:

A. Resolution - Capital City Jazz and Food Truck Festival - Noise Exception

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

(*Approval would allow for amplified music and sound during the hours of 4:00 p.m. and 11:00 p.m. on October 7, 2017, in the permitted area of 8th to 9th and S. Kansas Avenue.)*

B. Resolution - Let's Help DART - Noise Exception

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

(City of Topeka Code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval would allow for amplified sound on August 26, 2017, during the hours of 8:00 a.m. and 2:00 p.m., in the area of SW 8th Street and S. Kansas Avenue.)

C. MINUTES of the regular meeting of July 18, 2017; and the special meeting of July 22, 2017 and July 28, 2017

D. APPLICATIONS:

6. ACTION ITEMS:

A. Ordinance - General Obligation Bonds, Series 2017-A

AN ORDINANCE introduced by Interim City Manager Doug Gerber, authorizing the issuance of $29,080,000 aggregate principal amount of General Obligation Bonds, Series 2017-A of the City of Topeka, Kansas, and currently refund the Series 2012-A Bonds for economic savings under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 10-427 et seq., and Charter Ordinance No. 89 of the City, all as amended.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would allow the City to convert capital improvement projects from temporary note status to permanent financing through General Obligation Bonds and currently refund the City's General Obligation Refunding Bonds, Series 2012-A.)

B. Resolution - General Obligation Bonds, Series 2017-A

RESOLUTION introduced by Interim City Manager Doug Gerber, prescribing the form and details of General Obligation Bonds, Series 2017-A of the City of Topeka, Kansas, in the aggregate principal amount of $29,080,000 the issuance of which were authorized by the City pursuant to its ordinance adopted and approved August 8, 2017; and authorizing certain other documents and action in connection with the issuance of the bonds.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would detail the procedures to issue the 2017-A General Obligation Bonds and currently refund the City's General Obligation Refunding Bonds, Series 2012-A.)

C. Resolution - Temporary Notes, Series 2017-A

RESOLUTION introduced by Interim City Manager Doug Gerber, authorizing and directing the issuance of Temporary Notes, Series 2017-A (General Improvements) of the City of Topeka, Kansas, in the aggregate principal amount of $43,760,000 for the purpose of providing funds to pay the cost of (i) renewing a portion of the Series 2016-A Temporary Notes of said City, dated September 13, 2016, and (ii) pay a portion of the cost of certain improvements of said City.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would fund one public building improvement project, one fire station improvement project, two street improvement projects, one special assessment project, two park (zoo) projects, and utility projects.)

D. Ordinance - Joint Economic Development Organization of Topeka and Shawnee County (JEDO) (Z17/02)

AN ORDINANCE introduced by Interim City Manager Doug Gerber amending the "District Map" referred to and made a part of the Zoning Ordinance by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 2014 SE Washington Street from "R-1" Single-Family Dwelling District to "O&I-2" Office and Institutional District. *(Z17/02) (Council District No.3)*

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would accommodate the renovation and reuse of the existing buildings and grounds formerly occupied by a National Guard Armory for use as the "East Topeka Learning Center".)

E. Final Plat - McFarland Farm Subdvision No. 5 (P17/6)

A FINAL PLAT for McFarland Farm Subdivision No. 5 on property between SW Steeplechase Lane and SW Prairie Road, all being within the City of Topeka, Shawnee County, Kansas. *(P17/6)*

***Voting Requirement:* Majority vote of the Governing Body (6).**

(Approval would allow for the development of 19 single family residences and the third phase of McFarland Farm Subdivision.)

F. Public Hearing - 2018 Consolidated Annual Action Plan

A PUBLIC HEARING to obtain public input and answer questions from the public regarding the City of Topeka 2018 Consolidated Annual Action Plan.

Voting Requirement: Majority vote of the Governing Body (6).

(The Notice of Public Hearing for the 2018 Consolidated Annual Action Plan was published in the Topeka Metro Newspaper on July 31, 2017.)

G. Public Hearing - 2018 City of Topeka Operating Budget

A PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2018 City of Topeka Operating Budget.

Voting Requirement: Majority vote of the Governing Body (6).

(The Notice of Public Hearing including the Budget Summary was published in the Topeka Metro Newspaper on July 17, 2017.)

H. Resolution - Wheatfield Village Commuity Improvement District (CID) - Public Hearing Notice - September 12, 2017

RESOLUTION introduced by Interim City Manager Doug Gerber, setting the public hearing to consider the advisability of establishing a Community improvement District (CID) for the Wheatfield Village District at 29th and Southwest Fairlawn Road.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would set a public hearing date of September 12, 2017 to establish a Community Improvement District for the Wheatfield Village development.)

I. Resolution - Wheatfield Village TIF District Project Plan - Public Hearing Notice - September 12, 2017

A RESOLUTION introduced by Interim City Manager Doug Gerber, setting the public hearing for consideration of the adoption of a Redevelopment Project Plan for the Wheatfield Village Redevelopment District.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would set a public hearing date of September 12, 2017 to consider public comment regarding the Wheatfield Village District Project Plan.)

7. ANNOUNCEMENTS:

PRELIMINARY AGENDA

(The City Clerk will provide a brief summary of items on the next scheduled Council meeting agenda. Also during this time, the City Manager and Governing Body Members may offer comments regarding City business and announce upcoming events.)

8. PUBLIC COMMENT:

9. EXECUTIVE SESSION:

Executive Sessions are closed meetings held in accordance with the provisions of the Kansas Open Meetings Act.

(Executive sessions will be scheduled as needed and may include topics such as personnel matters, considerations of acquisition of property for public purposes, potential or pending litigation in which the city has an interest, employer-employee negotiations and any other matter provided for in K.S.A. 75-4319.)

10. ADJOURNMENT:

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Mayor Larry Wolgast**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Citizen's Advisory Council**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**006 Communication / 005 Other**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Shampayne Lloyd to the Citizens Advisory Council for a term ending August 9, 2020. *(Council District No. 4)*

VOTING REQUIREMENTS:

The Mayor does not vote.

POLICY ISSUE:

The Citizens Advisory Council makes recommendations to the City of Topeka Department of Neighborhood Relations. Members have backgrounds in construction trades, architecture, appraising, real estate and real estate development, property management, engineering, neighborhood planning and other areas relevant to neighborhood development.

STAFF RECOMMENDATION:

Mayor Wolgast recommends the appointment of Shampayne LLoyd for a three year term on the Citizens Advisory Council ending August 9, 2020.

BACKGROUND:

Membership includes one voting member from each Neighborhood Improvement Association (NIA) and three members appointed at-large by the Mayor with confirmation of the City Council. Among the Mayor’s appointees, one must be from a Low to Moderate Income (LMI) area not represented by a certified NIA, or be a LMI citizen of Topeka not residing in an NIA area. At-large members must come from disciplines such as construction trades, architecture, appraising, real estate sales, public finance, mortgage lending, legal, real estate development, residential property management, commercial banking, construction material suppliers, fund raising, neighborhood planning, zoning, engineering or other disciplines relevant to housing and neighborhood development.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

SLloyd Application 2017

Profile

Shampayne
First Name

Lloyd
Last Name

shampaynelloyd@yahoo.com
Email Address

3719 SE 30th Terrace # 202
Street Address

3719 SE 30th Terrace # 202
Suite or Apt

Topeka
City

KS
State

66604
Postal Code

Are you a resident of the City of Topeka?

◉ Yes ○ No

What district do you live in? *

☑ District 4

Check for your district here -> https://www.topeka.org/citycouncil

Home: (785) 383-9103
Primary Phone

Home: (785) 383-9103
Alternate Phone

Which Boards would you like to apply for?

Citizens Advisory Council & Community Action Board: Submitted

Unemployed
Employer

Unemployed
Job Title

Are you a registered voter?

◉ Yes ○ No

Are you currently a full or part-time employee of the City of Topeka?

○ Yes ◉ No

If yes, please advise in which department you work:

Are you or any immediate family member related to any city governmental official or employee?

○ Yes ◉ No

If yes, please advise who and how you are related:

Are you or have you been a party to any civil litigation involving the City of Topeka?

○ Yes ◉ No

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?

◉ Yes ○ No

If yes, please explain:

Child Support Arrears

Please state why you are interested in serving on this board or commission:

Topeka Service the community and be a part of solutions, also being a bridge between the community to the office. I speak the city's language and know both sides. I would bring diversity and fresh perspective of the poor.I am considered the poor,what better person to work this position and make REAL change. Bringing understanding as well.

Interests & Experiences

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.

I am a product of the system,educated layer on life getting my GED,Liscencing in Certified Nursing And Medication Aide. I'm a Pastor of a new Church Planted in a poor urban area Hi Crest.I am also involved in World Impact, which is International Mission Organization That Equips Indigenous Leaders to lead and serve their own neighbors. Leadership Certified In Evangal and 3rd year seminary student in The Urban Ministry Institute. I Mentor at the Topeka Rescue Mission and The Topeka Correctional Facility For women

Upload a Resume

Please attach any additional information you believe may be helpful in considering your application.

Voluntary Self Identification

Ethnicity

☑ African American

Gender

☑ Female

Acknowledgements and Verification

Purpose of information being submitted.

☑ I Agree

The information I am submitting is true and correct.

☑ I Agree

Electronic Signature

☑ I Agree

Notification to applicants for City Board/Commissions

Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act.

If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

http://topeka.novusagenda.com/agendapublic/

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Councilmember Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Vince Frye-DTI**	**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 DTI, an exception to the provisions of City of Topeka Code Section 9.45.150, et seq., concerning noise prohibitions. *(Council District No. 1)*

(*Approval would allow for amplified music and sound during the hours of 4:00 p.m. and 11:00 p.m. on October 7, 2017, in the permitted area of 8th to 9th and S. Kansas Avenue.)*

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

City of Topeka Code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval grants a noise exception to DTI for the Capital City Jazz and Food Truck Festival on October 7, 2017.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

DTI has requested a noise exception due to amplified music and sound during specific date and time.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO. ________

A RESOLUTION introduced by Councilmember Karen Hiller granting DTI an exception to the provisions of City of Topeka Code Section 9.45.150 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, DTI has requested that they 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 DTI, the Governing Body 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 Governing Body of the City of Topeka that DTI is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. during the Capital City Family & Food Truck Festival located in the permitted area of 9th & Kansas Avenue from 4:00 p.m. to 11:00 p.m. on October 7, 2017.

ADOPTED and APPROVED by the Governing Body ________________.

____
Larry E. Wolgast, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Karen Hiller**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Linda Kehres**	**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 Let's Help an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. concerning noise prohibitions. *(Council District No. 1)*

(City of Topeka Code Section 9.45.170, et seq., authorizes the City Council to grant noise exceptions. Approval would allow for amplified sound on August 26, 2017, during the hours of 8:00 a.m. and 2:00 p.m., in the area of SW 8th Street and S. Kansas Avenue.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Let's Help, Inc. has requested that a noise exception be granted for a team race event to take place during specified date and time.

STAFF RECOMMENDATION:

Staff is recommending the Governing Body move to approve the resolution.

BACKGROUND:

Let's Help, Inc.is requesting the noise exception due to amplified sound at the event.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

RESOLUTION NO.

A RESOLUTION introduced by Councilmember Karen Hiller, granting Let's Help 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, Let's Help 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 Let's Help the Governing Body 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 Governing Body of the City of Topeka that Let's Help is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for the DART event located in the 800 block of S. Kansas Avenue, during the hours of 8:00 a.m. and 2:00 p.m. on August 26, 2017.

ADOPTED and APPROVED by the Governing Body ____________.

CITY OF TOPEKA, KANSAS

____
Larry E. Wolgast, Mayor

ATTEST:

____
Brenda Younger, City Clerk

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Nickie Lee, Director of Finance**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**GO Bonds 2017-A**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 012 Bond Ordinances**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Doug Gerber, authorizing the issuance of $29,080,000 aggregate principal amount of General Obligation Bonds, Series 2017-A of the City of Topeka, Kansas, and currently refund the Series 2012-A Bonds for economic savings under the authority of K.S.A. 10-101 to 125, inclusive, K.S.A. 10-427 et seq., and Charter Ordinance No. 89 of the City, all as amended.

Voting Requirement: **Majority vote of the Governing Body (6).**

(Approval would allow the City to convert capital improvement projects from temporary note status to permanent financing through General Obligation Bonds and currently refund the City's General Obligation Refunding Bonds, Series 2012-A.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Approval allows the City to convert capital improvement projects from temporary note status to permanent financing through General Obligation Bonds.

STAFF RECOMMENDATION:

Staff is recommending the Governing Body move to adopt the ordinance.

BACKGROUND:

The bonds would permanently finance one neighborhood improvement project, ten street and trafficway projects, and one bridge improvement.

BUDGETARY IMPACT:

Debt service would mature serially over 15 years for general obligation projects directly funded by the City. The 2018 adopted budget included the issuance of new bonds for projects, plus the costs of issuance and interest costs, while maintaining a projected flat debt service fund mill levy.

SOURCE OF FUNDING:

Debt service is paid through the debt service fund and is funded by a property tax levy.

ATTACHMENTS:

Description

2017-A Ordinance

Project List

(Published in The Topeka Metro News on August 14, 2017.)

ORDINANCE NO. ______

AN ORDINANCE INTRODUCED BY INTERIM CITY MANAGER DOUG GERBER AUTHORIZING THE ISSUANCE OF $29,080,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2017-A 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 CHARTER ORDINANCE NO. 89 OF THE CITY, ALL AS AMENDED.

WHEREAS, pursuant to 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, by proceedings duly had, the City of Topeka, Kansas, (the "City") has authorized and caused those improvements described in Exhibit A attached to this Ordinance (the "Improvements") to be made in the City; and

WHEREAS, the authorization of the Improvements pursuant to the authorizing authority and in the respective amounts set forth in Exhibit A hereto, is hereby approved, ratified, and affirmed; and

WHEREAS, all legal requirements pertaining to the Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Improvements, including the payment of a portion of the City's outstanding Series 2016-A Temporary Notes, dated September 13, 2016, which are due and payable October 1, 2017, and related expenses are at least $__________ (the "Improvement Costs") to be paid for by the issuance of general obligation bonds; and

WHEREAS, the City has heretofore duly authorized, issued and delivered its $30,445,000 principal amount of General Obligation Refunding Bonds, Series 2012-A, dated May 17, 2012, (the "Series 2012-A Bonds") pursuant to its Ordinance No. 19720 adopted April 17, 2012, (the "2012-A Bond Ordinance") in accordance with the requirements of K.S.A. 10-427 et seq., as amended. The terms and conditions of the Series 2012-A Bonds were set forth in Resolution No. 8413 of the City adopted on April 17, 2012 (the "Series 2012-A Bond Resolution); and

WHEREAS, as of August 1, 2017, there remains outstanding of the Series 2012-A Bonds the principal amount of $18,875,000 bearing interest payable semiannually on February 15 and August 15 of each year and maturing serially on August 15, as follows:

MATURITY (August 15)	PRINCIPAL AMOUNT	INTEREST RATE
	SERIAL BONDS	
2017	$2,170,000	2.000
2018	2,205,000	4.000
2019	1,360,000	2.000
2020	1,380,000	2.125
2021	1,415,000	2.250
2022	900,000	2.300
2023	1,165,000	2.500
2024	1,195,000	2.750
2025	1,225,000	3.000
2026	1,275,000	3.000
2027	1,305,000	3.250
	TERM BONDS	
2030	975,000	3.500
2033	1,090,000	3.750
2036	1,215,000	4.000

WHEREAS, pursuant to Section 301 of the Series 2012-A Bond Resolution, the Series 2012-A Bonds maturing on August 15, 2018, and thereafter, are subject to redemption and payment at the option of the City on August 15, 2017, 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, pursuant to Section 203 of the Series 2012-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 2012-A Bonds; 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 the Series 2012-A Bonds maturing on August 15, 2018, through and including August 15, 2036, (i.e., $16,705,000) (the "Refunded Bonds") be paid and redeemed as the same mature and otherwise become subject to redemption and payment on September 6, 2017, and that general obligation refunding bonds be issued in the principal amount of $___________ 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, in accordance with all of the foregoing, the City deems it necessary and advisable to issue and sell its General Obligation Bonds, Series 2017-A in the aggregate principal amount of ________________ Thousand Dollars ($__________) for the purpose of (1) paying the Improvement Costs, (2) currently refunding the Refunded Bonds and (3) paying the costs of issuing the Bonds.

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

Section 1. That the authorization of the Improvements pursuant to the authorizing authority in the amounts authorized, all as set forth in the attached Exhibit A, is hereby approved, ratified, and affirmed.

Section 2. That there is hereby authorized and directed to be issued General Obligation Bonds, Series 2017-A of the City in the aggregate principal amount of __________ Dollars ($__________) (the "Bonds") for the purpose of (1) paying the Improvement Costs, (2) currently refunding the Refunded Bonds and (3) paying the costs of issuing the Bonds as provided by K.S.A. 10-427 et seq., 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 3. 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 4. 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 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 8th day of August, 2017.

CITY OF TOPEKA, KANSAS

____

Larry E. Wolgast, 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 8, 2017.

(SEAL)

____

Brenda Younger, City Clerk

EXHIBIT A

Project Number & Description	Authorizing Authority	Project Authorization	Amount Authorized
Bridge Project			
120450	Charter Ordinance No. 89 (City Code A12-1)	Ord. #19399	$ 629,960
Infrastructure Project Sidewalks etc.			
T-601056.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$1,400,000
Trafficway Projects			
T-141016.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625	$ 640,000
T-141019.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$ 640,000
T-601057.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 185,000
Street Projects			
T-241034.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 600,000
T-601052.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$1,400,000
T-601058.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 100,000
T-601059.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 200,000
T-701010.01	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625	$3,600,000
T-701011.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625	$3,200,000
T-861014.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8888	$ 470,000
TOTAL			$13,064,960

2017 Temporary Note and Bond Projects

Project Number	Description	Temp Note	GO Bond	Revenue Bond
Neighborhoods				
T-601056.00	2017 Neighborhood Infrastructure	-	1,400,000.00	-
T-601052.00	2016 NIA N Topeka West/Hi-Crest	-	1,400,000.00	-
Public Safety				
T-131059.00	Fire Station #13 - Revised	1,800,000.00	-	-
Streets/Trafficways				
T-120450.00	SE 10th St Over Shunga Crk	-	629,960.00	-
T-141016.00	2015 Traffic Signal Replacement	-	640,000.00	-
T-141019.00	2016 Traffic Signal Replacement	-	640,000.00	-
T-601057.00	2017 Traffic Safety Project	-	185,000.00	-
T-241034.00	2017 Citywide Infill Sidewalks	-	600,000.00	-
T-601058.00	2017 Complete Streets	-	100,000.00	-
T-601059.00	2017 Citywide Infrastructure	-	200,000.00	-
T-701010.01	SE California SE 33rd to SE 37th	-	3,600,000.00	-
T-701011.00	SE California SE 29th to SE 33rd	-	3,100,000.00	-
T-701014.00	SW Huntoon/I470/Arvonia Pl	2,531,568.17	-	-
T-701015.00	SW 10th Ave - Fairlawn to Wanamake	413,492.25	-	-
T-861014.00	Wayfinding Signs	-	470,000.00	-
Special Assessments				
T-601048.00	St Impr Miller's Reserve	826,985.53	-	-
Facilities				
T-131036.00	Municipal Bldg Renov/Mech Sys	516,866.08	-	-
Quality of Life				
T-301049.00	Kay's Garden	516,866.08	-	-
T-301052.00	Zoo Parking Lot Resurfacing Ph I	416,079.00	-	-
Utilities				
T-281028.00	Water Extension Fairlawn	2,067,463.30	-	-
T-281032.01	Layne Station Ph II	1,033,732.17	-	-
T-281055.00	2MG West Elevated Tank	3,000,000.00	-	-
T-281079.00	Main Crane @ Jefferson	4,594,704.47	-	-
T-281082.00	Main California 33rd-41st	1,033,732.17	-	-
T-281085.00	Main SE 37th Kentucky - Calif	1,033,732.17	-	-
T-281086.00	Crane-Harrison/Branner/Jefferson	3,063,136.30	-	-
T-281090.00	18" Indian Hills SW 329th to SW 21st	1,500,000.00	-	-
T-281091.00	2.2 MGD Meriden Booster Station	500,000.00	-	-
T-281095.00	2018 Water Main Replacement	-	-	2,500,000.00
T-281104.00	24" NE Strait NE Seward to SE 6th	2,000,000.00	-	-
T-281107.00	East High Service Pumping Motor	-	-	2,689,950.00
T-281113.00	2018 Water Plant Rehabiliatation	-	-	1,000,000.00
T-151016.01	Pipe Replace SE 29th Ph II	715,784.08	-	-
T-501012.00	Levee Repairs Replacement	1,000,000.00	-	-
T-501018.00	City Park SW Pump Station	-	-	1,281,568.17
T-501024/5.00	Adams St SW Removal	-	-	555,000.00
T-501035.00	Storm Convey Sys Rehab 2018	1,000,000.00	-	-
T-291003.01	S Kansas River Pump Station	1,447,224.41	-	-
T-291028.00	2014 WW Main Lining Rehab	-	-	1,000,000.00
T-291018.02	Solids Handling Ph II	2,584,329.38	-	-
T-291030.00	Eastside Interceptor Sewer	-	-	3,500,000.00
T-291035.00	2015 WW Replacement	-	-	1,000,000.00
T-291039.00	2016 WW Replacement	-	-	1,531,568.17
T-291041.00	Adams St Intercepter Rehab	1,860,717.69	-	-
T-291042.00	Wastewater Lining & Replacement	-	-	1,000,000.00
T-291043.00	Lining Repair - NTWWTP Wanamker I	750,000.00	-	-
T-291050.00	Eastside IS Relief CSO	2,500,000.00	-	-
T-291055.00	SCADA System Upgrade	-	-	406,000.00
T-291056.00	Wanamaker Force Main Rehab	1,000,000.00	-	-
T-291057.00	Ash St Force Main Replacement	1,500,000.00	-	-
T-291058.00	Shunga Pump Station Rehab	1,000,000.00	-	-
T-291060.00	Oakland Aerator & Mixing Replace	1,000,000.00	-	-
T-291064.00	WPC Facility Rehab Program	-	-	1,000,000.00
	Total Projects	$ 43,206,413	$ 12,964,960	$ 17,464,086

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Nickie Lee, Director of Finance**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**GO Bonds Series 2017-A**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Interim City Manager Doug Gerber, prescribing the form and details of General Obligation Bonds, Series 2017-A of the City of Topeka, Kansas, in the aggregate principal amount of $29,080,000 the issuance of which were authorized by the City pursuant to its ordinance adopted and approved August 8, 2017; and authorizing certain other documents and action in connection with the issuance of the bonds.

Voting Requirement: **Majority vote of the Governing Body (6).**

(Approval would detail the procedures to issue the 2017-A General Obligation Bonds and currently refund the City's General Obligation Refunding Bonds, Series 2012-A.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Approval of bonds would convert capital improvement projects from temporary note status to permanent financing through general obligation bonds. This would include city projects that have been completed.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The bonds would fund one neighborhood improvement project, ten street and trafficway improvement projects, and one bridge improvement project.

BUDGETARY IMPACT:

Debt service would mature serially over 15 years for general obligation projects directly funded by the City. The 2018 proposed budget included the issuance of new bonds for projects, plus the costs of issuance and interest costs.

Budgetary savings for the partial refund of Series 2012-A would be spread over the remaining life of the bonds.

SOURCE OF FUNDING:

Debt service is paid through the debt service fund and is funded by a property tax levy.

ATTACHMENTS:

Description

2017-A Resolution

Project List

190717 3

****

RESOLUTION

OF

CITY OF TOPEKA, KANSAS

ADOPTED

AUGUST 8, 2017

$_________
GENERAL OBLIGATION BONDS
SERIES 2017-A

****

RESOLUTION

TABLE OF CONTENTS

ARTICLE I
DEFINITIONS

ARTICLE II
AUTHORIZATION AND DETAILS OF THE BONDS

ARTICLE III
REDEMPTION OF BONDS

ARTICLE IV
SECURITY FOR AND PAYMENT OF BONDS

ARTICLE V
ESTABLISHMENT OF FUNDS AND ACCOUNTS
DEPOSIT AND APPLICATION OF MONEYS

ARTICLE VI

DEFAULT AND REMEDIES

ARTICLE VII

DEFEASANCE

ARTICLE VIII

TAX COVENANTS

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

ARTICLE X

MISCELLANEOUS PROVISIONS

RESOLUTION NO. ______

A RESOLUTION INTRODUCED BY INTERIM CITY MANAGER DOUG GERBER PRESCRIBING THE FORM AND DETAILS OF GENERAL OBLIGATION BONDS, SERIES 2017-A OF THE CITY OF TOPEKA, KANSAS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $29,080,000 THE ISSUANCE OF WHICH WERE AUTHORIZED BY THE CITY PURSUANT TO ITS ORDINANCE NO. _______ ADOPTED AND APPROVED AUGUST 8, 2017; 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 authorized certain bridge, sidewalks, street, and traffic improvements, (the "Improvements") to be made in the City under the authority of 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 heretofore duly authorized, issued and delivered its $30,445,000 principal amount of General Obligation Refunding Bonds, Series 2012-A, dated May 17, 2012, (the "Series 2012-A Bonds") pursuant to its Ordinance No. 19720 adopted April 17, 2012, (the "2012-A Bond Ordinance") in accordance with the requirements of K.S.A. 10-427 et seq., as amended. The terms and conditions of the Series 2012-A Bonds were set forth in Resolution No. 8413 of the City adopted on April 17, 2012, (the "Series 2012-A Bond Resolution); and

WHEREAS, the City has by its Ordinance No. ________ adopted and approved August 8, 2017, (the "Ordinance") authorized the issuance of its General Obligation Bonds, Series 2017-A in the aggregate principal amount of $_________ (the "Bonds") under the authority of K.S.A. 10-427 et seq. and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City), all as amended, to (1) pay the cost of constructing the Improvements, (2) currently refund the Series 2012-A Bonds maturing on August 15, 2018, through and including August 15, 2036, (i.e., $16,705,000) (the "Refunded Bonds") and (3) pay the costs of issuing the 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 General Obligation Bonds, Series 2017-A 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 5, 2017.

"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.

"EMMA" means the Electronic Municipal Market Access (EMMA) System, the web-based platform of the Municipal Securities Rulemaking Board.

"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.

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

"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, 2018.

"Maturity" means when used with respect to any Bond, 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 Bonds, _____________, ___________, __________.

"Ordinance" means Ordinance No. ______ adopted and approved August 8, 2017, 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" means when used with respect to any Bond, 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 Series 2012-A Bonds maturing August 15, 2018, through and including August 15, 2036, being currently refunded with the proceeds of the Bonds on September 6, 2017.

"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 2012-A Bond Ordinance" means Ordinance No. 19720 of the City authorizing the issuance of the City's General Obligation Refunding Bonds, Series 2012-A.

"Series 2012-A Bond Resolution" means Resolution No. 8413 of the City setting forth the terms and conditions of the City's General Obligation Refunding Bonds, Series 2012-A.

"Series 2012-A Bonds" means the City's outstanding General Obligation Refunding Bonds, Series 2012-A dated May 17, 2012.

"Series 2017-A Principal and Interest Account" means the Principal and Interest Account for the City of Topeka, Kansas, General Obligation Bonds, Series 2017-A, created herein within the City's Bond and Interest Fund.

"Series 2017-A Project Account" means the Project Account for the Improvements in the treasury of the City, created herein.

"Series 2017-A Rebate Fund" means the Rebate Fund for the City of Topeka, Kansas, General Obligation Bonds, Series 2017-A, created herein.

"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 S&P Global Ratings, a Division of S&P Global 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, 2018.

"Term Bonds" means the Bonds scheduled to mature in the year 20___.

"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 General Obligation Bonds, Series 2017-A of the City in the aggregate principal amount of $________ for the purpose of providing funds to (a) pay the cost of constructing the Improvements, (b) currently refund the Refunded Bonds and (c) pay the costs of issuing the Bonds, all as described in the Ordinance, in accordance with K.S.A. 10-427 et seq., 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.

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 5, 2017, 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	
2018	$________	_____%
2019	________	_____
2020	________	_____
2021	________	_____
2022	________	_____
2023	________	_____
2024	________	_____
2025	________	_____
2026	________	_____
2027	________	_____
2028	________	_____
2029	________	_____
2030	________	_____
2031	________	_____
2032	________	_____
2033	________	_____
2034	________	_____
2035	________	_____
2036	________	_____
	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 1, 2017, 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. Optional and Mandatory Redemption of Bonds.

(a) Optional Redemption. The Bonds maturing prior to August 15, 2022, shall become due without the option of prior payment. The Bonds maturing on or after August 15, 2023, may be called for redemption and payment prior to maturity on February 15, 2023, 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 2017-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 Term Bonds:

TERM BONDS

Principal Amount	Year
$______	20___
$______	20___
$______	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 payable as to both principal and interest 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 2017-A 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 2017-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 2017-A (the "Series 2017-A Principal and Interest Account"); and

(c) In the treasury of the City, the Rebate Fund for the City of Topeka, Kansas, General Obligation Bonds, Series 2017-A (the "Series 2017-A 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 with the Treasurer of the State of Kansas and held in trust, uninvested, for the redemption of a portion of the City’s Temporary Notes, Series 2016-A, on October 1, 2017.

(b) Proceeds of the Bonds in the amount of $___________ shall be deposited with the Treasurer of the State of Kansas for the redemption of the Refunded Bonds on September 6, 2017.

(c) Proceeds of the Bonds in the amount of $_________ shall be deposited in the Series 2017-A Project Account to pay costs of the Improvements and the cost of issuing the Bonds.

Section 503. Withdrawals from the Series 2017-A Project Account. The Treasurer shall make withdrawals from the Series 2017-A Project Account solely for the purpose of paying costs and expenses of the Improvements and paying the Costs of Issuance for the Bonds. Such withdrawals shall be made only on due authorization by the governing body of the City.

Section 504. Surplus in the Series 2017-A Project Account. All moneys remaining in the Series 2017-A Project Account after the completion of the Improvements, as determined by the governing body of the City, shall be transferred immediately to the Series 2017-A Principal and Interest Account and applied to the next installment of principal due on the Bonds from which such surplus moneys remain.

Section 505. Application of Moneys in Series 2017-A Principal and Interest Account. All amounts paid and credited to the Series 2017-A 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 2017-A 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 2017-A Principal and Interest Accounts 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 2017-A Rebate Fund.

(a) There shall be deposited in the Series 2017-A 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 2017-A 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 Series 2017-A Bond shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Series 2017-A 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 2017-A 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 2017-A 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 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 2017-A 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 2017-A Project Account may, at the direction of the governing body of the City, be paid and credited to the Series 2017-A Principal and Interest Account and used to pay interest on the 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 (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. Redemption of Refunded Bonds. That pursuant to the Series 2012-A Bond Resolution, the City hereby calls the Refunded Bonds for redemption and payment on September 6, 2017. The Refunded 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 Resolution 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 1002. 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 made available on EMMA. 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 1003. 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 and filed on EMMA. A copy of every amendatory or supplemental resolution shall be sent to the surveillance group of any rating agency then maintaining a rating on the Bonds.

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 1004. 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 1005. 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 1006. 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 1007. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1008. Effective Date. This Resolution shall take effect and be in full force from and after its passage by the Council of the City.

(REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

PASSED and approved by the City of Topeka, Kansas, on August 8, 2017.

CITY OF TOPEKA, KANSAS

(SEAL)

____
Larry E. Wolgast, 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 8, 2017, 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 8, 2017.

(SEAL)

____
Brenda Younger, City Clerk

EXHIBIT A
(FORM OF 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 BOND
SERIES 2017-A

No. R-_____ $_________

Rate of Interest:	Maturity Date: August 15, 20__	Dated Date: September 5, 2017	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, 2018, 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.

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. 10-427 et seq., Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City), K.S.A. 10-101 to 125, inclusive, 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, 2023, may be called for redemption and payment prior to maturity on February 15, 2023, 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 beginning on August 15, 20___, and continuing on each August 15 thereafter to and including 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.

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.

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 5th day of September, 2017.

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 Bonds, Series 2017-A described in the within mentioned Resolution.

Registration Date: ____________________

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

By ____________________________________

I.D.#: _________________

****

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 5, 2017.

WITNESS my hand and official seal.

(manual)
____
City Clerk

(SEAL)

****

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

I, JAKE LATURNER, 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.

JAKE LATURNER
TREASURER OF THE STATE OF KANSAS

By______________________________________
State Treasurer

(SEAL)

****

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________________________________

****

EXHIBIT B

(DTC LETTERS OF REPRESENTATION)

2017 Temporary Note and Bond Projects				
Project Number	Description	Temp Note	GO Bond	Revenue Bond
Neighborhoods				
T-601056.00	2017 Neighborhood Infrastructure	-	1,400,000.00	-
T-601052.00	2016 NIA N Topeka West/Hi-Crest	-	1,400,000.00	-
Public Safety				
T-131059.00	Fire Station #13 - Revised	1,800,000.00	-	-
Streets/Trafficways				
T-120450.00	SE 10th St Over Shunga Crk	-	629,960.00	-
T-141016.00	2015 Traffic Signal Replacement	-	640,000.00	-
T-141019.00	2016 Traffic Signal Replacement	-	640,000.00	-
T-601057.00	2017 Traffic Safety Project	-	185,000.00	-
T-241034.00	2017 Citywide Infill Sidewalks	-	600,000.00	-
T-601058.00	2017 Complete Streets	-	100,000.00	-
T-601059.00	2017 Citywide Infrastructure	-	200,000.00	-
T-701010.01	SE California SE 33rd to SE 37th	-	3,600,000.00	-
T-701011.00	SE California SE 29th to SE 33rd	-	3,100,000.00	-
T-701014.00	SW Huntoon/I470/Arvonia Pl	2,531,568.17	-	-
T-701015.00	SW 10th Ave - Fairlawn to Wanamake	413,492.25	-	-
T-861014.00	Wayfinding Signs	-	470,000.00	-
Special Assessments				
T-601048.00	St Impr Miller's Reserve	826,985.53	-	-
Facilities				
T-131036.00	Municipal Bldg Renov/Mech Sys	516,866.08	-	-
Quality of Life				
T-301049.00	Kay's Garden	516,866.08	-	-
T-301052.00	Zoo Parking Lot Resurfacing Ph I	416,079.00	-	-
Utilities				
T-281028.00	Water Extension Fairlawn	2,067,463.30	-	-
T-281032.01	Layne Station Ph II	1,033,732.17	-	-
T-281055.00	2MG West Elevated Tank	3,000,000.00	-	-
T-281079.00	Main Crane @ Jefferson	4,594,704.47	-	-
T-281082.00	Main California 33rd-41st	1,033,732.17	-	-
T-281085.00	Main SE 37th Kentucky - Calif	1,033,732.17	-	-
T-281086.00	Crane-Harrison/Branner/Jefferson	3,063,136.30	-	-
T-281090.00	18" Indian Hills SW 329th to SW 21st	1,500,000.00	-	-
T-281091.00	2.2 MGD Meriden Booster Station	500,000.00	-	-
T-281095.00	2018 Water Main Replacement	-	-	2,500,000.00
T-281104.00	24" NE Strait NE Seward to SE 6th	2,000,000.00	-	-
T-281107.00	East High Service Pumping Motor	-	-	2,689,950.00
T-281113.00	2018 Water Plant Rehabiliatation	-	-	1,000,000.00
T-151016.01	Pipe Replace SE 29th Ph II	715,784.08	-	-
T-501012.00	Levee Repairs Replacement	1,000,000.00	-	-
T-501018.00	City Park SW Pump Station	-	-	1,281,568.17
T-501024/5.00	Adams St SW Removal	-	-	555,000.00
T-501035.00	Storm Convey Sys Rehab 2018	1,000,000.00	-	-
T-291003.01	S Kansas River Pump Station	1,447,224.41	-	-
T-291028.00	2014 WW Main Lining Rehab	-	-	1,000,000.00
T-291018.02	Solids Handling Ph II	2,584,329.38	-	-
T-291030.00	Eastside Interceptor Sewer	-	-	3,500,000.00
T-291035.00	2015 WW Replacement	-	-	1,000,000.00
T-291039.00	2016 WW Replacement	-	-	1,531,568.17
T-291041.00	Adams St Intercepter Rehab	1,860,717.69	-	-
T-291042.00	Wastewater Lining & Replacement	-	-	1,000,000.00
T-291043.00	Lining Repair - NTWWTP Wanamker F	750,000.00	-	-
T-291050.00	Eastside IS Relief CSO	2,500,000.00	-	-
T-291055.00	SCADA System Upgrade	-	-	406,000.00
T-291056.00	Wanamaker Force Main Rehab	1,000,000.00	-	-
T-291057.00	Ash St Force Main Replacement	1,500,000.00	-	-
T-291058.00	Shunga Pump Station Rehab	1,000,000.00	-	-
T-291060.00	Oakland Aerator & Mixing Replace	1,000,000.00	-	-
T-291064.00	WPC Facility Rehab Program	-	-	1,000,000.00
	Total Projects	$ 43,206,413	$ 12,964,960	$ 17,464,086

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Nickie Lee, Director of Finance**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Temp Notes 2017-A**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 005 Miscellaneous**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Interim City Manager Doug Gerber, authorizing and directing the issuance of Temporary Notes, Series 2017-A (General Improvements) of the City of Topeka, Kansas, in the aggregate principal amount of $43,760,000 for the purpose of providing funds to pay the cost of (i) renewing a portion of the Series 2016-A Temporary Notes of said City, dated September 13, 2016, and (ii) pay a portion of the cost of certain improvements of said City.

Voting Requirement: **Majority vote of the Governing Body (6).**

(Approval would fund one public building improvement project, one fire station improvement project, two street improvement projects, one special assessment project, two park (zoo) projects, and utility projects.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

The proceeds from the sales of the temporary notes will be used to provide interim financing for City-at-large projects, improvement district projects and public improvement projects during the construction phase.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The temporary note would fund one public building improvement project, one fire station improvement project, two street improvement projects, one special assessment project, two park (zoo) projects, and utility projects.

BUDGETARY IMPACT:

The notes are not subject to optional redemption and will mature on October 1, 2018. The notes would be retired using cash, the proceeds of permanent financing bonds and/or renewal notes issued at the time or from other sources. There would not be an immediate budgetary impact for the note. However, once construction is completed the recommendation would be to roll the notes into permanent bonds.

SOURCE OF FUNDING:

The temporary notes would not have a source of funding; however, when the temporary notes are refinanced into permanent bonds they will be paid through property taxes or utility revenues.

ATTACHMENTS:

Description

2017-A Temp Note Resolution

Project List

190717 3

RESOLUTION NO. ______

A RESOLUTION INTRODUCED BY INTERIM CITY MANAGER DOUG GERBER AUTHORIZING AND DIRECTING THE ISSUANCE OF TEMPORARY NOTES, SERIES 2017-A (GENERAL IMPROVEMENTS) OF THE CITY OF TOPEKA, KANSAS, IN THE AGGREGATE PRINCIPAL AMOUNT OF $43,760,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF (i) RENEWING A PORTION OF THE SERIES 2016-A TEMPORARY NOTES OF SAID CITY, DATED SEPTEMBER 13, 2016, 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 authorized and caused the following improvements described in Exhibit B attached to this Resolution (the "Improvements") to be made in the City; and

WHEREAS, the authorization of the Improvements pursuant to the authorizing authority and in the respective amounts set forth in Exhibit B hereto, is hereby approved, ratified, and affirmed; 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, under the statutory authority of K.S.A. 10-123 proper and full authority is conferred upon the City to issue its temporary notes to finance on an interim basis both the payment of the Outstanding Notes of the City as they mature and the cost of making the

Improvements until Bonds are issued by the City to permanently finance the cost of the Improvements.

WHEREAS, pursuant to Resolution No. 8798 of the City adopted August 16, 2016, the City issued its Temporary Notes, Series 2016-A (General Improvements), dated September 13, 2016, aggregating the principal amount of $31,495,000 and maturing on October 1, 2017, (the "Series 2016-A Notes") to provide funds to finance certain improvements in the City including Projects Nos. T-601048.00, T-131059.00, T-131036.00, T-701014.00, T-701015.00, T-301049.00, T-281028.00, T-281032.01, T-281079.00, T-281082.00, T-281085.00, T-281086.00, T-151016.01, T-291003.01, T-291018.02 and T-291041.00; as hereinbefore described (the "2016-A Projects"), and all aspects of said Projects will not be fully completed at the maturity of the Series 2016-A Notes; and

WHEREAS, it is necessary for the City to provide cash funds to (i) renew a portion of the Series 2016-A Notes issued to provide financing for the 2016-A 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. That the authorization of the Improvements pursuant to the authorizing authority in the amounts authorized, all as set forth in the attached Exhibit B, is hereby approved, ratified, and affirmed.

Section 2.(a) For the purpose of providing funds to (i) renew a portion of the Series 2016-A Notes issued in connection with the 2016-A 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 2017-A (General Improvements), of the City, in the principal amount not to exceed $__________ (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 5, 2017, shall become due on October 1, 2018, 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, 2018, (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 3. The Notes shall contain recitals and be in the form as prescribed by law. The Notes shall, in addition to all other requirements, 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 4. 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 2016-A Notes previously issued to finance the 2016-A Projects as hereinbefore described, (ii) the costs of the Improvements and (iii) the costs of issuing the Notes.

Section 5. 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

$_________** **$__________

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
SERIES 2017-A (GENERAL IMPROVEMENTS)

Rate of Interest: _____%	Maturity Date: October 1, 2018	Dated Date: September 5, 2017	CUSIP NO.

Registered Owner: Cede & Co.
Principal Amount: ____________________________________ 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, 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 5th day of September, 2017.

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 2017-A (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 5th day of September, 2017.

(SEAL) ________________________________

City Clerk of the City of Topeka,
Shawnee County, Kansas

****

STATE TREASURER'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

I, JAKE LATURNER, 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, 2017.

WITNESS My Hand and Official Seal.

JAKE LATURNER
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 Certifiate Signature Guaranteed 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 $__________ (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. 10-123, K.S.A. 12-6a01 et seq. 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 Purchase Agreement (the "Purchase Agreement") between such Original Purchaser and the City, the execution of which Purchase Agreement is hereby authorized 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.

(REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

ADOPTED by the Governing Body of the City of Topeka, Kansas, this 8th day of August, 2017.

CITY OF TOPEKA, KANSAS

(SEAL)

____

Larry E. Wolgast, 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 8, 2017.

____

Brenda Younger, City Clerk

(SEAL)

EXHIBIT A

LETTER OF REPRESENTATIONS

(ATTACHED)

EXHIBIT B

Project Number & Description	Authorizing Authority	Project Authorization	Amount Authorized
Special Assessment Project			
T-601048.00	K.S.A. 12-6a01 et seq.	Res. #8675	$ 912,389
Fire Station Project			
T-131059.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8888	$ 5,776,261
Public Bldg. Project			
T-131036.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$ 1,200,000
Street Projects			
T-701014.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8888	$ 3,641,500
T-701015.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$ 6,000,000
Park Projects			
T-301049.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 2,233,086
T-301052.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8888	$ 416,079
Utility Projects			
T-281028.00	Charter Ordinance No. 89 (City Code A12-1)	Ord. #19891	$ 2,670,000
T-281032.01	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 1,402,500
T-281055.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 4,744,300
T-281079.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625 #8673	$ 4,883,565
T-281082.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625	$ 1,464,400
T-281085.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$ 1,558,700
T-281086.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8673	$ 4,158,640
T-281090.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 1,827,350
T-281091.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 788,826
T-281104.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 2,700,000
T-151016.01	Charter Ordinance No. 89	Ord. #19883	$ 900,000

		(City Code A12-1)		
	T-501012.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 4,726,700
	T-501035.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8888	$12,500,000
	T-291003.01	Charter Ordinance No. 89 (City Code A12-1)	Res. #8665	$ 1,449,740
	T-291018.02	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 8,098,274
	T-291041.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8625	$ 2,000,000
	T-291043.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 1,500,000
	T-291050.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 8,348,760
	T-291056.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 8,625,000
	T-291057.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 5,000,000
	T-291058.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 6,800,000
	T-291060.00	Charter Ordinance No. 89 (City Code A12-1)	Res. #8755	$ 5,000,000
TOTAL				$111,326,070

2017 Temporary Note and Bond Projects

Project Number	Description	Temp Note	GO Bond	Revenue Bond
Neighborhoods				
T-601056.00	2017 Neighborhood Infrastructure	-	1,400,000.00	-
T-601052.00	2016 NIA N Topeka West/Hi-Crest	-	1,400,000.00	-
Public Safety				
T-131059.00	Fire Station #13 - Revised	1,800,000.00	-	-
Streets/Trafficways				
T-120450.00	SE 10th St Over Shunga Crk	-	629,960.00	-
T-141016.00	2015 Traffic Signal Replacement	-	640,000.00	-
T-141019.00	2016 Traffic Signal Replacement	-	640,000.00	-
T-601057.00	2017 Traffic Safety Project	-	185,000.00	-
T-241034.00	2017 Citywide Infill Sidewalks	-	600,000.00	-
T-601058.00	2017 Complete Streets	-	100,000.00	-
T-601059.00	2017 Citywide Infrastructure	-	200,000.00	-
T-701010.01	SE California SE 33rd to SE 37th	-	3,600,000.00	-
T-701011.00	SE California SE 29th to SE 33rd	-	3,100,000.00	-
T-701014.00	SW Huntoon/I470/Arvonia Pl	2,531,568.17	-	-
T-701015.00	SW 10th Ave - Fairlawn to Wanamake	413,492.25	-	-
T-861014.00	Wayfinding Signs	-	470,000.00	-
Special Assessments				
T-601048.00	St Impr Miller's Reserve	826,985.53	-	-
Facilities				
T-131036.00	Municipal Bldg Renov/Mech Sys	516,866.08	-	-
Quality of Life				
T-301049.00	Kay's Garden	516,866.08	-	-
T-301052.00	Zoo Parking Lot Resurfacing Ph I	416,079.00	-	-
Utilities				
T-281028.00	Water Extension Fairlawn	2,067,463.30	-	-
T-281032.01	Layne Station Ph II	1,033,732.17	-	-
T-281055.00	2MG West Elevated Tank	3,000,000.00	-	-
T-281079.00	Main Crane @ Jefferson	4,594,704.47	-	-
T-281082.00	Main California 33rd-41st	1,033,732.17	-	-
T-281085.00	Main SE 37th Kentucky - Calif	1,033,732.17	-	-
T-281086.00	Crane-Harrison/Branner/Jefferson	3,063,136.30	-	-
T-281090.00	18" Indian Hills SW 329th to SW 21st	1,500,000.00	-	-
T-281091.00	2.2 MGD Meriden Booster Station	500,000.00	-	-
T-281095.00	2018 Water Main Replacement	-	-	2,500,000.00
T-281104.00	24" NE Strait NE Seward to SE 6th	2,000,000.00	-	-
T-281107.00	East High Service Pumping Motor	-	-	2,689,950.00
T-281113.00	2018 Water Plant Rehabiliatation	-	-	1,000,000.00
T-151016.01	Pipe Replace SE 29th Ph II	715,784.08	-	-
T-501012.00	Levee Repairs Replacement	1,000,000.00	-	-
T-501018.00	City Park SW Pump Station	-	-	1,281,568.17
T-501024/5.00	Adams St SW Removal	-	-	555,000.00
T-501035.00	Storm Convey Sys Rehab 2018	1,000,000.00	-	-
T-291003.01	S Kansas River Pump Station	1,447,224.41	-	-
T-291028.00	2014 WW Main Lining Rehab	-	-	1,000,000.00
T-291018.02	Solids Handling Ph II	2,584,329.38	-	-
T-291030.00	Eastside Interceptor Sewer	-	-	3,500,000.00
T-291035.00	2015 WW Replacement	-	-	1,000,000.00
T-291039.00	2016 WW Replacement	-	-	1,531,568.17
T-291041.00	Adams St Intercepter Rehab	1,860,717.69	-	-
T-291042.00	Wastewater Lining & Replacement	-	-	1,000,000.00
T-291043.00	Lining Repair - NTWWTP Wanamker F	750,000.00	-	-
T-291050.00	Eastside IS Relief CSO	2,500,000.00	-	-
T-291055.00	SCADA System Upgrade	-	-	406,000.00
T-291056.00	Wanamaker Force Main Rehab	1,000,000.00	-	-
T-291057.00	Ash St Force Main Replacement	1,500,000.00	-	-
T-291058.00	Shunga Pump Station Rehab	1,000,000.00	-	-
T-291060.00	Oakland Aerator & Mixing Replace	1,000,000.00	-	-
T-291064.00	WPC Facility Rehab Program	-	-	1,000,000.00
	Total Projects	$ 43,206,413	$ 12,964,960	$ 17,464,086

City of Topeka

Council Action Form

Council Chambers

214 SE 8th Street

Topeka, Kansas 66603

www.topeka.org

August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Bill Fiander**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**014 Ordinances – Non-Codified / 007 Zoning**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Interim City Manager Doug Gerber amending the "District Map" referred to and made a part of the Zoning Ordinance by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 2014 SE Washington Street from "R-1" Single-Family Dwelling District to "O&I-2" Office and Institutional District. *(Z17/02) (Council District No.3)*

Voting Requirement:* *Majority vote of the Governing Body (6).

(Approval would accommodate the renovation and reuse of the existing buildings and grounds formerly occupied by a National Guard Armory for use as the "East Topeka Learning Center".)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

The request to rezone 6.06 acres located at 2014 SE Washington Street from "R-1" Single-Family Dwelling District TO "O&I-2" Office and Institutional District.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the Ordinance.

BACKGROUND:

The change in zoning would accommodate the renovation and reuse of the existing buildings and grounds formerly occupied by a National Guard Armory for use as the "East Topeka Learning Center".
A relatively narrow range of land uses are permitted within the O&I-2 district including: assisted living facility; private club or lodge; governmental services; outdoor recreation; religious assembly; office/professional; and

business and vocational school. (TMC 18.60 Land Use Matrix)

The proposed zoning is consistent with the City of Topeka's Land Use and Growth Management Plan (LUGMP) and the "Central Highland Park Neighborhood Plan." The neighborhood plan envisions use of the property as an institutional use and indicates the former National Guard Armory should be adaptively re-used for community-wide uses.

BUDGETARY IMPACT:

There would be no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Ordinance

Summary Report

Planning Commission Minutes 7-17-2017

Staff Report

Aerial Map

Zoning Map

Neighborhood Information Meeting Summary

(Published in the Topeka Metro News _______________________________________)

ORDINANCE NO. _________________________

AN ORDINANCE introduced by Douglas Gerber, Interim City Manager amending the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 2014 SE Washington Street from "R-1" Single-Family Dwelling District to "O&I-2" Office and Institutional District. **(Z17/02) (Council District No. 3)**

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

Section 1. That the "District Map" referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), be, and the same is hereby amended to reflect amendment of the PUD Master Plan for the following described property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5 OF TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE 6TH P.M., SHAWNEE COUNTY, KANSAS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE RUNNING NORTH 271 FEET; THENCE WEST TO THE EAST LINE OF LIME STREET (NOW WASHINGTON STREET) IN STEPHENSON'S ADDITION; THENCE SOUTH TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EAST TO PLACE OF BEGINNING. ALSO, A TRACT OF LAND BEGINNING 487 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE RUNNING WEST 454.1 FEET; THENCE SOUTH 14 FEET; THENCE WEST 176 FEET, TO THE EAST LINE OF WASHINGTON STREET; THENCE SOUTH 202 FEET; THENCE EAST PARALLEL TO SOUTH LINE OF SAID SECTION TO THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH TO PLACE OF BEGINNING.

FROM "R-1" Single-Family Dwelling District **TO** "O&I-2" Office and Institutional District.

Section 2. This Ordinance Number shall be fixed upon the "District Map".

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka, ________________________, 2017

____
Larry E. Wolgast, Mayor

ATTEST:

____
Brenda Younger, City Clerk

To Be Codified __________
Not To Be Codified ___X___

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

RE: Z17/02; Rezoning by Joint Economic Development Organization of Topeka & Shawnee County (JEDO)

Z17/02 is a request to rezone 6.06 acres located at 2014 SE Washington Street **FROM** "R-1" Single-Family Dwelling District **TO** "O&I-2" Office and Institutional District.

The change in zoning will accommodate the renovation and reuse of the existing buildings and grounds formerly occupied by a National Guard Armory for use as the "East Topeka Learning Center". The East Topeka Learning Center will be operated by Washburn University and Washburn Institute of Technology and will provide educational and career programs to support local workforce development.

The purpose of the proposed O&I-2 zoning district is to "provide for a limited range of nonresidential and noncommercial uses such as general purpose office, professional, or administrative operations. Among others, an objective of this district is to provide for a transitional buffer between the districts of lesser and greater intensity; and to restrict the intensity of use to a low to moderate range and to encourage a compatible design with the adjacent use and development." (TMC 18.130.010)

A relatively narrow range of land uses are permitted within the O&I-2 district. Permitted uses include: assisted living facility; private club or lodge; governmental services; outdoor recreation; religious assembly; banks; office/professional; and business and vocational school. Retail uses, auto repair, and other services uses are generally not permitted in the O&I-2 District. (TMC 18.60 Land Use Matrix)

The proposed zoning change is consistent with the Land Use & Growth Management Plan (LUGMP). The LUGMP "*encourages infill and redevelopment within Topeka to take advantage of existing urban infrastructure and services that promote a range of use to fit within the overall character of the area*." The subject property is also included within the "Central Highland Park Neighborhood Plan," and is categorized as "Institutional" on the Neighborhood Plan's Future Land Use Map. The property is further addressed within the Neighborhood Plan by indicating that buildings of the former National Guard Armory should be adaptively re-used for community-wide uses.

The owner/applicant conducted a Neighborhood Information Meeting on June 28, 2017. Seven (7) people attended the meeting and were generally positive of the application for rezoning and proposed learning center, while there was also concern expressed regarding potential traffic and potential other uses allowed within the proposed O&I-2 zoning district.

The Planning Commission recommended the request be approved by a vote of 5-0-2 at its July 17, 2017 public hearing, as indicated in the attached minutes. The Planning Department recommended the request be approved as stated in the attached staff report.

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

C A S E M I N U T E S

Monday, July 17, 2017

6:00PM – Municipal Building, 214 SE 8th Street, 2nd floor Council Chambers

Members present: Brian Armstrong, Ariane Messina, Dennis Haugh, Carole Jordan, Rosa Cavazos (Acting Chair), Katrina Ringler, Scott Gales, Patrick Woods (8)

Members Absent: Wiley Kannarr (1)

Staff Present: Bill Fiander, Planning Director; Mike Hall, Planner III; John Neunuebel, Planner II; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Z17/02 by: Joint Economic Development Organization of Topeka & Shawnee County (JEDO), requesting to amend the district zoning classification of the subject property (6.06 acres) located at 2014 SE Washington Street **from** "R-1" Single Family Dwelling District **to** "O&I-2" Office and Institutional to allow for a physical center for workforce development training in East Topeka. (Neunuebel)

Mr. Haugh and Mr. Armstrong left the room and Mr. Fiander explained the voting requirement to pass a motion is a majority of those voting.

Mr. Neunuebel presented the Staff Report, concluding with staff's recommendation for approval of the requested zoning reclassification.

With no questions from Commissioners, Ms. Angela Sharp of Bartlett & West came forward representing the applicant. Ms. Sharp pointed out that while the re-zoning isn't dependent on the short-term intended use but rather on overall long-term use, the entities requesting the action have a history of bringing positive, long-lived projects to the area and they expect their current project to be the same. If the re-zoning is approved, the applicant believes that the physical changes they intend to make to the property will have a positive impact on the surrounding neighborhood.

Ms. Cavazos noted a request from a citizen to have the building be opened/available as a tornado shelter. Ms. Sharp stated that it's certainly something the applicant would likely consider when the project got further along.

Ms. Cavazos declared the **public hearing open**. With none coming forward to speak, she declared the **public hearing closed.**

Mr. Gales asked for and received assurance from staff that no traffic issues are anticipated with the re-zoning. Ms. Jordan asked if there is a projected timeline on the completion of the project, and Mr. Neunuebel stated that he's not sure if a timeline has been set.

Ms. Cavazos pointed out that the building has been vacant for a number of years and it's exciting to see something going in there.

Motion by Mr. Gales to approve the request to amend the district zoning classification. **Second by Ms. Jordan. APPROVAL** (**5-0-2** with Mr. Haugh and Mr. Armstrong abstaining).

Mr. Haugh and Mr. Armstrong returned to their seats following the vote.

STAFF REPORT – ZONING CASE
TOPEKA PLANNING DEPARTMENT

PLANNING COMMISSION DATE: JULY 17, 2017

APPLICATION CASE NUMBER / NAME:	**Z17/02 – Joint Economic Development Organization of Topeka & Shawnee County (JEDO)**
REQUESTED ACTION / CURRENT ZONING:	Zoning reclassification **FROM** "R-1" Single-Family Dwelling District **TO** "O&I-2" Office and Institutional District
APPLICANT / PROPERTY OWNER:	**JEDO**
APPLICANT REPRESENTATIVE:	Ms. Angela Sharp, PE / Bartlett & West
PROPERTY LOCATION / PARCEL ID:	2014 SE Washington Street / 13305030270080000
PARCEL SIZE:	6.06 acres
CASE PLANNER:	John Neunuebel, Planner II
RECOMMENDATION:	Approval
RECOMMENDED MOTION:	Based on the findings and analysis in the staff report I move to recommend **APPROVAL** to the Governing Body of the reclassification of the subject property from R-1 Single-Family Dwelling District to O&I-2 Office and Institutional District.

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:	The change in zoning to O&I-2 will accommodate the renovation and reuse of existing buildings formerly utilized as a National Guard Armory for use as the "East Topeka Learning Center" that, in conjunction with Washburn University and Washburn Institute of Technology, will provide educational and career programs in support of the workforce development needs of local employers. Such a business and vocational training facility is not permitted under the current R-1 zoning.
DEVELOPMENT / CASE HISTORY:	The existing buildings comprising the former National Guard Armory were constructed during the 1950's although being a federal facility and not subject to the City's building and permitting process precise dates in which the six (6) primary building were constructed is difficult to ascertain. There is no history of zoning changes, conditional or special use permits on the property.
ZONING AND CHARACTER OF SURROUNDING PROPERTIES:	Adjacent and north: R-1; current institutional use as 'Antioch Family Life Center,' a social services agency.

Adjacent and south across 21st Street : R-1 and M-1; single-family residences and one duplex residence (at SW corner of SE 21st & Indiana).

Adjacent and west across Washington Street: R-2; single-family residences.

Adjacent and east across Indiana Avenue: R-2; single-family residences and a parking lot owned by City of Topeka (at NE corner of SE 21st & Indiana).

On 21st Street facing north into central portion of project site.

On 20th Street near Indiana Avenue facing southwest into project site.

Facing north along Washington Street near 21st Street with single-family residences on west side of Washington Street.

DEVELOPMENT STANDARDS AND POLICIES

PURPOSE, USE STANDARDS:

The purpose of the proposed O&I-2 zoning is to "provide for a limited range of nonresidential and noncommercial uses such as general purpose office, professional, or administrative operations. The district shall not permit those uses and activities pertaining to retail product display, installation, service, repair, or maintenance unless specifically allowed within this chapter. Among others, an objective of this district is to provide for a transitional buffer between the districts of lesser and greater intensity; and to restrict the intensity of use to a low to moderate range and to encourage a compatible design with the adjacent use and development." (TMC 18.130.010)

A relatively narrow range of land uses are permitted within the O&I-2 district. Permitted uses include: assisted living facility; medical care facility; private club or lodge; governmental services; outdoor recreation; religious assembly; banks; office/professional; and business and vocational school. Retail uses, auto repair, and other service uses are generally not permitted in the O&I-2 District (TMC 18.60 Land Use Matrix)

DIMENSIONAL STANDARDS:

Within the O&I-2 district, where a lot abuts an R district, a yard at least equal to the abutting yard required in the R district shall be provided along the R district boundary line. Building height is restricted to sixty feet (60') in the O&I-2 district.

OFF-STREET PARKING:

In the O&I-2 district off-street parking is required per the standards in TMC 18.240.030. The off-street parking requirement for business and vocational school is 1 space per 200 square feet of floor area after deducting floor area for lobbies, mechanical rooms, stairways, restrooms, etc..

LANDSCAPING:

In the O&I-2 District landscaping is required for new construction and building and parking lot expansions. Landscaping will be reviewed as part of the pending permitting process in modification of the existing buildings.

OTHER DESIGN GUIDELINES AND CONSIDERATIONS:

There are no explicit design standards applicable to the O&I-2 district although, depending on the scope of the project, site plan review and landscape requirements may apply.

COMPREHENSIVE PLANS:

The Topeka Land Use and Growth Management Plan 2040 (LUGMP) contains policies related to Tier 1 (City) development and redevelopment. The LUGMP "*encourages infill and redevelopment within Topeka to take advantage of existing urban infrastructure and services and that promote a range of uses to fit within the overall character of the area."*

The subject property is included within the "Central Highland Park Neighborhood Plan," and is categorized as "Institutional" within the Neighborhood Plan's Future Land Use Map. The subject area is further addressed within the Neighborhood Plan, and identified as 'the former Armory Building,' by indicating that buildings should be adaptively re-used for community-wide uses. The Central Highland Park Neighborhood Plan also indicates that for the subject site "Ideally, large-scale uses that attract heavy traffic onto local interior streets should be avoided or mitigated." The subject property is accessed via major collector and streets (Indiana and Washington), as well as a minor arterial (21st St.).

The proposed zoning is consistent with the LUGMP and the Central Highland Park Neighborhood Plan.

TRANSPORTATION/MTPO PLANS:

The Topeka Pedestrian Master Plan:

- Actions 1B and 1D require sidewalks to be part of new developments (pages 19 and 24). These policies will be implemented with the Site Plan Review and building permit processes.
- Action 4C: "Promote walking in neighborhoods through mixed use development and redevelopment along neighborhood corridors." (page 53)

The Topeka Bikeways Master Plan:

- A bikeway is located within the area on 21st Street between Indiana and Wisconsin Streets, and there is also a bikepath along Indiana Street between 21st and 25th Streets.

OTHER FACTORS

SUBDIVISION PLAT:

None (Although the subject property has never been platted , it

Is anticipated that an application for minor plat is forthcoming.)

FLOOD HAZARDS, STREAM BUFFERS: None

UTILITIES: The site is served by City of Topeka water and sewer. The extent of any needed improvements to infrastructure will continue to be assessed during subsequent steps in the development process.

TRANSPORTATION/TRAFFIC: 21st Street is categorized as a minor arterial within the subject area, while Indiana Avenue and Washington Street are categorized as a major collector(s) within the area.

Regarding the anticipated use of the property as a vocational school (East Topeka Learning Center) approximately 400 full and part-time students are expected to attend various classes throughout the year. Class schedules generally begin at 8:00 a.m. and end at 3:00 p.m. The owner/ applicant estimates that 50% will ride Topeka Metro buses, 10% will walk, and 40% will either drive or be dropped off via private vehicles.

HISTORIC PROPERTIES: None

NEIGHBORHOOD INFORMATION MEETING / STAKEHOLDER FEEDBACK: The owner/applicant conducted a neighborhood information meeting on June 28, 2017. (Meeting attendance and summary attached.) Seven people attended the meeting, not including the attendees associated with the zoning application and project. The response to the presentation was generally positive, although there was concern expressed regarding traffic and potential for other uses allowed under the proposed O&I-2 zoning.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

PUBLIC WORKS/ENGINEERING: None

WATER POLLUTION CONTROL: None

FIRE: None

DEVELOPMENT SERVICES: None

Other: None

KEY DATES

SUBMITTAL: June 2, 2017

NEIGHBORHOOD INFORMATION MEETING: June 28, 2017

LEGAL NOTICE PUBLICATION: June 26, 2017

PROPERTY OWNER NOTICE MAILED: June 23, 2017

STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: The proposed O&I-2 zoning is compatible with the existing and desired future character of the neighborhood in that the area is characterized by primarily residential development that is compatible with the primarily office and institutional uses allowed within the proposed zoning district.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The buildings located on the subject site, previously utilized as National Guard Armory, have been vacant for approximately 15 years.

CONFORMANCE TO COMPREHENSIVE PLAN: The proposed zoning change to O&I-2 conforms to the Central Highland Park Neighborhood Plan as adopted pursuant to the Land Use and Growth Management Plan – 2040 (LUGMP). Zoning changes and building reuse and renovation are important to the implementation of the LUGMP, and the subject property being designated *Institutional* within the Future Land Use Map within the Neighborhood Plan is consistent with the proposed zoning.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES OF WHICH IT HAS BEEN RESTRICTED: The property and the existing building are not suitable for the single-family residential uses to which it is restricted under the current R-1 Single Family zoning. The O&I-2 zoning classification would allow the existing buildings to be adapted for a compatible institutional use in the form of the anticipated "East Topeka Learning Center."

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: The change in zoning and the planned renovation and re-use of the buildings on the subject property, which is possible only by the change in zoning, will have a net positive effect on nearby properties. The zoning change will facilitate physical improvements to presently vacant buildings and provide a needed educational service within the East Topeka area.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: Approval of the proposed zoning change will allow for currently vacant buildings to be used for purposes that are economically feasible and provide a needed community service, allowing for investment in the property and long term maintenance. Furthermore, denial of the zoning change likely creates a situation where the buildings will continue to deteriorate and remain vacant.

AVAILABILITY OF PUBLIC SERVICES: Adjacent public streets are adequate to serve the development. All essential public utilities, services and facilities are presently available to this area or will be extended at developer expense upon construction.

STAFF RECOMMENDATION:

RECOMMENDATION: Based on the above findings and analysis Planning Staff recommends approval of the zoning reclassification **FROM** "R-1"Single Family Dwelling District **TO** "O&I-2" Office and Institutional as proposed.

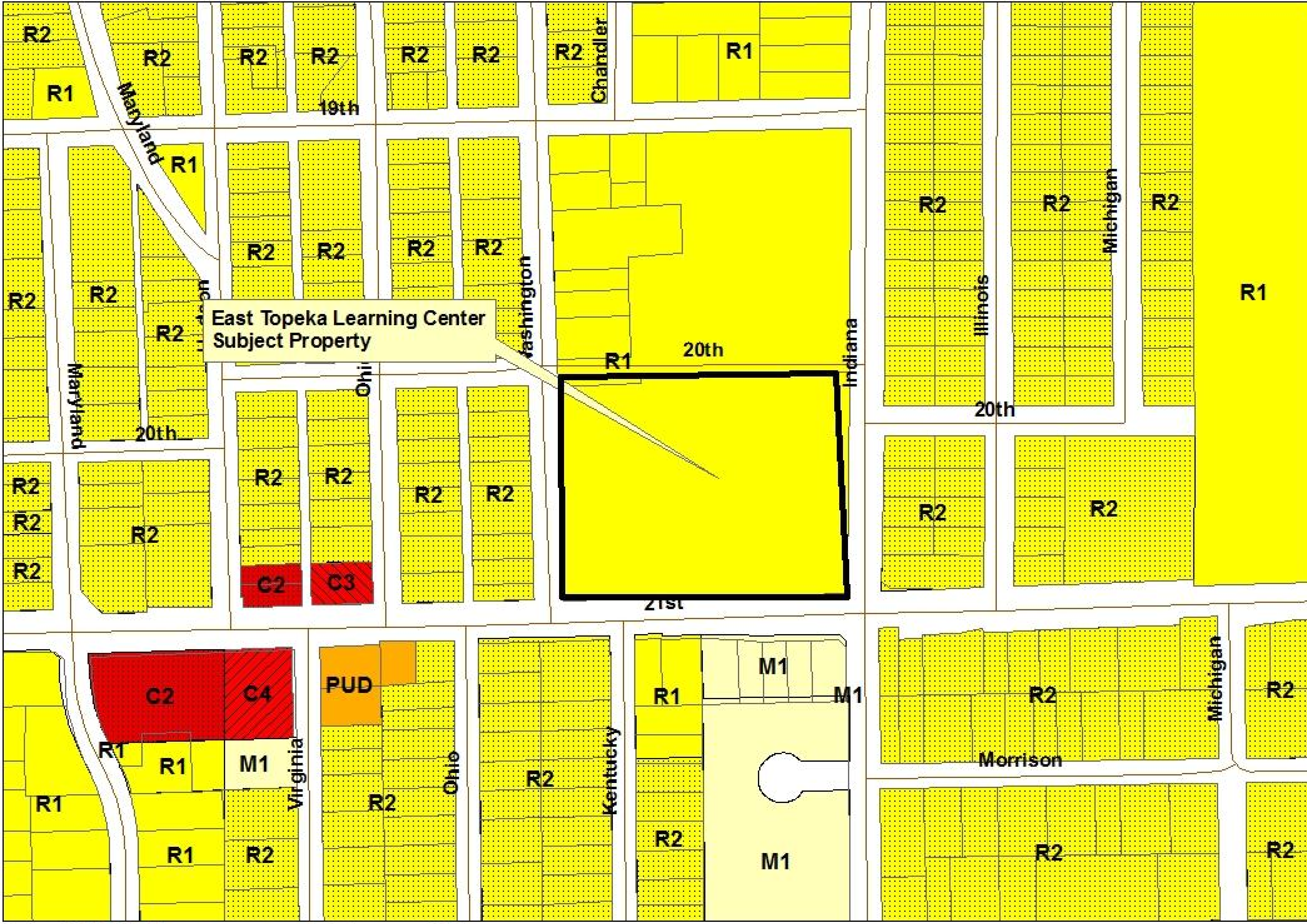
RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend **APPROVAL** to the Governing Body of the reclassification of the property from “R-1” Single Family Dwelling District TO “O&I-2” Office and Institutional District.

Attachments:

- Aerial Map
- Zoning Map
- Neighborhood Information Meeting Notes & Attendance

Z 17/02 By: Joint Economic Development Organization (JEDO) - Rezoning

Topeka Planning Department



Z 17/02 Proposed Zone Change
East Topeka Learning Center

Topeka Planning Department

Bartlett & West

MEMORANDUM

Date: June 28, 2017

To: John Neunuebel, Topeka Planning Department

From: Angela Sharp, Bartlett & West

Re: Neighborhood Information Meeting: East Topeka Learning Center, Proposed Zone Change for former National Guard Armory Site at 2014 SE Washington Street Location and Time: Hillcrest Community Center June 28, 2017 at 6:30 PM

Those in attendance are as indicated on the attached attendance sheet. The meeting began at 6:30 PM with an overview of the zoning process and answering of general questions by Mike Hall, Topeka Planning Department. The project team introduced themselves and indicated their involvement with the project. Barbara Stapleton, GO Topeka then discussed the project concept for the East Topeka Learning Center and answered questions relative to the partnership between GO Topeka/JEDO and Washburn Institute of Technology, the focus and goals of the new facility and the benefits to the community and the surrounding neighborhood. Angela Sharp then discussed the exterior site elements of the project such as traffic, lighting, storm water and noise, the impacts of which would be mitigated or completely alleviated as a part of the design process. Clark Coco, Washburn Tech, then talked about the anticipated programming that may be offered and indicated that the first session is expected to begin late 2018. There was a good discussion between the neighbors present and the project team, with a consensus that this type of use has been needed for some time in this area. It was expressed numerous times that input from the neighbors and prospective students are desired and will be helpful in the design and programming of the facility. The meeting ended at approximately 7:30.

Neighborhood Informatian Meeting

Sign in Sheet

Proposed Zone Change for former National Guard Armory Site at 2014 SE Washington St.

Date: June 28, 2017 at 6:30 PM

Location: Hillcrest Community Center

Name	Address	Email (preferred)/Phone
Barbara Stockton	120 SE 6th	bstockton@gotopeka.com
Glenda DuBoise	6	gduboise@sbcglobal.net
Lalo Munoz		lmunoz@elcentrooftopeka.org
ZACH SNETHEN		zjs@htkarchitects.net
Elizabeth Miller	3167 SE 10th St. Topeka, KS 66607	785-383-0910 elizabethmi@resers.com
CAROL BROWN	1928 SE WASHINGTON	twoints@earthlink.net
Marion Brown	1928 SE Washington	"
LAVETA FRANKLIN	2003 S.E. WASHINGTON	laveta.franklin@icloud.com
MIKE HALL, C.O.T.	620 SE MADISON 66607	mghall@topeka.org 368-3007
Clayton Tatro	Washburn Tech	clayton.tatro@washburn.edu
Clark Coco	Washburn Tech	clark.coco@washburn.edu
Kenneth Long	1903 SE Washington St	785-633-5850
Mildred Long	1903 SE Washington St	785-383-4843
Belinda Roberts	4310 SE 29th	BelindaR@resers.com
Angela Sharp	1200 SW Executive Dr	angela.sharp@bartwest.com

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Bill Fiander**	**DOCUMENT #:**	**P17/6**
SECOND PARTY/SUBJECT:	**Bartlett and West, Inc.**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**017 Plats/002 Final**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A FINAL PLAT for McFarland Farm Subdivision No. 5 on property between SW Steeplechase Lane and SW Prairie Road, all being within the City of Topeka, Shawnee County, Kansas. *(P17/6)*

Voting Requirement:* *Majority vote of the Governing Body (6).

(Approval would allow for the development of 19 single family residences and the third phase of McFarland Farm Subdivision.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6)

POLICY ISSUE:

McFarland Farm Subdivision No. 5 is a plat providing for development of a 19-lot, single block phase of McFarland Farms Subdivision for single family detached homes.

STAFF RECOMMENDATION:

The Topeka Planning Commission recommended APPROVAL by a vote of 6-0-0 at its May 15, 2017 meeting. The Planning Department recommended APPROVAL. As all outstanding issues have been addressed, the Planning Department requests the Governing Body approve the subdivision as presented so that it can be recorded with the Office of the Shawnee County Register of Deeds.

BACKGROUND:

This is a request for a final plat for property located halfway between SW Fairlawn Road and SW Gage Boulevard, more specifically lying between SW Steeplechase Lane and SW Prairie Road.

The plat accommodates the third phase of McFarland Farm Subdivision. The original preliminary plat for

McFarland Farm Subdivision was approved in 2000. A final plat was never approved for this block. The only changes to this phase from the initial 2000 preliminary plat are to increase the number of lots from 15 to 19, and to reduce the lot sizes from a minimum of 1 acre to a range of .51 to 1.42 acres for each lot. The revised lot sizes are well over the minimum of 6,500 sf (.15 acre) per lot required for this zoning district (R-1).

The request complies with the City of Topeka Subdivision Regulations and is consistent with the Land Use and Growth Management Plan - 2040.

BUDGETARY IMPACT:

Approval would have no impact on the City's adopted budget.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

Description

Summary Report
PC minutes 5-15-17
staff report
Aerial Map
Neighborhood Information meeting report
Final Plat Pg 1
Final Plat Pg 2

CITY OF TOPEKA PLANNING DEPARTMENT

<u>SUMMARY REPORT</u>

Re: P17/6 McFarland Farm Subdivision #5

This is a request is for a final plat for property located halfway between SW Fairlawn and SW Gage Blvd, more specifically lying between SW Steeplechase Lane and SW Prairie Road.

The purpose of the plat is to accommodate development of the property for the 19-lot third phase of McFarland Farm Subdivision. The original preliminary plat for McFarland Farm Subdivision was approved in 2000. The only changes to this phase from the initial 2000 preliminary plat are to increase the number of lots from 15 to 19, and to reduce the lot sizes from a minimum of 1 acre to a range of .51 to 1.42 acres for each lot. The revised lot sizes are well over the minimum of 6,500 sf (.15 acre) per lot required for this zoning district (R-1).

The request is in conformance with the <u>Topeka Land Use and Growth Management Plan - 2040</u> and complies with the City of Topeka Subdivision Regulations.

The Topeka Planning Commission recommended APPROVAL by a vote of 6-0-0 at its May 15, 2017 meeting as indicated in the attached minutes. The Planning Department recommended APPROVAL as indicted in the attached staff report. As all outstanding issues have been addressed, the Planning Department requests the Governing Body approve the subdivision as presented so that it can be recorded with the Office of the Shawnee County Register of Deeds.

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

C A S E M I N U T E S

Monday, May 15, 2017

6:00PM – Municipal Building, 214 SE 8th Street, 2nd floor Council Chambers

Members present: Wiley Kannarr, Brian Armstrong, Ariane Messina, Dennis Haugh, Carole Jordan, Rosa Cavazos (6)

Members Absent: Katrina Ringler, Scott Gales, Patrick Woods (3)

Staff Present: Bill Fiander, Planning Director; Mike Hall, Planner III; John Neunuebel, Planner II; Kris Wagers, Administrative Officer; Mary Feighny, Legal

P17/06 McFarland Farm Subdivision No. 5 (Preliminary and Final Plat) by McFarland Farm, LLC on property located East of SW Prairie Rd, South of SW 10th Ave, West of SW Steeplechase Ln (Driver)

Upon the calling of this case, Mr. Armstrong excused himself from the room.

Mr. Hall presented the staff report and staff recommendation for approval subject to conditions including that included in the staff memo to Planning Commission dated 5/15/17. He explained that the Planning Commission votes to approve the preliminary plat and makes a recommendation to the Governing Body regarding the final plat. It is the Governing Body who will vote on approval of the final plat.

Mr. Steve LaCosse of Bartlett & West Engineers came forward on behalf of the applicant. He explained that these lots will be part of what's known as McFarland Farm Estates and though it's a small reduction in lot size, lots are still around ¾ acres. He noted that a Neighborhood Information Meeting was held and nobody who attended felt strongly enough about the proposal to be present this evening. He noted that the road loayout matches exactly what was laid out in 1998 and the length of the cul de sac is not changed.

Mr. LaCosse explained that previously homes had been built with 25′ setbacks and the owners would prefer that, which would mean striking Condition #4, but they are open to the 30′ setbacks required by the City.

Mr. Kannarr asked if there were anyone else who would like to address to the Commission. None came forward.

Ms. Jordan asked Mr. Hall to explain the reason for Condition #4. Mr. Hall explained that the 30′ is based on the City's design criteria for specific types of streets and the recommendation of the City's Engineering Department. It is unclear why previous homes were allowed to be built with 25′ setbacks, but staff does not feel that asking for the additional 5′ is particularly onerous. He added that if at some point the City wished to require sidewalks, that 5′ additional would be important.

Mr. Kannarr asked if there was a change in ordinances at some point that would have changed the setback requirements. Mr. Fiander stated he doesn't believe so and is unclear as to why 25′ was previously allowed.

Ms. Cavazos asked about the notification process for the Neighborhood Information Meeting and Mr. Hall explained that it's properties within 500′ radius.

Mr. Kannarr asked the applicant if they knew why the 25′ setback had been allowed in the past. Mr. Ron Lutz came forward as one of the developers and stated he does not know.

Mr. Kannarr stated he's inclined to go forward with the 30′ requirement since it's the City's standard and nobody knows why 25′ had been allowed in the past.

Mr. Haugh stated that he concurred with Mr. Kannar's the comments about the easement. He added that based on overall lot size, he thinks the proposed change on the lot sizes is miniscule.

Motion by Ms. Jordan to forward a recommendation of approval to the Governing Body of the proposed final plat for McFarlnd Farm Subdivision No. 5. Includes the revision as stated in the staff memo to Planning Commission dated 5/15/17. "Areas are non-buildable and reserved for landscaping amenities such as , trees, shrubs, trails, berms, etc. Fencing owned or installed by individual lot owners shall be prohibited from being located within the landscape easement." **Second by Ms. Messina. APPROVAL** (6-0-0)

May 15, 2017

SUBDIVISION REPORT
CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase *Preliminary and Final Plat Phase* *Final Plat Phase*

RECOMMENDATION: Based upon the below findings and analysis, the Planning Department recommends the preliminary and final plat for McFarland Farm Subdivision #5 be **APPROVED**, subject to the conditions on pages 3 and 4.

RECOMMENDED MOTION: I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO THE GOVERNING BODY OF THE PROPOSED PLAT FOR MCFARLAND FARM SUBDIVISION #5.

NAME: McFarland Farm Subdivision #5

OWNER/DEVELOPER: McFarland Farm LLC

ENGINEER/SURVEYOR: Bartlett & West, Inc.

GENERAL LOCATION: On property located halfway between SW Fairlawn and SW Gage Blvd, more specifically lying between SW Steeplechase Lane and SW Prairie Road.

JURISDICTION: Class "A" subdivision- within the City of Topeka

ANNEXATION: N/A

Area	# of Lots	Residential Density	Proposed Land Use	Zoning
17.7 acres	19 lots	1.1 DU/acre	Single-family dwellings	“R-1”
Pending Zoning Case: N/A				
Design: The proposed plat accommodates a 19-lot, one block phase of McFarland Farm Subdivision**.** The proposed design is irregular in shape, measuring 1089’ X 674’, and accommodates the development of 19 single-family residential lots (ranging in size from 0.63 to 1.32 acres) with frontage along SW Balmoral Lane. SW Balmoral Lane has been constructed up to approximately 440’ west of its intersection with SW Steeplechase Lane. This phase of the plat will extend SW Balmoral an additional 400’ to the west (840’ cul-de-sac length).				

BACKGROUND: Pursuant with TMC 18.35.130 of the Subdivision Regulations, the Planning Director has approved submission of the preliminary and final plats to be heard at the May 15th Planning Commission hearing. The original master preliminary plat for McFarland Farm Subdivision (137 acres, 152 lots) was approved in 2000. Per TMC 18.35.160, the approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat. This approval of the preliminary plat shall only be effective for a period of six months, unless an extension is granted by the planning commission. If the final plat has not been submitted for approval within this specified period, a preliminary plat must be resubmitted to the planning commission for approval.

The proposed preliminary and final plat accommodates the third phase of the subdivision and adds five lots to this phase, an increase from 15 to 19 lots from what was first approved by preliminary plat. The only changes to this phase from the initial preliminary plat are to reduce the lot size from a minimum of 1 acre lots and increase the number of lots from 15 to 19.

CITIZEN PARTICIPATION PROCESS: The applicant held a neighborhood information meeting at 5:30 pm on Thursday, April 27, 2017 at the Kansas Children's Discovery Center after notifying property owners within 500' of the subject property. Nine McFarland Farm residents attended the meeting. Concerns expressed at the meeting included:

- Residential design issues- *Will these homes be of similar construction?* The developer answered yes, the design is tied to McFarland Farms' restrictive covenants.
- *The water pressure is low for some homes on Belmont Lane, south of the proposed plat?* The City Water Department has tested pressure, checked valves, and connections and found pressure more than adequate. Additionally, the proposed loop system should address some of the pressure concerns.
- *Will there be a gate across Balmoral?* Applicant and planning staff answered this will not be the case. The streets on this side are to remain as public streets and a zoning change to a PUD would be needed to allow a gate, similar to the Villa (East) side of McFarland Farm Subdivision. Additionally, providing a gate means the HOA would be responsible for maintenance of a private street.

SERVICES AND FACILITIES:

1. WATER SERVICE: The development shall be serviced by the City of Topeka public water supply via a 6" main located along SW Balmoral Lane upon approval of utility extension plans by the Public Works Department with all extensions and connections being at developer expense. The developer plans to extend the water main on Balmoral Lane and connect to the 6" water main on Prairie Road creating a loop water system.

2. SEWAGE DISPOSAL: The development shall be serviced by the City of Topeka public sewer system via the existing gravity main located along SW Balmoral Lane upon approval of utility extension plans by the Public Works Department with all extensions and connections being at developer expense.

3. WASTEWATER PLAN SERVICE AREA: The property is located within the Urban Service Area as reflected by the Land Use and Growth Management Plan (2040); and the proposal appears to be in full compliance with said Plan since the development extends and connects to public sanitary sewer.

4. DRAINAGE CONDITIONS: The Stormwater Management Report as submitted by the consultant to the City of Topeka Department of Public Works has not yet been approved and is still pending review. Approval is required prior to City Council consideration of the final plat. A 40' wide drainage easement is provided to cover overland swales between lots 15 and 16 and Lots 7 and 8.

5. STREET PLAN/ACCESS: SW Balmoral Lane provides frontage and access to the 19 single family residential lots. The 810' long cul-de-sac street exceeds the 500' maximum length of a cul-de-sac per subdivision design criteria. The preliminary plat approved in 2000 allowed a variance to this design standard. The proposed plat does not alter the street design that was originally approved.

6. FIRE DISTRICT: City of Topeka – The Fire Department has reviewed and approved the proposed final plat. Balmoral Lane has two existing hydrants- one at the intersection and one at the terminus of the existing street- which are sufficient to provide fire protection to the 19 lots.

7. STREAM BUFFER: N/A

8. SCHOOL DISTRICT: USD #501- Topeka School District

9. PARKS/OPEN SPACE: The Parkland Development Fee Ordinance #19323 will apply to new single family units. The subdivision is located in the West Topeka Parkland District #3 requiring a fee of $225 per new unit to be collected at the time of building permit issuance.

WAIVER/VARIANCE TO STANDARDS: Based upon the proposed design and pursuant to TMC 18.30.040, the Topeka Planning Commission will need to grant the following design variances with approval of the final plat: in order to approve the plat:

- Per TMC 18.60.160, the Planning granting it approval to extend the preliminary plat.
- A variance to TMC 18.40.120(a) regarding required utility easements along the entire length of the subdivision boundaries due to the placement of utilities elsewhere on site.
- A variance to TMC 18.40.050(c) regarding the cul-de-sac street in excess of 500 ft. for SW Balmoral Lane. The subject preliminary plat does not alter the original master preliminary plat for the subdivision that was approved in 2000.

CAPITAL IMPROVEMENT PLAN (CIP): The current CIP includes a road widening project on 10th Avenue between Gage and Fairlawn, budgeted at $5.2 million. In 2016, the road was widened from a two (2) lane rural style roadway to three (3) lanes with curbs and gutters between Fairlawn and the McFarland Farms subdivision entrance. The project restarted on March 6, 2017. In 2017, the five (5) lane roadway, just west of Gage, will be replaced as well as the section between Fleming Place Shopping Center and Civitan Lane which will be widened to five (5) lanes. This project is paid for with federal funds and final completion is scheduled for November 10, 2017 **.**

CONFORMANCE TO COMPREHENSIVE PLAN: The Topeka Land Use and Growth Management Plan – 2025 (LUGMP) identifies this area for *Urban/Suburban Low Density Residential* land uses. The subject property is located inside the City Limits (Tier 1) where residential development is preferred and infrastructure is already in place. The proposed plat does not alter the original design that was approved as a part of the master preliminary plat for McFarland Farm and increases the residential density from 0.84 DUs per acre to 1.1 DUs per acre making it more feasible to complete the subdivision. The LUGMP supports infill development and residential density of 3 DUs per acre. The increase in density from the previous approved preliminary plat is more supportive of this intention in the plan.

STAFF ANALYSIS: The overall design generally conforms to the established standards and provisions of the Subdivision Regulations relative to design criteria. The overall design is compatible with adjacent and future development and will not overburden existing public infrastructure facilities. A variance to the cul-de-sac length exceeding 500' was already approved as part of the original preliminary plat for the entire subdivision and staff recommends approval for this re-plat.

Based upon the below findings and analysis, the Planning Department recommends the preliminary and final plat for McFarland Farm Subdivision #5 be **APPROVED**, subject to the following:

1. Approval and acceptance of the Stormwater Management Report by the City of Topeka Department of Public Works prior to City Council acceptance of the final plat.

2. Adding standard General Drainage Easement, Stormwater Management Easements notes to final plat.

3. Indicating sizing of water and sewer mains on the preliminary plat per TMC 18.35.150.

4. Dedicating an additional 5' right-of-way along SW Prairie Road as consistent with City street design criteria for local streets.

5. Adding "Lane" to Steeplechase and revising "Street" to "Avenue" for 10^{th}.

6. Labeling the platted area to the east (owned by McFarland Farm HOA) as part of "*McFarland Farm Subdivision #3 – Tract A"*

7. Depicting (on the preliminary plat) and providing an easement as needed for the Kansas Gas main across Lots 1-4 as indicated in the comment and map from Dawn Hecker, KS Gas Service.

8. Adding a definition for the "L.E" Landscape Easement along the frontages of SW 10th and Prairie to state: "*Areas are non-buildable and reserved for landscaping amenities such as, trees, shrubs, trails, etc. Fencing shall be set back so fences are outside of the easement."*

9. Correcting "COMMSSION" in Planning Commission Chair signature block.

10. Revising the final plat notes RE: Dedication and Street notes as follows and removing the duplicate Utility Easement note (under Dedication):

    DEDICATION: Know all men by these presents that the undersigned owners to the above described tract of land have caused the same to be subdivided into lots, blocks and public ways which shall be known as SUBDIVISION NO. ___.

    STREETS: The public ways (streets and roads) not heretofore dedicated, are hereby dedicated to the public. Temporary turn-around easements are hereby established as shown on the accompanying plat and shall be automatically vacated when streets are extended

11. Submitting a copy of the revised preliminary plat reflecting these conditions.

Prepared by:
Annie Driver, AICP
Staff Planner

P17/6 McFarland Farm Subdivision #5

Topeka Planning Department - 2014 aerial

NEIGHBORHOOD INFORMATION MEETING
McFarland Farm Plat Proposal

5:30 P.M.
April 27
Kansas Children's Discovery Center
4400 SW 10th Avenue
Topeka, Kansas

MEETING NOTES

City Representative: Annie Driver, City of Topeka Planning Department

Developer Representative: Ron Lutz, Ron Andersen, Steve LaCasse (Bartlett & West, Inc.)

Public: Approximately ten residents of McFarland Farm, most actually lived outside the notification area.

- A resident (named Tony?) asked if he had an 'equal say' in the process, even though he lived outside the notification area.

- Annie Driver introduced herself and explained that this meeting was for information and answering questions, and there would be no voting/binding decisions at this meeting. She also announced the date that the plat would go before the Topeka Planning Commission.

- Ron Lutz presented the proposal – to modify the original preliminary plat from 14 lots to 19 lots. He also stated that he planned to concentrate on the lots that already had pavement in front of them, and it may take up to 4 years before he builds the remainder of the cul-de-sac pavement and begins work on the remaining 12 lots. Ron explained that this was a financial decision, due to a trend in housing where fewer people were building large estate homes.

- Tony expressed concern that the houses in the proposed plat would harm his property value. He proposed building a common area buffer on the east side of the plat, and also gating it. Ron Lutz did not agree to this, and Annie Driver explained that under the current zoning it could not be gated.

- Several owners had concerns about home values and appearance. Other portions of McFarland Farm were used as benchmarks for comparison. Ron stated that these homes would be nicer than the 'Reserve' (McFarland Farm Phase 4), and on par with the 'Villas' (northeast corner of McFarland Farm). He also stated that the covenants and restrictions for the homes in the new plat would remain the same as they are for the 'Estates' (west portion of McFarland Farm), as far as outward appearance was concerned. The only change would be a reduction in minimum square footage for the first floor – approximate reduction from 2,200 sf to 2,000 sf. Ron also stated that the design review board would have approval authority over home plans. He also stated that the design review board had the authority to allow front facing garages.

- Tony expressed an interest in becoming a member of the design review board. Ron Lutz and Ron Andersen said they would have to check the covenants and restrictions, but for now the board consisted of the developers.

Deardee Klausman expressed concern over the smaller lots. She also expressed concern over bad water pressure. Steve LaCasse stated that the city water department had done pressure testing in the subdivision, and checked all the valves – the results being pressure around 50 psi. He stated that the water department would need more specific information in order to investigate the problem further.

- A question was asked as to whether or not there would be any more changes to the original preliminary plat in the future. Ron Lutz stated that it was very likely that the developers would attempt to reduce lot size in the southwest corner of the development – but this was around ten years from happening.

There were no more questions and the meeting ended.

NEIGHBORHOOD INFORMATION MEETING
McFarland Farm Plat Proposal

5:30 P.M.
April 27
Kansas Children's Discovery Center
4400 SW 10th Avenue
Topeka, Kansas

NAME	ADDRESS
TONY & JUDY PLEVIAK	1134 CAMDEN
Bruce Myers	1128 SW Camden Ln
Bob Smith	1105 SW New Forest Dr.
Michele Falley	1019 SW Dartmoor Ln.
Dearaee Rausman	1111 SW Belmont Ln
Ron Andersen	3411 SW MacVicar Ave
Bette Morris	1121 SW Bel Mont Lane
Annie Driver	COT Planning
Steve LaCasse	Bartlett & West

BAR IS ONE INCH ON OFFICIAL DRAWINGS. 0 1" IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

A FINAL PLAT FOR:
McFARLAND FARM SUBDIVISION NO. 5

BOOK : ________ PAGE : ________

DATE ________ TIME : ________

A REPLAT OF LOT1, LOT 2 AND LOT 3, BLOCK 'A' AND LOT 1 AND LOT 2, BLOCK 'B' McFARLAND FARM SUBDIVISION NO. 3 AND A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER AND IN LOT 6 OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

DESCRIPTION:

LOT1, LOT 2 AND LOT 3, BLOCK 'A' AND LOT 1 AND LOT 2, BLOCK 'B' McFARLAND FARM SUBDIVISION NO. 3 AND A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER AND IN LOT 6 OF THE SOUTHEAST QUARTER OF FRACTIONAL SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS; MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE ON AZIMUTH 87 DEGREES 48 MINUTES 50 SECONDS, (DIRECTIONS BASED ON THE RECORDED PLAT OF MCFARLAND FARM SUBDIVISION NO.3, AS SHOWN IN BOOK 38, PAGE 147 IN THE RECORDS OF THE SHAWNEE COUNTY REGISTER OF DEEDS), COINCIDENT WITH THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 1314.44 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER AND THE NORTHWEST CORNER OF LOT 6 OF THE SOUTHEAST QUARTER; THENCE ON AZIMUTH 87 DEGREES 48 MINUTES 10 SECONDS, COINCIDENT WITH THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 119.92 FEET TO THE WEST RIGHT OF WAY LINE OF STEEPLECHASE LANE, EXTENDED; THENCE ON AZIMUTH 177 DEGREES 48 MINUTES 10 SECONDS, COINCIDENT WITH SAID EXISTING WEST RIGHT OF WAY LINE, A DISTANCE OF 40.00 FEET TO THE NORTHEAST CORNER OF TRACT 'A' MCFARLAND FARM SUBDIVISION NO.3; THENCE ON AZIMUTH 267 DEGREES 48 MINUTES 10 SECONDS, BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 119.92 FEET; THENCE ON AZIMUTH 267 DEGREES 48 MINUTES, 50 SECONDS, BEING 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 225.31 FEET TO THE NORTHWEST CORNER OF SAID TRACT 'A', ALSO BEING THE MOST NORTHERLY CORNER OF LOT 3, BLOCK 'A' MCFARLAND FARM NO.3; THENCE ON AZIMUTH 153 DEGREES 20 MINUTES 31 SECONDS, COINCIDENT WITH THE EASTERLY LINE OF LOT 3, LOT 2 AND LOT1, BLOCK 'A' MCFARLAND FARM SUBDIVISION NO. 3, A DISTANCE OF 435.68 FEET TO THE EAST CORNER OF SAID LOT 1; THENCE COINCIDENT WITH THE SOUTHEASTERLY LINE OF MCFARLAND FARM SUBDIVISION NO. 3, ON THE FOLLOWING FOUR (4) COURSES; (1) A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 133.50 FEET, A CENTRAL ANGLE OF 4 DEGREES 43 MINUTES18 SECONDS RIGHT, (WHOSE CHORD BEARS ON AZIMUTH 226 DEGREES 29 MINUTES 50 SECONDS; 11.00 FEET), AN ARC LENGTH OF 11.00 FEET; (2) ON AZIMUTH 228 DEGREES 51 MINUTES 29 SECONDS, A DISTANCE OF 231.54 FEET; (3) ON AZIMUTH 231 DEGREES 48 MINUTES 11 SECONDS, A DISTANCE OF 60.12 FEET; (4) A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS 370.00 FEET, A CENTRAL ANGLE OF 25 DEGREES 56 MINUTES 27 SECONDS LEFT, (WHOSE CHORD BEARS ON AZIMUTH 221 DEGREES 38 MINUTES 49 SECONDS, 166.09 FEET), AN ARC LENGTH OF 167.52 FEET TO THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK B, MCFARLAND FARM SUBDIVISION NO. 3, ALSO BEING THE NORTHEASTERLY CORNER OF LOT 1, BLOCK 'B' MCFARLAND FARM SUBDIVISION; THENCE COINCIDENT WITH THE NORTH LINE OF SAID MCFARLAND FARM SUBDIVISION THE FOLLOWING FIVE (5) COURSES; (1) ON AZIMUTH 298 DEGREES 40 MINUTES 35 SECONDS, A DISTANCE OF 183.18 FEET; (2) ON AZIMUTH 282 DEGREES 02 MINUTES 26 SECONDS, A DISTANCE ON 194.09 FEET; (3) ON AZIMUTH 257 DEGREES 08 MINUTES 08 SECONDS, A DISTANCE OF 224.15 FEET; (4) ON AZIMUTH 251 DEGREES 31 MINUTES 57 SECONDS, A DISTANCE OF 250.94 FEET; (5) AZIMUTH 268 DEGREES 16 MINUTES 29 SECONDS, A DISTANCE OF 116.86 FEET TO THE WEST LINE OF SAID EAST HALF; THENCE ON AZIMUTH 358 DEGREES 16 MINUTES 29 SECONDS, COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 713.84 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 18.02 ACRES, MORE OR LESS.

SURVEYOR CERTIFICATION:

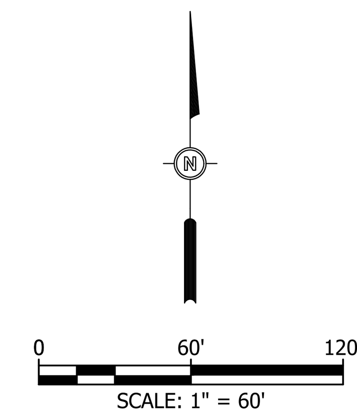
I, RONALD J. SHANKS, A PROFESSIONAL SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT I HAVE COMPLETED THE HEREON DESCRIBED SURVEY ON THE GROUND ON JUNE 7, 2017, AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT KANSAS MINIMUM STANDARDS ADOPTED BY KANSAS STATE BOARD OF TECHNICAL PROFESSIONS.

____
RONALD J. SHANKS P.S. #1255
BARTLETT & WEST

REVIEWED BY THE COUNTY SURVEYOR THIS _____DAY OF______________________, 20___, IN ACCORDANCE WITH KSA CHAPTER 58, ARTICLE 20.

____
DEBORAH J. THOMAS - PS # 1461
COUNTY SURVEYOR

VICINITY MAP
NOT TO SCALE

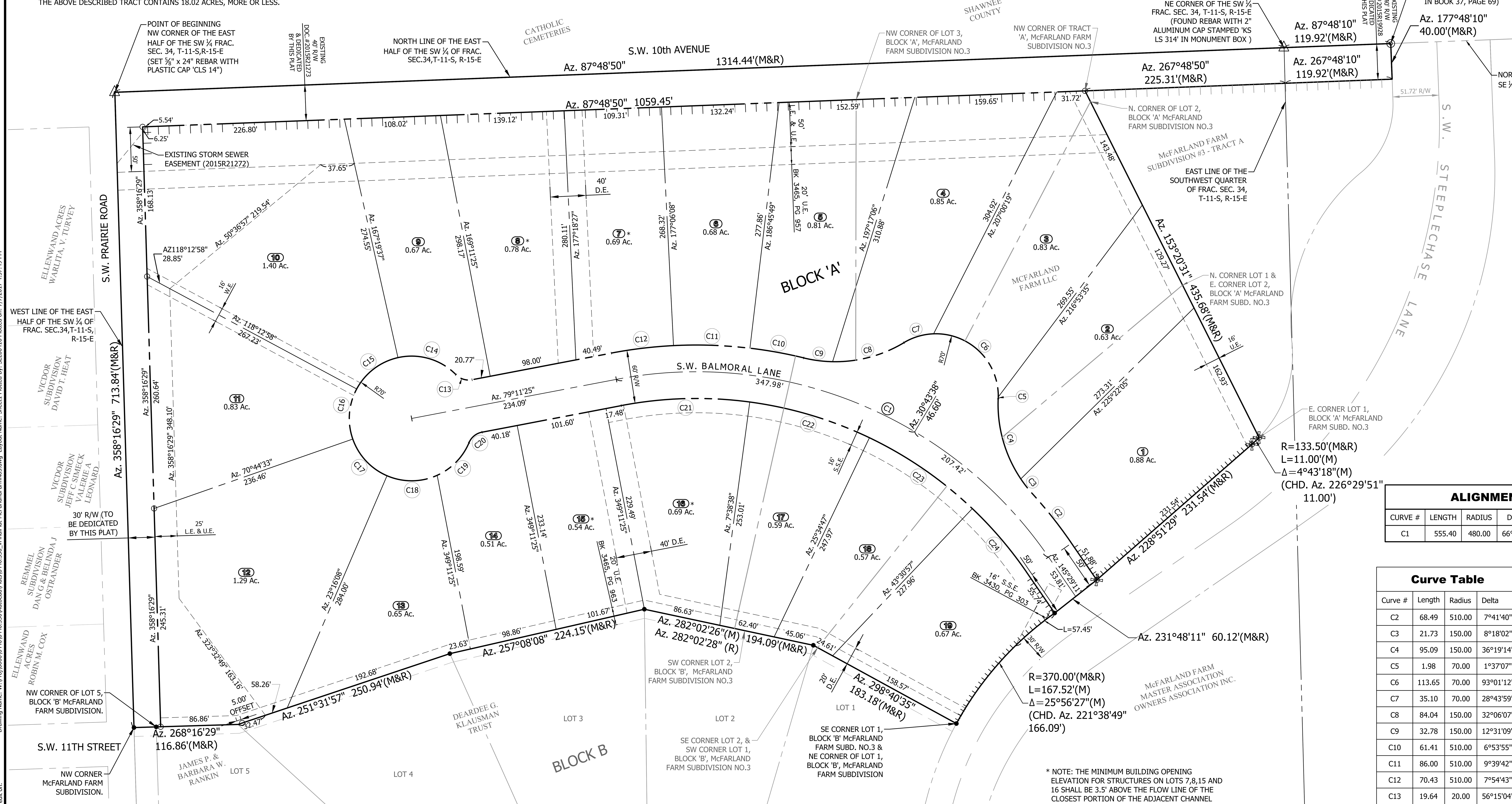


SCALE: 1" = 60'

AZIMUTHS BASED ON RECORD PLAT OF MCFARLAND FARM SUBDIVISION NO.3

LEGEND

(M) MEASURED DIRECTION AND DISTANCE
(R) RECORD DIRECTION AND DISTANCE
○ SET ⅝" x 24" REBAR WITH PLASTIC CAP 'CLS 14'
● FOUND ⅝" REBAR WITH PLASTIC CAP 'CLS 14' UNLESS OTHERWISE NOTED
FOUND CHISELED CROSS IN CONCRETE; SET ⅝" x 24" REBAR WITH PLASTIC CAP 'CLS 14' IN CENTER OF CROSS
◎ NO MONUMENT SET - CALCULATED POSITION
RESTRICTED ACCESS
U.E. UTILITY EASEMENT
S.S.E. SANITARY SEWER EASEMENT
L.E. LANDSCAPE EASEMENT
W.E. WATER LINE EASEMENT
AC. ACRES
R/W RIGHT OF WAY
D.E. DRAINAGE EASEMENT



AREA TABULATION

LOT #	AREA
1	0.88 AC.
2	0.63 AC.
3	0.83 AC.
4	0.85 AC.
5	0.81 AC.
6	0.68 AC.
7	0.69 AC.
8	0.78 AC.
9	0.67 AC.
10	1.40 AC.
11	0.83 AC.
12	1.29 AC.
13	0.65 AC.
14	0.51 AC.
15	0.54 AC.
16	0.69 AC.
17	0.59 AC.
18	0.57 AC.
19	0.67 AC.
	14.56 AC.

S.W. 10 STREET & S.W. PRAIRIE ROAD R/W = 1.77 AC.

S.W. BALMORAL LANE R/W = 1.69 AC.

ALIGNMENT CURVE DATA

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	555.40	480.00	66°17'47"	Az. 112°20'18"	524.93'

Curve Table

Curve #	Length	Radius	Delta
C2	68.49	510.00	7°41'40"
C3	21.73	150.00	8°18'02"
C4	95.09	150.00	36°19'14"
C5	1.98	70.00	1°37'07"
C6	113.65	70.00	93°01'12"
C7	35.10	70.00	28°43'59"
C8	84.04	150.00	32°06'07"
C9	32.78	150.00	12°31'09"
C10	61.41	510.00	6°53'55"
C11	86.00	510.00	9°39'42"
C12	70.43	510.00	7°54'43"
C13	19.64	20.00	56°15'04"

Curve Table

Curve #	Length	Radius	Delta
C14	71.00	70.00	58°06'51"
C15	60.00	70.00	49°06'38"
C16	58.00	70.00	47°28'25"
C17	58.00	70.00	47°28'25"
C18	58.00	70.00	47°28'25"
C19	52.36	70.00	42°51'22"
C20	19.64	20.00	56°15'04"
C21	144.93	450.00	18°27'13"
C22	140.87	450.00	17°56'09"
C23	140.87	450.00	17°56'09"
C24	94.02	450.00	11°58'15"

#	DATE	DESCRIPTION	BY

Bartlett&West
1200 S.W. EXECUTIVE DRIVE
TOPEKA, KS - 66615
888.200.6464
www.bartwest.com

A FINAL PLAT FOR:
MCFARLAND FARMS SUBDIVISION #5

A REPLAT OF LOT 1-3, BLOCK A, LOT 1-2, BLOCK B, MCFARLAND FARMS #3, IN THE CITY OF TOPEKA SHAWNEE COUNTY, KANSAS

SURVEYED BY:	RJS
DRAWN BY:	RCP / LWB
APPROVED BY:	RJS
DESIGN PROJ:	6440.530
CONST PROJ:	
SCALE:	AS NOTED
DATE:	JUNE 2017
DRAWING NO:	1
SHEET NO:	1 of 2

BAR IS ONE INCH ON OFFICIAL DRAWINGS. 0 1" IF NOT ONE INCH, ADJUST SCALE ACCORDINGLY.

A FINAL PLAT FOR:
McFARLAND FARM SUBDIVISION NO. 5

A REPLAT OF LOTS 1-3 IN BLOCK 'A', LOTS 1-2 IN BLOCK 'B' OF MCFARLAND FARM SUBDIVISION NO. 3 AND A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

BOOK : __________ PAGE : _________

DATE _________ TIME : _________

NOTES:

1. WATER SERVICE IS BY THE CITY OF TOPEKA, PURSUANT TO WATER ENGINEERING, AREAS WHERE LOCAL WATER SUPPLY IS: LESS THAN 40 PSI, THE BUILDER IS REQUIRED TO INCREASE WATER PRESSURE TO AT LEAST 40 PSI. GREATER THAN THE MAXIMUM WATER PRESSURE ALLOWED, SHALL BE GOVERNED BY THE UPC AND ITS AMENDMENTS.
2. SANITARY SEWER SERVICE SHALL BE BY THE CITY OF TOPEKA.
3. THIS PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM) No. 20177C0215E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.
4. PROPERTY OWNERS SHALL BE ADMONISHED FROM PLACING ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION IN PERMANENT SEWER, DRAINAGE OR UTILITY EASEMENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, TREES, SHRUBS, FENCES, RETAINING WALLS, BUILDINGS OR OTHER MISCELLANEOUS OBSTRUCTIONS THAT INTERFERE WITH ACCESS OR EGRESS OF MAINTENANCE VEHICLES OR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF THE UTILITIES OR PIPE LINES LOCATED IN THE EASEMENT. ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION LOCATED IN THE PERMANENT SEWER UTILITY EASEMENT MAY BE REMOVED BY CITY OF TOPEKA, ITS EMPLOYEES OR AGENTS TO PROVIDE FOR THE PROPER OPERATION AND MAINTENANCE OF THAT UTILITY LINE, WITHOUT COST OR OBLIGATION FOR REPLACEMENT, COST OF REMOVAL, AND/OR REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
5. EASEMENTS ARE HEREBY GRANTED TO THE PUBLIC AS FOLLOWS: "UTILITY EASEMENTS" TO ALLOW PUBLIC UTILITY PROVIDERS, CONTRACTORS, AND AUTHORIZED AGENTS TO LOCATE, CONSTRUCT AND MAINTAIN FACILITIES TO PROVIDE UTILITY SERVICE TO THE PUBLIC. ALL PUBLIC UTILITIES SPECIFICALLY INCLUDING BUT NOT LIMITED TO WATER, GAS, SEWER, STORMWATER, AND TELECOMMUNICATIONS MAY PLACE OR LOCATE THEIR FACILITIES OVER, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENTS". A TEMPORARY CONSTRUCTION EASEMENT OF 12 FEET ADJACENT TO THE SIDE OF THE UTILITY EASEMENT IS DEDICATED FOR THE USE OF THE PUBLIC UTILITIES WHILE INITIAL CONSTRUCTION OF THE PUBLIC UTILITY'S FACILITIES ARE IN PROGRESS.
6. RESTRICTED ACCESS LINE DEFINES PORTIONS OF THE SUBDIVISION BOUNDARY IN WHICH THE PUBLIC IS NOT ALLOWED TO CROSS IN ORDER TO GAIN ACCESS TO THE SUBDIVISION OTHER THAN IN AN EMERGENCY SITUATION OR FOR TEMPORARY ACCESS DURING CONSTRUCTION ACTIVITIES. TEMPORARY ACCESS REQUIRES PRIOR APPROVAL FROM THE DIRECTOR OF PUBLIC WORKS.
7. NO BUILDING PERMIT(S) SHALL BE ISSUED UNTIL ALL STORMWATER MANAGEMENT REQUIREMENTS SET FORTH IN TOPEKA MUNICIPAL CODE ARE MET INCLUDING: APPROVAL OF STORMWATER MANAGEMENT PLAN AND GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
8. ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
9. MINIMUM OPENING ELEVATION SHALL BE 1 FT ABOVE THE HIGHEST ADJACENT 100-YEAR WATER SURFACE ELEVATIONS.
10. NO BUILDING PERMITS SHALL BE ISSUED UNTIL ARRANGEMENTS FOR THE INSTALLATION OF WATER MAINS AND/OR CONNECTION CHARGES HAVE BEEN MADE WITH THE CITY OF TOPEKA WATER DEPARTMENT.
11. DRAINAGE EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR THE UNOBSTRUCTED OVERLAND FLOW OF SURFACE WATER AND/OR THE CONSTRUCTION AND MAINTENANCE OF PIPE, FLUME, DITCH OR ANY OR ALL IMPROVEMENT FOR THE DRAINAGE OF SAID WATER, ALL AS MAY BE DETERMINED AND/OR APPROVED BY THE DIRECTOR OF THE APPLICABLE DEPARTMENT OF PUBLIC WORKS. PROPERTY OWNERS SHALL NOT PLACE ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION IN SAID EASEMENTS. ALL MAINTENANCE WITHIN THE DRAINAGE EASEMENT (DE) SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PROPERTY IN WHICH THE EASEMENT IS SO LOCATED, 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 PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE.
12. LANDSCAPE EASEMENT (L.E.) AREAS ARE NON-BUILDABLE AND RESERVED FOR LANDSCAPING AMENITIES SUCH AS TREES, SHRUBS, TRAILS, BERMS, ETC. FENCING OWNED OR INSTALLED BY INDIVIDUAL LOT OWNERS SHALL BE PROHIBITED FROM BEING LOCATED WITH IN THE LANDSCAPE EASEMENT.

PURSUANT WITH TMC 18.30.040 DESIGN VARIANCES OF SUBDIVISION REGULATIONS, THE TOPEKA PLANNING COMMISSION HEREBY GRANTS A DESIGN VARIANCE TO SECTION 18.40.050(C) REGARDING THE DEAD END LENGTH IN EXCESS OF 500 FT FOR SW BALMORAL LANE.

PURSUANT WITH TMC 18.30.040 DESIGN VARIANCES OF SUBDIVISION REGULATIONS, THE TOPEKA PLANNING COMMISSION HEREBY GRANTS A DESIGN VARIANCE TO SECTION 18.40.120 REGARDING THE PLACEMENT OF A 16 FEET UTILITY EASEMENT ALONG THE ENTIRE LENGTH OF THE BOUNDARY OF THE SUBDIVISION DUE TO THE LOCATION OF UTILITY EASEMENTS IN ADJACENT PROPERTIES.

DEDICATION: KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS AND PUBLIC WAYS WHICH SHALL BE KNOWN AS MCFARLAND FARM SUBDIVISION NO. 5.

STREETS: THE PUBLIC WAYS (STREETS AND ROADS) NOT HERETOFORE DEDICATED, ARE DEDICATED TO THE PUBLIC.

NOTICE: IN THE EVENT THERE ARE OTHER OWNER(S) OR THOSE HOLDING ANY PROPRIETARY INTEREST IN ANY LAND CONTAINED IN THIS SUBDIVISION WHOM DO NOT APPEAR AND DULY ACKNOWLEDGE THIS PLAT PRIOR TO THE TIME OF RECORDING, THE PLAT SHALL BE NULL AND VOID.

IN TESTIMONY WHEREOF, THE OWNER, MCFARLAND FARM LLC, RONALD D. ANDERSEN, MANAGER, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS___________

DAY OF ______________________, 20_____.

____

RONALD D. ANDERSEN, MANAGER, MCFARLAND FARM LLC

STATE OF KANSAS, COUNTY OF SHAWNEE, SS:

BE IT REMEMBERED THAT ON THIS ________ DAY OF __________________, 20____, BEFORE ME A NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, CAME RONALD D. ANDERSEN, MANAGER, MCFARLAND FARM LLC, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON(S) DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

CERTIFICATE OF APPROVAL :

APPROVED BY THE CITY OF TOPEKA PLANNING COMMISION THIS ________ DAY OF

__________________, 20 _____.

WILEY KANNARR
PLANNING COMMISSION CHAIRMAN

BILL FIANDER
PLANNING COMMISSION SECRETARY

APPROVED BY THE CITY OF TOPEKA PUBLIC WORKS DIRECTOR THIS ______ DAY OF

__________________, 20_______.

THIS SUBDIVISION HAS BEEN PRESENTED TO THE CITY COUNCIL, CITY OF TOPEKA, KANSAS, ON THE____DAY OF_____________, 20____FOR ACCEPTANCE OF LAND TO BE DEDICATED FOR PUBLIC PURPOSES. THE CITY COUNCIL HEREBY ACCEPTS THE LAND FOR PUBLIC PURPOSES.

LARRY WOLGAST, MAYOR

BRENDA YOUNGER, CITY CLERK

ENTERED ON THE TRANSFER RECORD OF SHAWNEE COUNTY, KANSAS THIS

_____ DAY OF _________________, 20_______.

CYNTHIA A. BECK, COUNTY CLERK

FILED FOR RECORD IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEED.

_____ DAY OF _________________, 20_______ AT _______ O'CLOCK.

REBECCA J. NIOCE, REGISTER OF DEEDS

#	DATE	DESCRIPTION	BY

Bartlett&West
1200 S.W. EXECUTIVE DRIVE
TOPEKA, KS - 66615
888.200.6464
www.bartwest.com

A FINAL PLAT FOR:
MCFARLAND FARMS SUBDIVISION #4

A REPLAT OF LOT 1-3, BLOCK A, LOT 1-2, BLOCK B, MCFARLAND FARMS #3, IN THE CITY OF TOPEKA SHAWNEE COUNTY, KANSAS

SURVEYED BY:	RJS
DRAWN BY:	RCP / LWB
APPROVED BY:	RJS
DESIGN PROJ:	6440.530
CONST PROJ:	
SCALE:	AS NOTED
DATE:	JUNE 2017
DRAWING NO:	2
SHEET NO:	2 of 2

Drawing Name: W:\Proj\6000\6440\6440.530\AutoCad\Plats\6440.530_vFinalPlat-McFarlandFarmNo5.dwg Layout Name: Sheet2 Plotted By: SEL00416 Plotted on: 7/7/2017 4:35:57 PM

Last edit on:

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Sasha Haehn, Neighborhood Relations Director**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**018 Public Hearings / 005 Block Grants**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A PUBLIC HEARING to obtain public input and answer questions from the public regarding the City of Topeka 2018 Consolidated Annual Action Plan.

Voting Requirement: Majority vote of the Governing Body (6).

(The Notice of Public Hearing for the 2018 Consolidated Annual Action Plan was published in the Topeka Metro Newspaper on July 31, 2017.)

VOTING REQUIREMENTS:

POLICY ISSUE:

The U.S. Department of Housing and Urban Development (HUD) requires the City to submit an Annual Action Plan that outlines the detailed programing and projects for the upcoming year. Submission of this plan to HUD will help secure approximately $5.9 million in federal grant funding, general fund, and capital improvement budget funds for housing and neighborhood improvements, economic development, and social services in the community.

HUD requires a public participation plan be included as part of our Consolidated Annual Action Plan. This plan includes service provider and public meetings, a 30 day comment period and the public hearing held by the Governing Body. All input received is incorporated into the final draft Consolidated Annual Action Plan that is submitted to HUD.

STAFF RECOMMENDATION:

Staff recommends the Mayor open the public hearing to receive public input on the Draft 2018 Consolidated

Annual Action Plan.

BACKGROUND:

Each year the City creates and submits the following year's Consolidated Annual Action Plan. This annual plan is the detailed budget summary and the planning document for the upcoming year's programming and projects. The annual plan represents the planning and resource allocation of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnerships (HOME), Shelter Plus Care, general fund, and capital improvement funds within the City of Topeka.

The Department of Neighborhood Relations administers the programs included in the Consolidated Annual Action Plan. The annual plan program development and implementation are aligned with the City's annual budget development process and Capital Improvement Plan (CIP) implementation process each year. This coordination enables grant funded programs to be enhanced with City general fund dollars and Capital Improvement Budget (CIB) dollars. In addition, the general fund and CIB dollars serve as required match funds to sustain the City's funding levels through the various federal grant programs. Programs administered include:

Housing Development and Redevelopment
- Major and Exterior Rehabilitation
- Emergency Rehabilitation
- Accessibility Modifications
- Voluntary Demolition
- Topeka Opportunity to Own (TOTO)
- Infill Housing
- Housing Development/Redevelopment partnerships - Cornerstone, Housing and Credit Counseling and Habitat for Humanity

Community and Economic Development
- Empowerment Public Facility grants
- Stages of Resource Targeting (SORT) grants
- Neighborhood Improvement Association support
- Anti-blight activities

Homeless/Social Services
- Contracted and Social Service grants
- Shelter Plus Care program

BUDGETARY IMPACT:

The 2018 Consolidated Annual Action Plan includes program plans for approximately $5.9 million in HUD grant funding, general fund and Capital Improvement Budget funds.

HUD Grant Funds
- CDBG - $1,702,651
- HOME - $476,618
- ESG - $149,571
- S+C - $1,503,084

General Fund and CIB
- SORT program - $1,400,000 (CIB)
- Contracted and Social Service Programs - $551,245 (GF)
- HOME and Shelter Plus Care required match - $120,000 (GF)

SOURCE OF FUNDING:

Funding sources include; Community Development Block Grant, Emergency Solutions Grant, HOME Investment Partnerships, general fund and Capital Improvement Budget. All HUD final allocations are subject to appropriations by Congress and all city funds are subject to Governing Body approval of the proposed 2018 City of Topeka Operating Budget.

ATTACHMENTS:

Description

2018 Annual Action Plan Budget (Draft)
2018 Consolidated Annual Action Plan (Draft)
Proof of Publication - Public Hearing Notice
Presentation

Final 2018 Consolidated Action Plan (Pre-HUD Allocations)

**Target Area Funds*

Description	CDBG	HOME	ESG	S + C	CIP/GF	SUBTOTAL	TOTALS
HOUSING DEVELOPMENT							**$1,637,942**
In-Fill Housing Development	$3,824	$13,535.00				$17,359	
Existing Housing Rehabilitation	-	-					
Major Rehabilitation	$66,163	$109,764			$33,500	$209,427	
Exterior Rehabilitation	$77,800	-			$33,500	$111,300	
Emergency Rehabilitation	$233,146	-			-	$233,146	
Accessibility Modifications	$83,120	-				$83,120	
Voluntary Demolition	$56,522	-				$56,522	
Homeownership	-	-					
Homeownership -TOTO -(50%*)	$30,676	$177,589			-	$208,265	
Homeownership Counseling (50%*)	$42,890	-			$33,000	$75,890	
CHDO - Non Profit Set Aside	-	-					
Housing Development	-	$71,493				$71,493	
Operating Subsidy	-	$20,590				$20,590	
Tenant-Based Rental Assistance	-	$35,985				$35,985	
KDOC Affordable Housing	$120,524	-				$120,524	
Rehabilitation Program Delivery (60%)	$394,321	-				$394,321	
COMMUNITY DEVELOPMENT	-	-					**$137,890**
Empowerment - Public Facility Grants	$137,890	-				$137,890	
NEIGHBORHOOD SERVICES	-	-					**$105,000**
NIA Support	$45,000	-				$45,000	
Anti-Blight Activities (50%*)	$60,000	-				$60,000	
HOMELESS/SOCIAL SERVICES	-	-					**$2,156,975**
Social Services	$67,000	-			$551,245	$618,245	
Emergency Solutions Grant	-	-	$138,354			$138,354	
Shelter + Care	-	-		$1,400,376		$1,400,376	
ADMINISTRATION	$283,775	$47,662	$11,217	$102,708	$20,000	$465,362	**$465,362**
CIP Neighborhood Infrastructure [*]					$1,400,000	$1,400,000	**$1,400,000**
						-	
TOTALS	**$1,702,651**	**$476,618**	**$149,571**	**$1,503,084**	**$2,071,245**	**$5,903,169**	**$5,903,169**
Sources of Funds							
Regular Programs (subject to Appropriations)	$1,702,651	$476,618	$149,571	$1,503,084	$2,071,245	$5,903,169	
Program Income	$50,000	$5,000				$55,000	
Reprogrammed/Rolled Forward Funds - Prior Year						$0	
TOTAL	**$1,752,651**	**$481,618**	**$149,571**	**$1,503,084**	**$2,071,245**	**$5,958,169**	**$5,958,169**

Targeted Program Funds		***$2,323,802***
Non-targeted Program Funds		***$1,477,392***

Note: 1) City Y&SS funds based on proposed City Manager's budget. 2)CIP $20,000 Administration of Shelter Plus Care Program.

Homeless/Youth & Social Services	*These services are directed toward individual needs and are not part of the SORT targeting.*	***$2,156,975***

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Consolidated Plan regulations combine into a single submission the planning and application elements of the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and HOME Investment Partnerships (HOME) programs. The reporting requirements for these programs are also consolidated into one performance report. In addition, the City produces the Consolidated Plan in

order to ensure its eligibility for Supportive Housing, Shelter Plus Care, and other federal housing funds.

The City of Topeka's Consolidated Plan program year runs from January 1, 2018 through December 31, 2018.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs The following are the specific objectives and outcomes that the Department of Housing and Neighborhood Development of the City of Topeka expects to achieve through community development activities funded by the CDBG, HOME, and ESG programs.

Objective: Enhance the quality of targeted Topeka neighborhoods

Measure: Increase homeownership

Measure: Decrease vacant houses

Measure: Stabilize/increase in property value of neighborhood

Objective: Increase homeownership and rental housing opportunities

Measure: Households benefiting from services performed by KDOC housing rehabilitation

Measure: Homebuyers assisted financially

Measure: Single-family homes constructed Measure: Housing Units rehabilitated

Measure: Neighborhood infrastructure finance/started

Objective: Enhance the linkage of housing with supportive services

Measure: Citizens housed through Shelter programs Measure: Homeless persons assisted

Measure: Homeless situations prevented Measure: Families achieving self-sufficiency

Measure: Citizens receiving supportive services

Objective: Leveraging Resources

Measure: Home required match provided Measure: CIP neighborhood infrastructure

Measure: Additional Financial opportunities obtained

Measure: Non-paid citizen volunteer

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Topeka has monitoring procedures in regard to funds provided by HUD. The procedures were developed to address federal, state and city statutory and regulatory requirements in addition to providing City staff with a system of ensuring project compliance and accomplishments. The City reports annually on the progress made toward meeting the goals established for assisting families.

The City has three major monitoring tools: policies, contract requirements and on-site monitoring. All projects are evaluated to determine if they are eligible, consistent with local, state and federal regulations and viable.

Projects funded through CDBG, HOME, and ESG will be managed directly through the Department of Neighborhood Relations. All contracts contain the federal, state and local program requirements by which each sub-grantee must abide. Contracts are mailed to the agencies for their review before being executed. Construction projects that require compliance with federal wage standards are to be monitored by the City's Purchasing Department and its contract compliance officers.

During the project year, City staff schedules monitoring visits with selected sub-grantees. During the site visit the monitor reviews and records any evidence of performance in the administration of the program, benefit to low-income households, procurement procedures, record keeping, etc. The City has standardized procedures that are submitted to HUD cash and management information system.

During the affordability period the units and related rental documents are subject to regular inspection and review to ensure the units remain affordable as to qualified tenants, rent levels, and that units are maintained in program acceptable condition.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

In order to comply with the objectives established for the City of Topeka's Citizen Participation Plan, the following policies will be implemented by the Department of Neigborhood Relations staff members will be available to furnish interested citizens with information concerning: The total amount of CDBG, ESG

and HOME funds expected to be available for use; the range of activities that may be undertaken with those funds.

The City of Topeka will publish the one (1) year action plan in the City's official newspaper. The summary will include the content and purpose of the consolidated plan and will contain a list of the locations where copies of the entire plan may be examined. A comment period of no less than thirty (30) calendar days after publication of the summary will be allowed for citizen input. In accordance with established policy, the City of Topeka will respond to written comments on the Consolidated Plan within fifteen (15) working days.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Comments received from citizens included: increasing budget for demolition, decreasing social service funding, decrease homeownership counseling, keeping level funding for Major and exterior rehabilitation, increase infill housing, keep empowerment funding level, keep NIA support level, and reduce staffing.

6. Summary of comments or views not accepted and the reasons for not accepting them

Level funding was maintained for exterior rehab, major rehab, infill housing, empowerment, and NIA support. The City did not decrease social services this year since it was cut last year.

7. Summary

The City of Topeka's 1 year Action Plan for 2018 establishes a unified vision for community and economic development by integrating the issues in a comprehensive and coordinated fashion.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	TOPEKA	Department of Neighborhood Relations
HOME Administrator	TOPEKA	Department of Neighborhood Relations
ESG Administrator	TOPEKA	Department of Neighborhood Relations

Table 1 – Responsible Agencies

Narrative (optional)

OMB Control No: 2506-0117 (exp. 06/30/2018)

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

Obtaining the input of citizens, professionals, and other governmental entities is of the utmost importance during the draft of the Consolidated Action Plan. Effectively planning for a community would be difficult, if not impossible, without the support of its residents, especially low-income citizens directly affected by community development projects and programs. It is for these reasons that citizen participation is strongly encouraged throughout the processes of community revitalization planning.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Topeka coordinates services for housing with private and public assisted entities.

Health Services are provided by the Shawnee County Health Agency, Veterans Administration and Valeo Behavioral Health Care. The range of services provides access to youth up to the elderly. The collaboration is essential in providing health care to those in need to help maximize money and service the community.

The child welfare agency is Kansas Children's Service League; they provide a runaway youth programs and collaborate with the CoC in effort to help alleviate homelessness. Additionally, the Shawnee County Health Agency is responsible for youth lead poisoning and gives the City of Topeka updates on the needs in our community.

Positive Connections provides HIV/AIDS services to the community. The collaboration with the City of Topeka continues as they are a part of the CoC.

The Topeka Housing Authority plays a key role in the coordination of services for housing needs in the community. The needs of the THA are key in development of services that the City of Topeka implements. Every effort has been made to reach out to all parties and get feedback on what they see as areas for growth. With the addition of having service provider meetings regarding the Con Plan the information that was received was extremely beneficial.

OMB Control No: 2506-0117 (exp. 06/30/2018)

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City of Topeka serves as the lead agency for the Continuum of Care. The CoC serves to coordinate

efforts of all community stakeholders and service providers. As the lead agency, the city has ongoing

constant communication with other providers who serve the chronically homeless, families with children, veterans, and unaccompanied youth. Examples of these providers include: Kansas Service Children's League, Veterans Administration, Valeo Behavioral Health Care, Topeka Rescue Mission, etc. These agencies also address persons at risk to help alleviate future homelessness.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Chairperson of the HTF annually appoints a monitoring committee. The monitoring committee is responsible for conducting the on-site reviews and assessing performance standards. Once the monitoring committee has made recommendations, the reports are provided to the Homeless Task Force, which is the governing body of the CoC.

A request for proposal is sent out to the public to apply for ESG funds. Once the scores are established a recommendation is made to the Homeless Task Force (HTF), the governing body of the CoC.

ESG agencies report quarterly on the outcomes of their programs and activities. Each agency funded with ESG funds is required to enter services into the system. The CRC has policies and procedures for use of the system that each agency must adhere to.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Topeka Housing Authority
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provides information on housing needs, numbers of people affected, and strategies to alleviate the problem.
2	**Agency/Group/Organization**	YWCA
	Agency/Group/Organization Type	Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provides information on the needs of person experiencing domestic violence and strategies to help woman and children.
3	**Agency/Group/Organization**	Community Resources Council
	Agency/Group/Organization Type	Planning organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provides demographic information on people experiencing homelessness and racial, ethnic and other statistical information.
4	**Agency/Group/Organization**	Neighborhood Improvement Associations
	Agency/Group/Organization Type	Civic Leaders Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The NIAs are an integral part of the consolidated plan and provide essential input for the completion of the plan.
5	**Agency/Group/Organization**	Housing and Credit Counseling, Inc.
	Agency/Group/Organization Type	Housing Services-Education Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Housing and Credit Counseling provides fair housing information and statistics on people experiencing difficulties with their landlord or renter.

Identify any Agency Types not consulted and provide rationale for not consulting

None

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	City of Topeka, Kansas	The Continuum of Care plan is part of the strategic plan. The CoC partners have identified permanent supportive housing as a need and the city is aware of this need in the community. If grant opportunities present themselves the City will make every effort to leverage more resources.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

All of our community partners are important in the process of obtaining citizen input.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community	Meetings held on May 4th from 6-7 pm; May 8th from 9:30-10:30 am; May 15th from 5:30-6:30 pm; May 18th from 1:30-2:30 pm	Increase money in Major and Rental Rehab and reduce amount for social services	None	
2	Public Hearing	Non-targeted/broad community	Public Hearing held August 8th at 6 pm			

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

For 42 years the Department of Neighborhood Relations (DNR) has administered a variety of federally funded housing and neighborhood programs that have widespread economic impacts. Four of the primary funding sources are from the U.S. Department of Housing and Urban

Development (HUD). They include: 1) Community Development Block Grant, 2) HOME Investment Partnership Grant, 3) Shelter Plus Care, and 4) Emergency Shelter Grants. These programs are identified and administered through the City's approved 2016-2020 Consolidated Plan, the annual Consolidated Action Plans, and the Continuum of Care. In addition to the federal funds, DNR receives matching funds for the HOME Program as well as funds for Youth & Social Services from the City General Fund. In addition, CIP funds are also allocated to identified Target Areas.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,702,651	50,000	0	1,752,651	6,952,236	CDBG funds will be used for administration, housing activities, public improvements, and public services.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	476,618	5,000	0	481,618	1,906,464	HOME funds will be used for homebuyer assistance, homeowner rehabilitation, new construction and tenant based rental assistance.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	149,571	0	0	149,571	598,284	ESG will be used for rapid re-housing, homeless prevention and shelter activity.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
Competitive McKinney-Vento Homeless Assistance Act	public - federal	Housing TBRA	1,503,084	0	0	1,503,084	5,783,700	Shelter Plus Care is a program designed to provide rental assistance to homeless persons with disabilities, (primarily those with serious mental illness, chronic problems with alcohol and/or drugs, or diagnosed with AIDS or a related disease) as a bridge to self- sufficiency. Participants may choose their residence from units where the landlord agrees to accept the established housing subsidy and abide by the Shelter Plus Care program guidelines. This rental assistance will provide the ongoing financial support needed to maintain the chosen residence as the participant works toward establishing greater financial stability and self-sufficiency.Individuals and families pay approximately 30% of their monthly-adjusted income toward the rent. If TBRA assistance was more readily available it would benefit the city'slarge percentage of low income individuals.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
General Fund	public - local	Economic Development Public Improvements	2,071,245	0	0	2,071,245	7,960,000	Capital Improvement program dollars for infrastructure, rehabilitation and replacement in LMI neighborhoods. The remainder is match for the HOME program.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The department's Stages of Resource Targeting program leverages $350,000 in federal housing funds to acquire $1.4 million investment from the city's capital improvement funds. The combination of these funds is used to target housing and infrastructure needs in the city's most

blighted and lowest income neighborhoods.

The Continuum of Care grant provides $1.6 million of in-kind match for Shelter Plus Care program. The city also provides $20,000 to the program as match to assist with administration.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

City owned land is often converted to assist the department with infill housing for low to moderate income households. The land is also used for empowerment projects to build on, or create parks and sidewalks for neighborhoods.

Land is also used to help partner with service providers with the same mission to help provide affordable housing opportunities.

Discussion

The City is leveraging federal, state, and local funds to enhance affordable housing opportunities Topeka. In addition, we are using our partnerships with affordable housing and social service providers, as well as other community stakeholders and residents. These collaborations enable to the City's

Department of Neighborhood Relations to maximize the HUD objectives.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Infill Housing	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: $3,824 HOME: $13,536	Homeowner Housing Added: 1 Household Housing Unit
2	Major Rehabilitation	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $66,163 HOME: $109,764 General Fund: $33,500	Homeowner Housing Rehabilitated: 9 Household Housing Unit
3	Exterior Rehabilitation	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $77,800 General Fund: $33,500	Rental units rehabilitated: 7 Household Housing Unit
4	Emergency Rehabilitation	2016	2020	Affordable Housing Homeless	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $233,146	Homeowner Housing Rehabilitated: 70 Household Housing Unit

OMB Control No: 2506-0117 (exp. 06/30/2018)

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	Accessibility Modifications	2016	2020	Affordable Housing Homeless	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: $83,120	Rental units rehabilitated: 20 Household Housing Unit Homeowner Housing Rehabilitated: 25 Household Housing Unit
6	Voluntary Demolition	2016	2020	Non-Housing Community Development	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $56,522	Buildings Demolished: 4 Buildings
7	Homeownership	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: $30,676 HOME: $177,587	Homeowner Housing Added: 9 Household Housing Unit
8	Homeownership Counseling	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: $42,890 HOME: $33,000	Other: 220 Other
9	CHDO Housing Devleopment	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	HOME: $71,493	Rental units rehabilitated: 1 Household Housing Unit
10	CHDO Operating Subsidy	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	HOME: $20,590	Other: 1 Other

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
11	Tenant Based Rental Assistance	2016	2020	Homeless	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	HOME: $35,985	Tenant-based rental assistance / Rapid Rehousing: 30 Households Assisted
12	Inmate Program	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $120,524	Public service activities for Low/Moderate Income Housing Benefit: 2000 Households Assisted
13	Program Delivery	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $394,321	Other: 1 Other
14	Empowerment Projects	2016	2020	Non-Housing Community Development	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $137,890	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 2447 Persons Assisted
15	NIA Support	2016	2020	Non-Housing Community Development	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $45,000	Public service activities for Low/Moderate Income Housing Benefit: 17816 Households Assisted
16	Anti-Blight Activities	2016	2020	Non-Housing Community Development	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $60,000	Public service activities for Low/Moderate Income Housing Benefit: 17816 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
17	Social Service Grants	2016	2020	Affordable Housing	At-Risk Areas	Enhance Linkage of Housing with Support Services	CDBG: $136,823 General Fund: $470,000	Public service activities for Low/Moderate Income Housing Benefit: 1000 Households Assisted
18	Emergency Solutions Grant	2016	2020	Homeless	Intensive Care Areas At-Risk Areas	Enhance Linkage of Housing with Support Services	ESG: $149,571	Tenant-based rental assistance / Rapid Rehousing: 30 Households Assisted Homelessness Prevention: 100 Persons Assisted
19	Shelter Plus Care	2016	2020	Homeless	Intensive Care Areas At-Risk Areas	Enhance Linkage of Housing with Support Services	Competitive McKinney-Vento Homeless Assistance Act: $1,445,925	Housing for Homeless added: 541 Household Housing Unit
20	Administration for CDBG	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	CDBG: $249,360	Other: 1 Other
21	HOME Administration	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	HOME: $47,662	Other: 1 Other

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
22	SORT Infrastructure	2016	2020	Infrastructure Activities	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	General Fund: $1,400,000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 2000 Households Assisted
23	Administration for Shelter Plus Care	2016	2020	Homeless	Intensive Care Areas At-Risk Areas	Enhance Linkage of Housing with Support Services	General Fund: $20,000	Other: 1 Other

Table 6 – Goals Summary

Projects

AP-35 Projects – 91.220(d)

Introduction

2018 Projects

Projects

#	Project Name
1	In-Fill Housing & Development
2	MAJOR REHABILITATION PROGRAM
3	Exterior Rehabilitation
4	Emergency Rehabilitation
5	Accessibility Modifications
6	Voluntary Demolition
7	HOMEOWNERSHIP
8	Homeownership Counseling
9	CHDO Non-Profit Set-Aside and Rental Rehabilitation
10	CHDO Operating Subsidy
11	Tenant-Based Rental Assistance
12	KDOC Affordable Housing
13	Rehabilitation Program Delivery
14	Empowerment Project
15	NIA Support
16	Anti-Blight Activities
17	Social Services
18	HESG
19	Shelter Plus Care
20	Home Administration
21	CDBG Administration
22	SORT Infrastructure
23	Administration for Shelter Plus Care

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Priorities are given to rehabilitation of homes in target areas with emergency and accessibility programs to supplement efforts.

AP-38 Project Summary

Project Summary Information

1	**Project Name**	In-Fill Housing & Development
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Infill Housing
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	CDBG: $53,824 HOME: $18,535
	Description	Construction of new housing
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	One home will be constructed with the collabrative efforts between the City of Topeka and Habitat for Humanity. The City will do the concrete work and Habitat will construct the home on the lot. All activities will benefit low income individuals.
	Location Description	City of Topeka Limits, address unknown at this time
	Planned Activities	The City will partner with Habitat for Humanity to construct a new home. The City will do the foundation and Habitat will place a home on it.
2	**Project Name**	MAJOR REHABILITATION PROGRAM
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Major Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $66,163 HOME: $109,764 General Fund: $33,500
	Description	Rehabilitation on homes that are owner occupied in target areas.
	Target Date	12/31/2018

	Estimate the number and type of families that will benefit from the proposed activities	All activites will benefit low-income individuals. The City will complete 9 major rehabilitations during the grant year.
	Location Description	City of Topeka Limits, address unkown at this time.
	Planned Activities	Owner-occupied homes will be rehabbed in target areas.
3	**Project Name**	Exterior Rehabilitation
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Exterior Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $77,800 General Fund: $33,500
	Description	Rental properties will be rehabbed in target areas.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income families. Exterior rehabilitation will be done on 7 rental units during the grant year.
	Location Description	City of Topeka Limits, address unknown at this time.
	Planned Activities	Rental properties will be rehabbed in target areas.
4	**Project Name**	Emergency Rehabilitation
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Emergency Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $233,146
	Description	Owner-occupied homes will be rehabbed that have concerns of immediate health and safety.
	Target Date	12/31/2018

	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Emergency Repair will be completed on 70 homes which are owner occupied.
	Location Description	City of Topeka Limits, address unknown at this time.
	Planned Activities	Homes with immediate health and safety issues will be rehabbed to help homeowners remain in their home.
5	**Project Name**	Accessibility Modifications
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Accessibility Modifications
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $83,120
	Description	Homes will be rehabbed to help families gain access to their home or modifications to their bathroom.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Accessbility modifications will be completed on 25 homeowner units and 20 rental units.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Modifications to homes will be made so families will be able to remain in their homes. Access to the home and bathroom modifications will be provided.
6	**Project Name**	Voluntary Demolition
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Voluntary Demolition
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $56,522
	Description	Blighted structures will be demolished.
	Target Date	12/31/2018

	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Four homes will be demolished during the grant year.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Homes will be demolished to remove blight from the neighborhoods.
7	**Project Name**	HOMEOWNERSHIP
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Homeownership
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	CDBG: $30,676 HOME: $177,589
	Description	Low income families will be assisted with rehabilitation on their newly purchased home.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Homebuyer assistance will be provided to 9 homes.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Project will assist with homeownership by providing deferred 2nd mortgages to subsidize the purchase cost and the rehabilitation of homes for LMI households.
8	**Project Name**	Homeownership Counseling
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Homeownership Counseling
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	CDBG: $42,890 General Fund: $33,000
	Description	Counseling will be provided in regards to homeownership
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Housing counseling will be provided to 220 individuals during grant year.
	Location Description	City of Topeka Limits
	Planned Activities	Project will support the Homeownership project and assist LMI households with pre-ownership and post-ownership training in English and Spanish.
9	**Project Name**	CHDO Non-Profit Set-Aside and Rental Rehabilitation
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	CHDO Housing Devleopment
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	HOME: $71,493
	Description	Project provides funds for the CHDO,
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. One home will be rehabilitated during the grant year.
	Location Description	City of Topeka Limits, address unknown at this time.
	Planned Activities	Project provides funds for costs directly associated with administering the CDBG programs that rehabilitate residential housing units.
10	**Project Name**	CHDO Operating Subsidy
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	CHDO Operating Subsidy
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	HOME: $20,590
	Description	Project will help support CHDO in housing development.
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	Operating funds will benefit our CHDO's in thier effort to increase and/or maintian affordable houisng. All activities supported with operating funds benefit low-income individuals/families.
	Location Description	City of Topeka Limits
	Planned Activities	Project will assist the CHDO with operational costs.
11	**Project Name**	Tenant-Based Rental Assistance
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Tenant Based Rental Assistance
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	HOME: $35,985
	Description	Deposit assistance to LMI families
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Tenant-based rental assistance will be provided to 30 individual/families.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Deposit assistance will be provided to LMI families upon move-in.
12	**Project Name**	KDOC Affordable Housing
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Inmate Program
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $120,524
	Description	Provide funds to support Inmate crews to rehab homes.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individual/families. Activities will benefit 2,000 individuals in low-income areas.
	Location Description	City of Topeka Limits, addresses unknown at this time.

OMB Control No: 2506-0117 (exp. 06/30/2018)

	Planned Activities	Project will provide two crews minimum security women prisoners for the rehabilitation of affordable housing units and rehab sidewalks. Funds will be used for supervisor salaries as well as materials and supplies needed.
13	**Project Name**	Rehabilitation Program Delivery
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Program Delivery
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $394,321
	Description	Provide funds for administering the CDBG programs.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	Program delivery costs will allow inspections of units and supplies to assist low-income individuals/families.
	Location Description	City of Topeka Limits
	Planned Activities	Project provides funds for costs directly associated with administering the CDBG programs that rehab residential housing units.
14	**Project Name**	Empowerment Project
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Empowerment Projects
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $137,890
	Description	Public Facility grants.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Empowerment projects will impact 2,447 people in affected neighborhoods.
	Location Description	City of Topeka Limits, addresses unknown at this time.

	Planned Activities	Public facility grants will be issued to neighborhoods to do small infrastructure projects.
15	**Project Name**	NIA Support
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	NIA Support
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $45,000
	Description	Support for neighborhood groups to improve capacity.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. NIA support will affect 17,816 individuals in low-income neighborhood improvement areas.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	This fund will assist in the operations of NIA's for newsletter mailings and other qualified activities.
16	**Project Name**	Anti-Blight Activities
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Anti-Blight Activities
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: $60,000
	Description	Project will help support the clean up of LMI areas.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Anti-blight activies will impact 17,816 indiviuals in low-income neighborhood areas.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Project will clean up all LMI areas by providing dumpsters for LMI clean-ups and KDOC crews for public right-of-way.
17	**Project Name**	Social Services

	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Social Service Grants
	Needs Addressed	Enhance Linkage of Housing with Support Services
	Funding	CDBG: $67,000 General Fund: $551,245
	Description	Project will fund agencies to help with youth, seniors, mentally ill, victims of domestic violence and other social services.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities benefit low-income individuals/families. Social service activity will benefit 1,000 individuals.
	Location Description	City of Topeka Limits
	Planned Activities	Social Service grants will be issued to agencies to help LMI families with supportive services based on their needs.
18	**Project Name**	HESG
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Emergency Solutions Grant
	Needs Addressed	Enhance Linkage of Housing with Support Services
	Funding	ESG: $149,571
	Description	Project will help agencies provide emergency services.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individuals/families. Rent and/or deposit assistance will be provided to 130 individuals.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	LMI families will be assisted with rent and/or deposit assistance to prevent homelessness.
19	**Project Name**	Shelter Plus Care

	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Shelter Plus Care
	Needs Addressed	Enhance Linkage of Housing with Support Services
	Funding	Competitive McKinney-Vento Homeless Assistance Act: $1,503,084
	Description	Rent subsidy to homeless individuals.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	All activities will benefit low-income individual/families. Rent assistance will be provided to 541 individuals during grant year.
	Location Description	City of Topeka Limits, addresses unknown at this time.
	Planned Activities	Rent and utility assistance is provided to homeless families who have a disability.
20	**Project Name**	Home Administration
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	HOME Administration
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	HOME: $47,662
	Description	HOME Administration to administer all HOME projects.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	HOME administration will help support the City's efforts in low-income neighborhood areas.
	Location Description	City of Topeka Limits
	Planned Activities	HOME Administration to support existing HOME programs.
21	**Project Name**	CDBG Administration
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Administration for CDBG
	Needs Addressed	Enhance Quality of Targeted Neighborhoods

OMB Control No: 2506-0117 (exp. 06/30/2018)

	Funding	CDBG: $283,775
	Description	Assist with Administration for all CDBG Projects.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	CDBG administration will help support the City's efforts in low-income neighborhoods.
	Location Description	City of Topeka
	Planned Activities	Administration will assist with all CDBG projects.
22	**Project Name**	SORT Infrastructure
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	SORT Infrastructure
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	General Fund: $1,400,000
	Description	CIP infrastructure.
	Target Date	12/31/2018
	Estimate the number and type of families that will benefit from the proposed activities	SORT activities will affect 1,000 individuals in low-income neighborhood areas.
	Location Description	City of Topeka Limits
	Planned Activities	Infrastructure activities in target areas to support neighborhoods.
23	**Project Name**	Administration for Shelter Plus Care
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Administration for Shelter Plus Care
	Needs Addressed	Enhance Linkage of Housing with Support Services
	Funding	General Fund: $20,000
	Description	Administration to support SPC grant.
	Target Date	12/31/2018

	Estimate the number and type of families that will benefit from the proposed activities	Administration for the Shelter Plus Care program will ensure that the program is meeting all federal regulations.
	Location Description	City of Topeka
	Planned Activities	Administration support to help with Shelter Plus Care grant.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

As adopted by the Neighborhood Element of the Comprehensive Plan, the City's goal is to commit up to 60% of annual Consolidated Plan funding for neighborhood development activities into high priority *intensive care* or *at risk* neighborhoods or areas. Neighborhood development is defined as any

combination of housing, economic, or capital investment that substantially leverages outside resources to advance the long-term revitalization of a neighborhood or portion thereof. Five-year funding targets are established to implement adopted neighborhood revitalization plans for each planning area. At a minimum, the total funds spent for housing development in high priority areas will be as indicated during the five-year period of this plan. With minor exceptions, spending in these areas will be concentrated in multi-block areas that have been strategically identified through a neighborhood/area plan process for multi-faceted housing in-fill development and rehabilitation. Efforts will also be made to substantially accelerate housing activities in one or more high priority neighborhoods in 2018 by drawing on unspent funds.

Geographic Distribution

Target Area	Percentage of Funds
Intensive Care Areas	30
At-Risk Areas	30

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Based on the neighborhood health model of *intensive care, at risk, outpatient*, and *healthy* neighborhoods, treatment for neighborhoods should be based on a "continuum of care" approach. Those neighborhoods that are most distressed (*intensive care*) require the most intervention and therefore, will require sizeable resources and attention. But if all relevant resources are devoted to an *intensive care* area, an *at risk* neighborhood or an unstable *outpatient* neighborhood may fall prey to blighting influences themselves. To avoid "pushing the blight around", a four-pronged approach, or continuum of care, should be employed (the neighborhoods below are not inclusive of all neighborhoods in Topeka and do not represent an absolute commitment to funding).

Discussion

Based on the Strategic Plan, the City allocates its non-administrative CDBG and HOME to projects and activities that benefit low to moderate income people.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	330
Non-Homeless	15
Special-Needs	35
Total	380

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	330
The Production of New Units	2
Rehab of Existing Units	35
Acquisition of Existing Units	0
Total	367

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The City of Topeka has recognized the need of homeless services based on information gathered from the Topeka/Shawnee County Homeless Task Force (HTF) and census data. The HTF involves agencies who are subrecipients of ESG funds and others who are funded by the Continuum of Care. There has always been a level of assistance provided to address homelessness in the community.

AP-60 Public Housing – 91.220(h)

Introduction

The Topeka Housing Authority's mission is to successfully provide accessible, affordable housing. Success is defined as: Putting applicants, tenants and participants first; market competitiveness; and

fiscal strength and integrity.

In general, THA is well respected in the Topeka community by elected officials, staff and provider agencies. In the past 5 years the stock of THA owned/supported housing has increased from 1,739 units to 2,079 units or 19.6%.

Actions planned during the next year to address the needs to public housing

Over the next year the Topeka Housing Authority hopes to increase the total number of Section 8 vouchers. Additionally, the THA hopes to increase their landlord base so participants have a better

chance of finding affordable housing.

Another goal of the THA is to increase the number of employed adults by 5%, while taking affirmative measures to insure fair and equal access to affordable housing.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Topeka Housing Authority just received a grant from the Kansas Health Foundation which requires a resident lead initiative. This will be a new goal for the THA and one that will increase participation from

the public housing residents.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Topeka Housing Authority is not designated as troubled.

Discussion

Currently THA has 744 public housing units divided among 9 sites in Topeka. The oldest development

was built between 1959-1963 and the newest developments were constructed in 2011. THA maintains our properties to the best of their ability with the funding that is available. Some of the older designed units are in need of being redeveloped and we are exploring and competing for different funding options to rehabilitate or reconstruct the older units. All THA units are part of a PHA plan.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Topeka has implemented many successful strategies to prevent homelessness, encourage individuals living on the street to moving to housing, and provide services to those living in emergency shelter with the goal of successful permanent housing placements.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Topeka has a partnership with the Topeka Rescue Mission (TRM), which is the homeless shelter. The TRM has an outreach team that goes out every day to find and assess homelessness in the community. Once individuals have been identified as homeless an assessment of their needs is complete and appropriate referrals and guidance are provided. The City has routine contact with this outreach team and participates in the referral process when possible.

Outreach efforts are also recognized at the monthly Homeless Task Force meeting, which the City plays a large role. This meeting is attended by all service providers who directly work with people who are homeless or near homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons:

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Topeka utilizes ESG funds for rapid re-housing. In addition, the City offers social service agencies approximately $550,000 in funding, of which 25% is spent on emergency services. These emergency services help to fund additional rapid re-housing activities. The transitional housing agencies in our community are very aware of these funds to help individuals transition into permanent housing. The goal of all our transitional housing agencies is to transition all individuals immediately into permanent housing. Our CoC and ESG funded agencies give priority to chronic homeless individuals. Veterans are referred to the HUD VASH program, which has been able to successfully house all the homeless Veterans. Families with children are given extra services at the mission so they can successfully transition to permanent housing and not return to homelessness.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City of Topeka uses both ESG funds and general fund money for Homeless Prevention. An RFP process goes out and local agencies can apply for prevention funding. Each agency is required to income qualify and enter each applicant in the HMIS. Homeless Prevention assistance is geared towards helping those from becoming homeless. The agencies work with the institutions to help people move into permanent housing and prevent them from entering into homelessness. The Emergency Aid meeting meets monthly to discuss who has available funding to help with prevention. The network of providers frequently discusses issue related to prevention and best practices for reaching other mainstream resources.

Discussion

The City of Topeka continues to monitor its goal to end homelessness in our community. It is well understood that this is a community effort and everyone must work together to maximize resources and to offer the best possible services.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The Barriers To Affordable Housing are as follows:

Public policies affect the low to moderate income households more dramatically. An increase in the sales tax rate has a much more negative impact on low income households. This is due to a greater proportion of their income going to consumables and sales taxable items.

Demographics of the Community - The City of Topeka has a large majority of low to moderate income individuals. 21.1% of household are living in poverty compared to the US average of 15.4%. This makes affordable housing more difficult to acquire.

Quality Housing Stock- Homes of quality sell and rent at higher rates that are not affordable to our low to moderate income constituents.

Lending Practices and Qualified Applicants - All groups involved in providing affordable homeownership opportunities state the biggest reason more affordable owner-occupied housing is not built or renovated is because of the lack of qualified applicants. Too often, a low-moderate income household has excessive credit problems that limit their ability to obtain private financing on the open market.

Lack of a down payment is also a problem.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Despite new challenges associated with local and state economic conditions, the major Obstacles to comprehensively meeting the needs of a primarily low-income population are continuing underinvestment, and lack of job center locations.

The City of Topeka recognizes the need for more economic growth. Its collaboration with the Chamber of Commerce in getting new companies to locate in Topeka could help our low income constituents obtain and maintain employment. This effort will continue this year in effort to lower the unemployment rate.

Additionally, the City of Topeka will continue conversations with the Topeka Metro, the transportation agency, in helping low income individuals receive low fair pricing to ride the bus. Conversation is continuing and the city recognizes that a larger transportation route could be beneficial to the low income constituents.

Discussion:

Although lending practices and qualified applicants are one of the toughest barriers to overcome, the

City of Topeka will continue its efforts to help first time homebuyers with homeownership assistance.

AP-85 Other Actions – 91.220(k)

Introduction:

To help remove obstacles to meeting underserved needs and improve service delivery, the City of Topeka will facilitate the existing relationships with social service organizations, disseminate news and information, eliminate duplication of effort, and spearhead community-wide solutions to local needs.

The City of Topeka will continue to support the use of HMIS technology by all homeless service providers as a way to link the various categories of services provided in the community. Finally, DNR will work with its various departments and divisions to find opportunities for collaboration between programs to leverage resources.

Actions planned to address obstacles to meeting underserved needs

The major obstacle to meeting the identified needs is the lack of funding resources. Significant funding cuts in previous years have had an impact on all programming of funds.

Actions planned to foster and maintain affordable housing

The City of Topeka will continue to support our CHDO and nonprofits, such as Habitat for Humanity. These organizations provide affordable housing to the constituents. The City will provide funding for owner occupied and renter occupied rehabilitation to assist low income families with maintaining their homes.

Actions planned to reduce lead-based paint hazards

Rehabilitation projects require the use of formal paint testing, risk assessment and planning. Additionally, the paint repair work requires the use of “trained workers”. Since the city has a very large amount of homes that were built before 1970 it is imperative that we combat the issue of lead based paint within the scope of our work. The City collaborates with the state that has a grant for lead remediation. The city will continue this collaboration and explore other options.

Actions planned to reduce the number of poverty-level families

The City of Topeka will continue to combat the number of poverty-level families by supporting

incentives to attract, retain, and expand businesses. Additionally, the city will support organizations and programs that provide job training, education, and placement services.

Actions planned to develop institutional structure

The City of Topeka staff will continue to coordinate with various social service agencies, government departments, and businesses, to find opportunities to better serve the citizens within the city. These relationships are integral in streamlining the implementation of our CDBG and HOME projects in a time of limited funding. Communication will continue to be the key in the success of the programs. The City of Topeka will continue to foster these relationships to improve the success rate of our programs.

Actions planned to enhance coordination between public and private housing and social service agencies

Although the City of Topeka does not own or operate any public housing development, it collaborates with the Topeka Housing Authority on housing issues.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

The City will adhere to all referenced regulations.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

OMB Control No: 2506-0117 (exp. 06/30/2018)

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

   Not Applicable

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

   The resale provisions for a regulatory period in accordance with the "HOME Affordability Period" table are included in all funding contracts for homebuyer activities. These require that any resale of the property during the regulatory period must be affordable to a reasonable range of low income

   homebuyers who meet HOME income requirements and who will use the property as their principal residence. If this restriction is not met, recapture of the entire amount of the HOME investment is triggered. The resale provision is designed to assure that resale of property within the period of affordability be made only to income eligible households. For the homebuyer program the mortgage is a deferred loan, payable upon resale according to the following conditions. The Borrower hereby agrees to repay the principal under the following method: the Second Mortgage shall be partially forgiven by $5,000.00, upon the conclusion of the first year of ownership, it shall be partially forgiven by fifty-percent (50%) upon the conclusion of the homeowner's seventh year of ownership, with the balance due and payable upon resale.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

   The homeowners must meet income guidelines and not pay more than 30% of their income towards housing costs.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

   Not Applicable

Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (may include as attachment)

   The City of Topeka follows has many standards in regards to ESG assistance. Homeless Prevention is provided to individuals who are not yet homeless but are near homelessness. Rapid Re-Housing assistance is provided to those who are already homeless. ESG funds are given to multiple agencies and they disperse funds based on the required qualifications and on a first-come basis at each agency.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

   The HMIS is administered by the Community Resources Council (CRC). Each agency funded with ESG funds is required to enter services into the system. The CRC has policies and procedures for use of the system that each agency must adhere to. The CRC is monitored by the Homeless Task Force and any administrative procedures are created at this meeting. The City of Topeka currently is using the HMIS to make referrals to other agencies and to assess individual's needs.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

   A request for proposal is sent out to the public to apply for ESG funds. The applications are reviewed by a committee and scored. Once the scores are established a recommendation is made to the Homeless Task Force (HTF), the governing body of the CoC. The HTF member's votes on whether or not to fund the ESG agencies. Once approved by the HTF, the recommendation is made to the full city council for approval.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR

576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The City of Topeka is governed by an elected body; it is not possible to provide for the participation of a homeless individual or formerly homeless individual. However, the City of Topeka is the lead agency of the Topeka/Shawnee County Homeless Task Force which is the governing body of the

CoC. The HTF is responsible for all aspects of the CoC including the ESG policies and procedures. This body has several formerly homeless individuals in attendance and they have the opportunity to vote on matters.

5. Describe performance standards for evaluating ESG.

The Chairperson of the HTF annually appoints a monitoring committee. The monitoring committee is responsible for conducting the on-site reviews and assessing performance standards. Additionally, the monitoring committee meets quarterly to conduct on-site monitoring and establish the CoC funding priorities.

The Topeka Metro News

P.O. Box 1794
Topeka, KS 66601-1794
(785) 232-8600

CITY OF TOPEKA - NEIGHBORHOOD RELATIONS
620 SE MADISON 1ST FL UNIT 8
TOPEKA KS 66607-1118

Proof of Publication

STATE OF KANSAS, SHAWNEE COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Billing Clerk for The Topeka Metro News which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Shawnee County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any)

for 1 consecutive week(s), as follows:

FY2018 CONSOLIDATED ANNUAL ACTION PLAN -
#37988
7/31/17

Pam Kruse

Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

July 31, 2017

Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires Aug 21, 2019

PUBLIC HEARING NOTICE
First published in The Topeka Metro News, Monday, July 31, 2017.
PUBLIC HEARING NOTICE

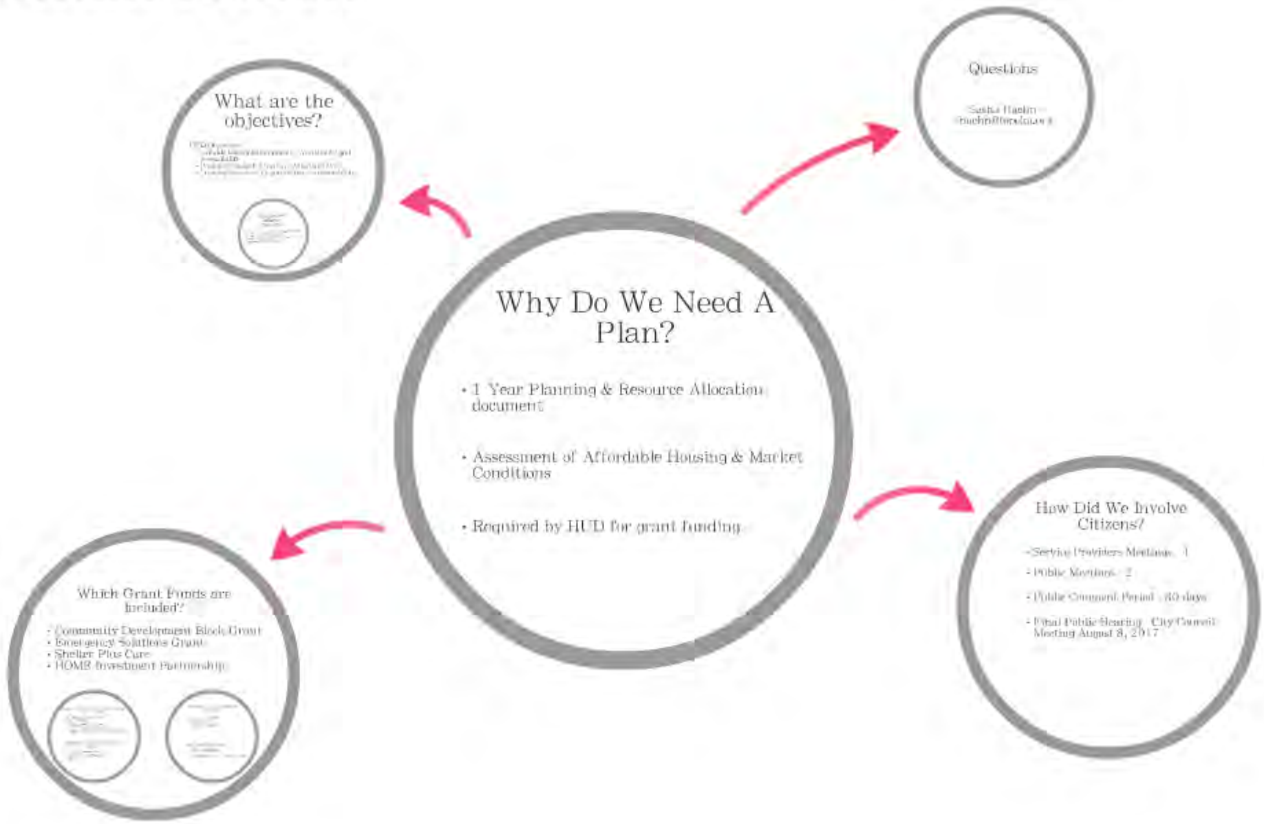
The City of Topeka will hold a final public hearing for the City of Topeka's draft FY2018 Consolidated Annual Action Plan on Tuesday, August 8, 2017 at 6:00 p.m. during the regular meeting of the City Council in the Council Chambers located at 214 S.E. 8th Street. The purpose of the public hearing is to obtain citizen input on the City of Topeka's draft FY 2018 Consolidated Annual Action Plan. Written comments may be submitted, through Monday, August 7, 2017, to the Department of Neighborhood Relations, 620 SE Madison, Topeka, KS 66607.

If any citizen is in need of special accommodations, such as an interpreter or sign language, they should contact the office of Neighborhood Relations as soon as possible, no later than 3 days prior to the hearing.

Further information may be obtained or written comments may be submitted, by contacting the Department of Neighborhood Relations, 620 SE Madison, Topeka, Kansas 66607, or by calling (785) 368-3711.
7/31

L68535
Publication Fees: $10.00

Department of Neighborhood Relations
2018 Consolidated Annual Action Plan



Department of Neighborhood Relations
2018 Consolidated Annual Action Plan

What are the objectives?

Why Do We Need A Plan?

- 1 Year Planning & Resource Allocation document
- Assessment of Affordable Housing & Market Conditions
- Required by HUD for grant funding

Questions

How Did We Involve Citizens?

- Public Comment Period - 30 days
- Final Public Hearing City Council Meeting August 8, 2017

Which Grant Funds are Included?

- Community Development Block Grant
- Emergency Solutions Grant
- Shelter Plus Care
- HOME Investment Partnership

Why Do We Need A Plan?

- 1 Year Planning & Resource Allocation document
- Assessment of Affordable Housing & Market Conditions
- Required by HUD for grant funding

What are the objectives?

HUD Objectives

- Suitable Living Environment - Availability and Accessibility
- Decent Affordable Housing - Affordability
- Creating Economic Opportunities - Sustainability

Neighborhood Relations Objectives

- Enhance the quality of neighborhoods
- Increase Homeownership
- Enhance Housing with Support Services
- Leverage Other Resources

Neighborhood Relations Objectives

- Enhance the quality of neighborhoods
- Increase Homeownership
- Enhance Housing with Support Services
- Leverage Other Resources

Which Grant Funds are Included?

- Community Development Block Grant
- Emergency Solutions Grant
- Shelter Plus Care
- HOME Investment Partnership

Community Development Block Grant
$1.7 million

- Housing Rehabilitation
- Accessibility
- Voluntary Demolition
- In-fill Housing Development
- Topeka Opportunity to Own (TOTO)

HOME Investment Partnership
$476k

- In-fill Housing Development
- Major Rehabilitation
- TOTO

Emergency Solutions Grant
$149k

- Rapid Re-housing
- Rent Assistance
- Shelter Funding

Shelter Plus Care
$1.5 million

- Housing with Supportive Services

Community Development Block Grant
$1.7 million

- Housing Rehabilitation
- Accessibility
- Voluntary Demolition
- In-fill Housing Development
- Topeka Opportunity to Own (TOTO)

HOME Investment Partnership
$476k

- In-fill Housing Development
- Major Rehabilitation
- TOTO

Emergency Solutions Grant
$149k

- Rapid Re-housing
- Rent Assistance
- Shelter Funding

Shelter Plus Care
$1.5 million

- Housing with Supportive Services

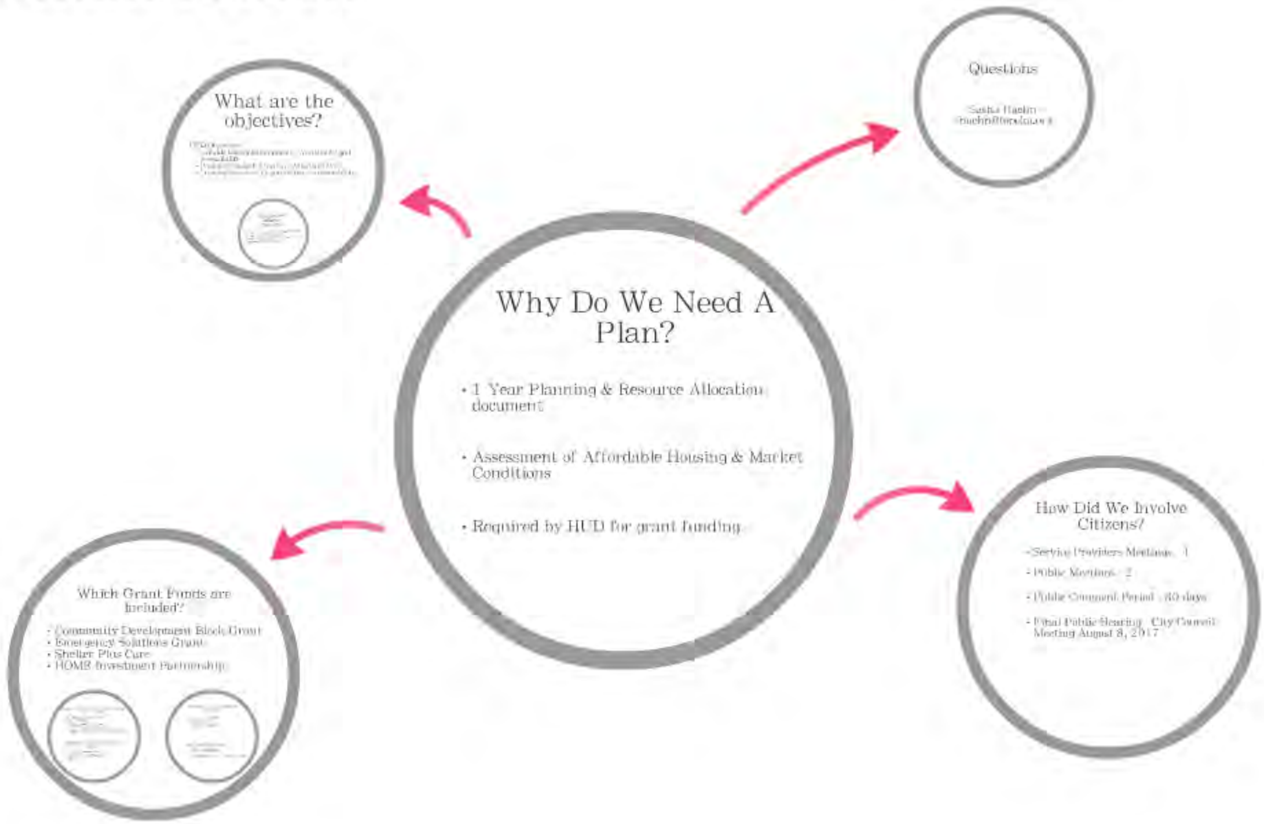
How Did We Involve Citizens?

- Service Providers Meetings - 4
- Public Meetings - 2
- Public Comment Period - 30 days
- Final Public Hearing - City Council Meeting August 8, 2017

Questions

Sasha Haehn
shaehn@topeka.org

Department of Neighborhood Relations 2018 Consolidated Annual Action Plan



City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Nick Hawkins**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**2018 Budget Public Hearing**	**PROJECT #:**	
CATEGORY/SUBCATEGORY	**018 Public Hearings / 006 Budget**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

A PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2018 City of Topeka Operating Budget.

Voting Requirement: **Majority vote of the Governing Body (6).**

(The Notice of Public Hearing including the Budget Summary was published in the Topeka Metro Newspaper on July 17, 2017.)

VOTING REQUIREMENTS:

POLICY ISSUE:

K.S.A. 79-2929 requires a public hearing to hear taxpayer objections. The hearing is a prerequisite to adopting the budget.

STAFF RECOMMENDATION:

State law requires that a public hearing be held before a budget can be adopted. Staff recommends that the Mayor open the public hearing to consider public input.

BACKGROUND:

State law requires that a public hearing be held before a budget can be adopted. The proposed 2018 budget expenditures and amount of 2018 ad valorem tax establish the maximum limits of the 2018 budget.

Estimated tax rate is subject to change depending on the final assessed valuation. The 2018 City of Topeka Operating Budget will be considered for adoption on August 15, 2017.

In addition to the formal State required public hearing, there were multiple opportunities for citizen input and education including Council discussions, online surveys, in-person surveys, open houses, videos, and online opportunities.

BUDGETARY IMPACT:

The budgetary impact is outlined in the proposed budget.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

Notice of Public Budget Hearing

Proof of Publication - Public Budget Hearing

State of Kansas
City

NOTICE OF BUDGET HEARING

The governing body of
<u>City of Topeka</u>
will meet on August 8, 2017 at 6:00 p.m. at City Council Chambers at 214 E Eighth Street for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at Office of the City Clerk at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2018 Expenditures and Amount of 2017 Ad Valorem Tax establish the maximum limits of the 2018 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

	Prior Year Actual for 2016		Current Year Estimate for 2017		Proposed Budget for 2018		
FUND	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2017 Ad Valorem Tax	Estimate Tax Rate *
General	87,733,374	24.662	91,932,345	24.735	104,951,039	26,790,949	24.735
Debt Service	21,023,973	14.371	19,670,236	14.413	26,950,281	15,610,726	14.413
Library							
Special Liability	437,628	0.776	1,956,507	0.779	1,873,297	843,978	0.779
Retirement Reserve	311,154		2,274,623		3,567,577		
KP&F Rate Equalization	162,398		300,000		392,693		
Neighborhood Revitalizatio			20,000		391,002		
Historical Asset Tourism	212,886				24,513		
Half Cent Sales Tax (JEDO)	7,355,782		13,894,102		28,610,110		
Half Cent Sales Tax (Street)	19,642,491		14,650,099		28,432,827		
Tax Increment Financing	175,522		190,000		690,000		
Court Technology	31,822		65,000		66,642		
Downtown Improvement	158,588		183,500		232,555		
Special Highway	5,686,109		6,993,704		7,334,675		
Special Alcohol & Drug	604,038		620,000		535,970		
Alcohol & Drug Safety	66,746		106,746		111,220		
Law Enforcement	532,719		690,921		690,921		
Transient Guest Tax	1,994,039		3,156,763		3,427,789		
Community Development	378,070		460,000		560,000		
Employee Separation	1,611,354		1,000,000				
Tourism Improvement					488,250		
Combined Utilities	60,395,042		68,197,279		69,668,726		
Public Parking	3,051,440		3,136,638		3,456,048		
Facilities	1,580,039		1,600,014		1,845,241		
Fleet	1,795,868		1,980,000		3,002,938		
IT	3,388,228		4,255,374		4,270,995		
Risk Funds	13,453,453		15,205,373		18,361,175		
Totals	231,782,763	39.809	252,539,224	39.927	309,936,484	43,245,653	39.927
Less: Transfers	4,267,083		2,124,139		1,321,990		
Net Expenditure	227,515,680		250,415,085		308,614,494		
Total Tax Levied	41,463,438		42,663,840		xxxxxxxxxxxxxxxxx		
Assessed Valuation	1,041,624,829		1,068,583,794		1,083,134,194		
Outstanding Indebtedness, January 1,	2015		2016		2017		
G.O. Bonds	190,585,000		208,005,000		199,475,000		
Revenue Bonds	138,490,000		130,460,000		147,380,000		
Other	58,133,937		52,810,634		46,909,050		
Lease Purchase Principal	3,729,468		2,797,754		3,526,552		
Total	390,938,405		394,073,388		397,290,602		

*Tax rates are expressed in mills

	2016 Actual	Mill Levy	2017 Expenditures	Mill Levy	2018 Budget Authority	Amount of 2017 Ad Valorem Tax	Estimated Tax Rate
Metropolitan Transit Author	4,654,227	4.200	4,932,745	4.200	4,909,685	4,690,187	4.200

Brenda Younger

City Official Title: City Clerk

Page No.

ATTEST: Brenda Younger
CITY CLERK

The Topeka Metro News

P.O. Box 1794
Topeka, KS 66601-1794
(785) 232-8600

Publication Fees: $44.00

CITY OF TOPEKA - CITY CLERK'S OFFICE
215 SE 7TH ST RM 166
TOPEKA KS 66603-3914

Notice of Budget Hearing - 8/8/17

Proof of Publication

STATE OF KANSAS, SHAWNEE COUNTY, SS;
Pam Kruse, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Billing Clerk for The Topeka Metro News which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Shawnee County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any)

for 1 consecutive week(s), as follows:

BUDGET HEARING - CITY OF TOPEKA
7/17/17

Pam Kruse
Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

July 17, 2017

Penny Knight
Notary Public

PENNY KNIGHT
Notary Public-State of Kansas
My Appt. Expires Dec. 31, 2017

L68274

NOTICE OF BUDGET HEARING

First published in The Topeka Metro News, Monday, July 17, 2017.

State of Kansas
City

NOTICE OF BUDGET HEARING

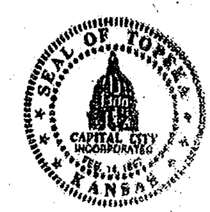
The governing body of
City of Topeka
will meet on August 8, 2017 at 6:00 p.m. at City Council Chambers at 214 E Eighth Street for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at Office of the City Clerk at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2018 Expenditures and Amount of 2017 Ad Valorem Tax establish the maximum limits of the 2018 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

	Prior Year Actual for 2016		Current Year Estimate for 2017		Proposed Budget for 2018		
FUND	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2017 Ad Valorem Tax	Estimate Tax Rate *
General	87,733,374	24.662	91,932,345	24.735	104,951,039	26,790,949	24.735
Debt Service	21,023,973	14.371	19,670,236	14.413	26,950,281	15,610,726	14.413
Library							
Special Liability	437,628	0.776	1,956,507	0.779	1,873,297	843,978	0.779
Retirement Reserve	311,154		2,274,623		3,567,577		
KP&F Rate Equalization	162,398		300,000		392,693		
Neighborhood Revitalizatio			20,000		391,002		
Historical Asset Tourism	212,886				24,513		
Half Cent Sales Tax (JEDO)	7,355,782		13,894,102		28,610,110		
Half Cent Sales Tax (Street)	19,642,491		14,650,099		28,432,827		
Tax Increment Financing	175,522		190,000		690,000		
Court Technology	31,822		65,000		66,642		
Downtown Improvement	158,588		183,500		232,555		
Special Highway	5,686,109		6,993,704		7,334,675		
Special Alcohol & Drug	604,038		620,000		535,970		
Alcohol & Drug Safety	66,746		106,746		111,220		
Law Enforcement	532,719		690,921		690,921		
Transient Guest Tax	1,994,039		3,156,763		3,427,789		
Community Development	378,070		460,000		560,000		
Employee Separation	1,611,354		1,000,000				
Tourism Improvement					488,250		
Combined Utilities	60,395,042		68,197,279		69,668,726		
Public Parking	3,051,440		3,136,638		3,456,048		
Facilities	1,580,039		1,600,014		1,845,241		
Fleet	1,795,868		1,980,000		3,002,938		
IT	3,388,228		4,255,374		4,270,995		
Risk Funds	13,453,453		15,205,373		18,361,175		
Totals	231,782,763	39.809	252,539,224	39.927	309,936,484	43,245,653	39.927
Less: Transfers	4,267,083		2,124,139		1,321,990		
Net Expenditure	227,515,680		250,415,085		308,614,494		
Total Tax Levied	41,463,438		42,663,840		xxxxxxxxxxxxxxxx		
Assessed Valuation	1,041,624,829		1,068,583,794		1,083,134,194		
Outstanding Indebtedness, January 1,	2015		2016		2017		
G.O. Bonds	190,585,000		208,005,000		199,475,000		
Revenue Bonds	138,490,000		130,460,000		147,380,000		
Other	58,133,937		52,810,634		46,909,050		
Lease Purchase Principal	3,729,468		2,797,754		3,526,552		
Total	390,938,405		394,073,388		397,290,602		

*Tax rates are expressed in mills



	2016 Actual	Mill Levy	2017 Expenditures	Mill Levy	2018 Budget Authority	Amount of 2017 Ad Valorem Tax	Estimated Tax Rate
Metropolitan Transit Author	4,654,227	4.200	4,932,745	4.200	4,909,685	4,690,187	4.200

Brenda Younger
City Official Title: City Clerk

Page No.

ATTEST: Brenda Younger
CITY CLERK

7/17

City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Nickie Lee, Director of Finance**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:		**PROJECT #:**	
CATEGORY/SUBCATEGORY	**020 Resolutions / 004 Public Improvements**		
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Interim City Manager Doug Gerber, setting the public hearing to consider the advisability of establishing a Community improvement District (CID) for the Wheatfield Village District at 29th and Southwest Fairlawn Road.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would set a public hearing date of September 12, 2017 to establish a Community Improvement District for the Wheatfield Village development.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

A petition has been submitted by the property owner of Wheatfield Village to establish a Community Improvement District (CID) for a multi-family residential complex, a movie theater, a hotel, two restaurants, a coffee shop, plus infrastructure and related site improvements. A CID district is a benefit district is achieved by levying and collecting special assessments and/or a CID sales tax upon property within a defined boundary.

According to the CID policy established by the governing body on October 25, 2011, the purpose of a CID should promote, stimulate, and develop the general and economic welfare of and quality of life in the City of Topeka.

The applicant has expressed the desire to levy a 1.5% sales tax in the district in order to pay for public and private investments in the area.

STAFF RECOMMENDATION:

Set public hearing to establish the Community Improvement District for September 12, 2017.

BACKGROUND:

The owners of Wheatfield Village have petitioned the governing body to establish a Community Improvement District pursuant to K.S.A. 12-6a26. Applicants are requesting that the City impose a 1.5% sales tax on retail purchases of property and services within the district. No bonds would be issued for the project, and reimbursements to the developer would be pay-as-you-go.

The total costs of the project are approximately $93 million. Reimbursements for the eligible CID project costs would be distributed once received from the State of Kansas and certified as eligible costs. The 1.5% sales tax revenue would be generated based upon taxable sales in the district.

BUDGETARY IMPACT:

A community improvement district is a self-supporting economic development tool. The CID levies an incremental sales tax on businesses within the district. The state collects the incremental sales tax, remitting it to the City for reimbursement of qualified CID project costs as certified by the project developer. The City's only budgetary impact is the administration of the monies and per City policy, an administrative fee is charged to the sales tax received.

SOURCE OF FUNDING:

1.5% CID District

ATTACHMENTS:

Description

Resolution for Public Hearing
Application
Petition
CID Policy
CID Procedures

(Published in the Topeka Metro News ____________________ & ___________________)

RESOLUTION NO. _____________

A RESOLUTION introduced by Interim City Manager Doug Gerber, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) for the Wheatfield Village District at 29th and Southwest Fairlawn Road.

WHEREAS, K.S.A. 12-6a26 *et seq.*, as amended establishes the Community Improvement District Act (the "Act") for economic development and any other purpose for which public money may be expended; and

WHEREAS, cities are authorized to create a community improvement district (CID) to assist with the financing of eligible projects provided cities comply with the procedures set forth in the Act; and

WHEREAS, the City received a petition from the owners of record of more than 55% of the land within the proposed CID district and the owners collectively owning more than 55% by assessed value of the land area within the proposed CID district generally described as Wheatfield Village and legally described in Section B herein; and

WHEREAS, in order to assist in the redevelopment of this area for mixed-use, the City desires to consider the establishment of a CID as requested by Petitioners and in accordance with the Act; and

WHEREAS, K.S.A. 12-6a29 provides that any city proposing to establish a CID must adopt a resolution stating that the city is considering the establishment of a CID and include in such resolution notice that a public hearing will be held to consider the establishment of the CID.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY that a public hearing shall be held to consider the advisability of creating a Community Improvement

District (“CID district”) in the City Council Chambers of City Hall, 214 SE 8th Street, on September 12, 2017 at 6:00 p.m.

NOTICE OF PUBLIC HEARING

(1) Notice is hereby given that the Governing Body shall meet for the purpose of holding a public hearing in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m. on September 12, 2017, to consider the advisability of creating a Community Improvement District, more specifically described as follows:

A. GENERAL NATURE OF IMPROVEMENT:

The general nature of the proposed CID Project is to promote the redevelopment and revitalization of the Wheatfield Village mixed-use development, located at the northwest corner of Southwest 29th Street and Southwest Fairlawn Road within the City, by providing community improvement district financing for the demolition, construction, maintenance, and procurement of certain improvements, costs, and services within the district, including, but not limited to: land acquisition, infrastructure related items, streets, sidewalks, parking lots and/or structures, buildings, facilities, tenant improvements, water management and drainage related items, utilities, landscaping, lighting, art, water features and other cultural amenities, ongoing maintenance of the district, marketing, advertisement and economic development, promotion of activities and special events, training, cleaning and maintenance, and administrative costs in establishing and maintaining the district and the CID Project, and any other items permitted to be financed within the district under the Act.

B. ESTIMATED OR PROBABLE COST:

$93,222,834

C. PROPOSED METHOD OF FINANCING:

The proposed method of financing the CID Project is from a CID sales tax in the amount of 1.5% through a Pay-as-You-Go financing.

D. MAP OF THE PROPOSED CID DISTRICT:

The map of the proposed district is contained in Exhibit A which is attached herein and incorporated by reference.

E. LEGAL DESCRIPTION OF THE PROPOSED CID DISTRICT:

A legal description of the proposed district is contained in Exhibit B which is attached herein and incorporated by reference.

(2) The hearing may be adjourned from time to time and until the Governing Body shall have made findings by resolution as to the advisability of establishing a Community Improvement District and levying a 1.5% sales tax within the District. All persons desiring to be heard with reference to the creation of the District shall be heard at this hearing.

(3) Upon adoption of this Resolution, the City Clerk shall mail a copy, by certified mail, return receipt requested, to each owner within the proposed District at least 10 days prior to the date of the public hearing. The City Clerk shall publish this resolution at least once each week for two consecutive weeks in the official city newspaper with the second publication occurring at least seven days prior to the date fixed for the public hearing.

ADOPTED and APPROVED by the Governing Body on ______________________.

CITY OF TOPEKA, KANSAS

____
Larry E. Wolgast, Mayor

ATTEST:

____
Brenda Younger, City Clerk

EXHIBIT A

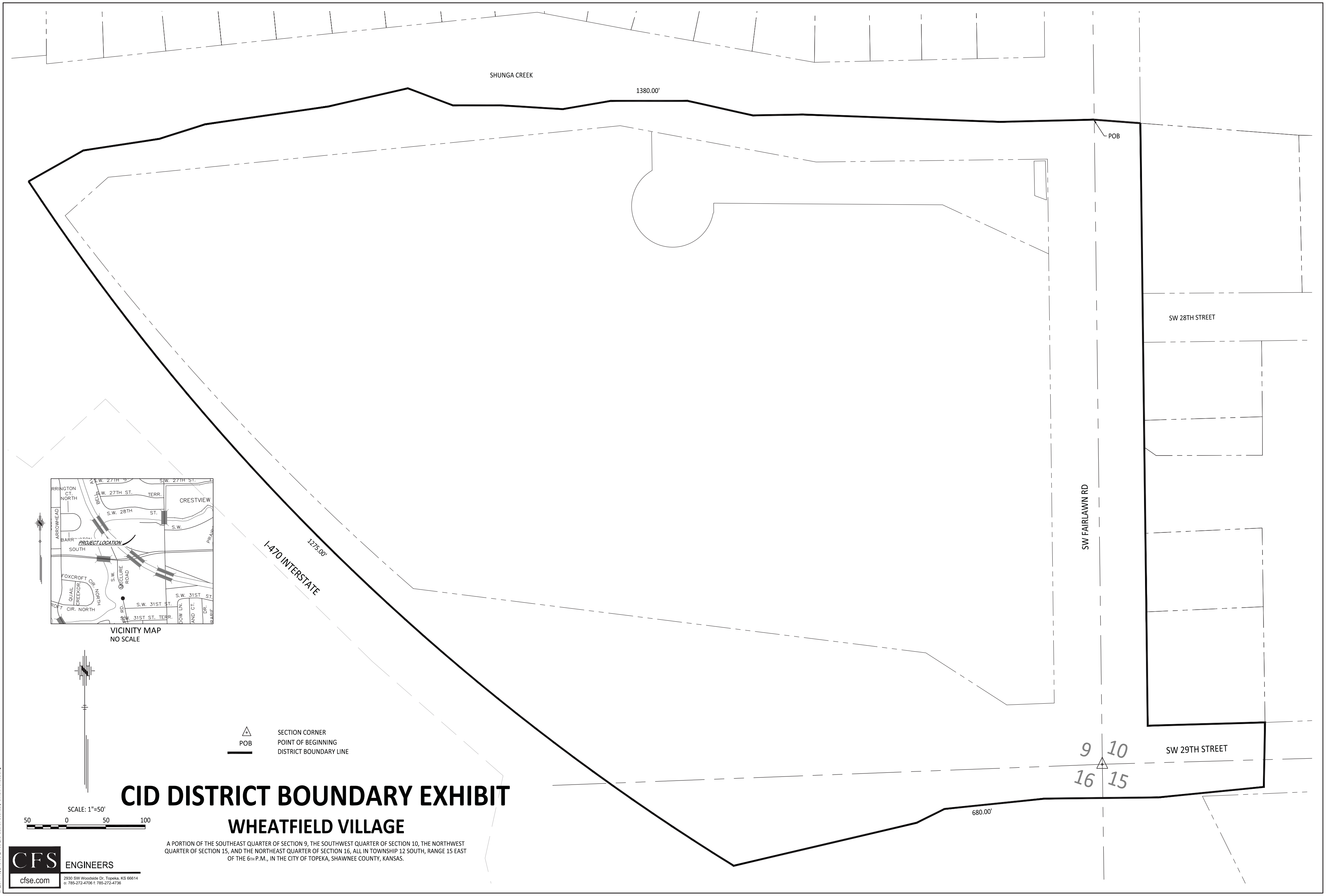

SHUNGA CREEK
1380.00'
POB
SW 28TH STREET
SW FAIRLAWN RD
SW 29TH STREET
9
10
16
15
680.00'
1275.00'
I-470 INTERSTATE
VICINITY MAP
NO SCALE
PROJECT LOCATION
CRESTVIEW
SECTION CORNER
POB
POINT OF BEGINNING
DISTRICT BOUNDARY LINE
CID DISTRICT BOUNDARY EXHIBIT
WHEATFIELD VILLAGE
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, THE SOUTHWEST QUARTER OF SECTION 10, THE NORTHWEST QUARTER OF SECTION 15, AND THE NORTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.
SCALE: 1"=50'
50
0
50
100
CFS
cfse.com
ENGINEERS
2930 SW Woodside Dr, Topeka, KS 66614
o: 785-272-4706 f: 785-272-4736

EXHIBIT B

WHEATFIELD VILLAGE

Project 14-5195
July 26, 2017

CID DISTRICT BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10, at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the extension of the North line of said Shunga Plaza Subdivision to the East Right of Way line of Southwest Fairlawn Road; thence Southerly on said East Right of Way line to the intersection with the North Right of Way line of Southwest 29th Street; thence Easterly on the North Right of Way of Southwest 29th Street a distance of 150 feet more or less; thence Southerly to a point 20 feet South of the South curb line of Southwest 29th Street; thence Westerly and Southwesterly parallel with said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

CITY OF TOPEKA
APPLICATION FOR COMMUNITY IMPROVEMENT DISTRICT

Complete all information and if necessary, please attach additional sheets to fully answer each question and include attachments described in Appendix 1

1. Applicant Information

a. Company Name: 29 Fairlawn, LLC Phone: (785) 272-1535

Address: 3024 SW Wanamaker, #300, Topeka, KS 66614

Contact Person (if an entity): Jim Klausman / Jennifer Sourk

Email: jsourk@midwest-health.com Fax : ____________

b. Applicant's Legal Counsel Name: Polsinelli, PC - John Petersen / Bob Johnson Phone: (816) 360-4359

Address: 6201 College Blvd, Suite 500, Overland Park, Kansas 66211

Email: rjohnson@polsinelli.com Fax: ____________

c. Applicant's Engineer: CFS Engineers - Kevin Holland Phone: (785) 272-4706

Address: 2930 SW Woodside Drive, Topeka, KS 66614

Email: kholland@cfse.com Fax: ____________

2. Applicant's Business Information

a. Corporation Partnership Sole Proprietorship Other

b. State of incorporation/organization and year: Kansas, 2014

c. If the Applicant is a corporation, list the officers, directors and stockholders holding more than 5% of the corporation's stock. (State the name, address, telephone and relationship to Applicant. If a company is not yet formed, include as much data as possible concerning potential officers, directors and stockholders): N/A

d. If the Applicant is a general partnership, list the general partners; and if a limited partnership, list the general partners and limited partners; with more than 5% of the partnership.

(State the name, address, telephone and relationship to Applicant. If a partnership is not yet formed, include as much data as possible concerning potential partners): N/A

e. Has the Applicant, or any partner, officer, member or director of the Applicant; or any entity in which any partner, officer, member or director of the Applicant is or was a partner, officer, member or director, ever been charged with and/or convicted of a criminal offense (other than traffic violations) or charged by any regulatory agency with violations of financial or professional regulations?

Yes No

If yes, state the name of the business or individual, the caption of the proceeding, court and year in which it was filed, and its disposition and/or status:

f. Within the last ten (10) years, has the Applicant or any partner, officer, member or director of the Applicant; or any entity in which any partner, officer or director of the Applicant is or was a partner, officer, member or director, been a debtor in bankruptcy?

Yes No

If yes, state the name of the business or individual, the caption of the proceeding, the court and year in which it was filed, and its disposition and/or status:

g. Has the Applicant, or any officer, member, director, or partner of the Applicant; or any entity in which any partner, officer or director of the Applicant is or was a partner, officer, member or director, ever defaulted on any bond or mortgage commitment?

Yes No

If yes, state the name of business or individual, year and any relevant circumstances:

3. General CID Project Information

a. Description of the underlying CID Project for which financing is requested: The development is planned to include approximately 13 acres consisting of a multi-family residential complex with associated amenities, a movie theater, a hotel, two restaurant buildings anticipated to contain a sit-down restaurant, a fast-casual restaurant, and a coffee shop, plus infrastructure and related site improvements, including improvements to existing right of way, all of which to develop a vibrant mixed-use community setting currently unavailable to the City.

b. General Location of CID Project: NWC of 29th and Fairlawn

c. Total sq. feet in proposed District, excluding right of way and other common area: Approximately 13 acres.

d. Legal description of the proposed District: Will be provided when able. See attached Exhibit A depiction of the boundary which generally consists of Parcels 1420904010007000 and 1420904010001000, plus KDOT I-470 right of way, City of Topeka right of way on 29th and on Fairlawn, plus some of the City's streamway.

e. Number of Tracts, Parcels or Lots in proposed District: 2

f. Does Applicant own all the Property in the District? Yes No

If not, provide the name, address and phone number of the Owner(s) in the District and evidence of their willingness to participate in the Petition. Or if Applicant intends to own 100% of the property, provide evidence of site control (i.e. deed, option to purchase or purchase contract). Applicant owns 100% of the parcels shown on the attached Exhibit B property record cards. Applicant understands that the boundary provided includes KDOT right-of-way, City right-of-way, and some of the City's streamway.

g. Are all areas within the proposed District platted? Yes No

If yes, provide the County parcel ID numbers: 1420904010007000 and 1420904010001000

If no, identify the number without County parcel ID numbers and the status of any pending plats: ______

h. Will the proposed District have 100% participation? Yes No

i. If the project has current tenants or leases, please provide the contact information (business name; contact person; address, and phone number) for each:

See attached Exhibit C. All tenants will have vacated the district by the time the proposed CID sales tax commences.

(Notification of owners, tenants and lessees of any request for a CID sales tax is required prior to the public hearing)

4. Financing

a. Description of CID Project and costs to be financed and estimated cost for each component:

Land Acquisition	$ 2,375,000
Site Work Improvements	$ 7,150,508
Fairlawn Roadway Improvements	$ 736,233
29th Street Roadway Improvements	$ 376,250
Buildings, Parking Garage, and Related Improvements	$ 61,771,650
Soft Costs	$ 15,398,801
Contingency	$ 5,414,392
Total Estimated Cost of CID Improvements	$ 93,222,834

b. Estimated cost of total project in which CID is proposed: $ 93,222,834

c. Proposed methods of financing. If more than one, please indicate:

(i) Special Assessments: Yes No

(ii) Paid in full or part by sales tax or only by assessments? _______

(iii) Assessment and Amount:

Front Footage ________________ Estimated Cost per F.F. $____________

Square Footage ______________ Estimated Cost per S.F. $____________

(vi) Note: there cannot be any assessment against the City at large.

d CID Sales Tax: Yes No

(i) Amount of increment (increments of .10 or .25, not to exceed 2%): 1.5%

(ii) Note: Dept of Revenue shall keep 2% of amount collected up to $60,000/year for administration.

5. Financing/Bonds:

a. Do you request the City issue special obligation bonds?

Yes No

If yes, what is the requested term of the bonds? (maximum is 22 years): N/A

b. Do you plan to use pay-as-you-go (maximum is 22 years for sales tax)?

Yes No

c. Estimated dates to commence and complete construction: Construction timelines are being formulated as this project is in development and planning stages.

d. Will there be a phasing plan? If so, describe the phasing plan including the proposed improvements, their estimated cost, and date construction of each will be commenced and complete: Consideration of project phasing, if any, is still being formulated as this project is in development and planning stages.

6. Additional Information:

Any additional information you believe is relevant or helpful to the consideration of this application: ________________________________

Please check the box if the petition includes the following requirements:

1. General description of the proposed project ☒
2. Estimated cost of the project ☒
3. Proposed method of financing the project ☒
4. Proposed amount and method of assessment ☒
5. Map of the proposed district; and ☒
6. Legal description of the boundaries of the proposed district ☐

APPENDIX I to CID APPLICATION

Documentation of the following will be helpful to the Review Committee:

- Evidence of site control.
- Current financial statements of the applicant and owner and/or operating entity if different from the Applicant (2 years); P&L (2 years); and Balance Sheet (2 years)
- Market studies which identify target markets, analysis of competition, demographics, market rents and sales prices, letters of intent/interest from prospective tenants.
- Financial analysis (projected revenue is sufficient to pay costs)
- Approved site plans or plan submissions for the Project Plan area.
- Renderings of the project, if available.
- Any other data or information the Applicant deems pertinent to the City's consideration of the application.

EXHIBIT A

DISTRICT BOUNDARIES

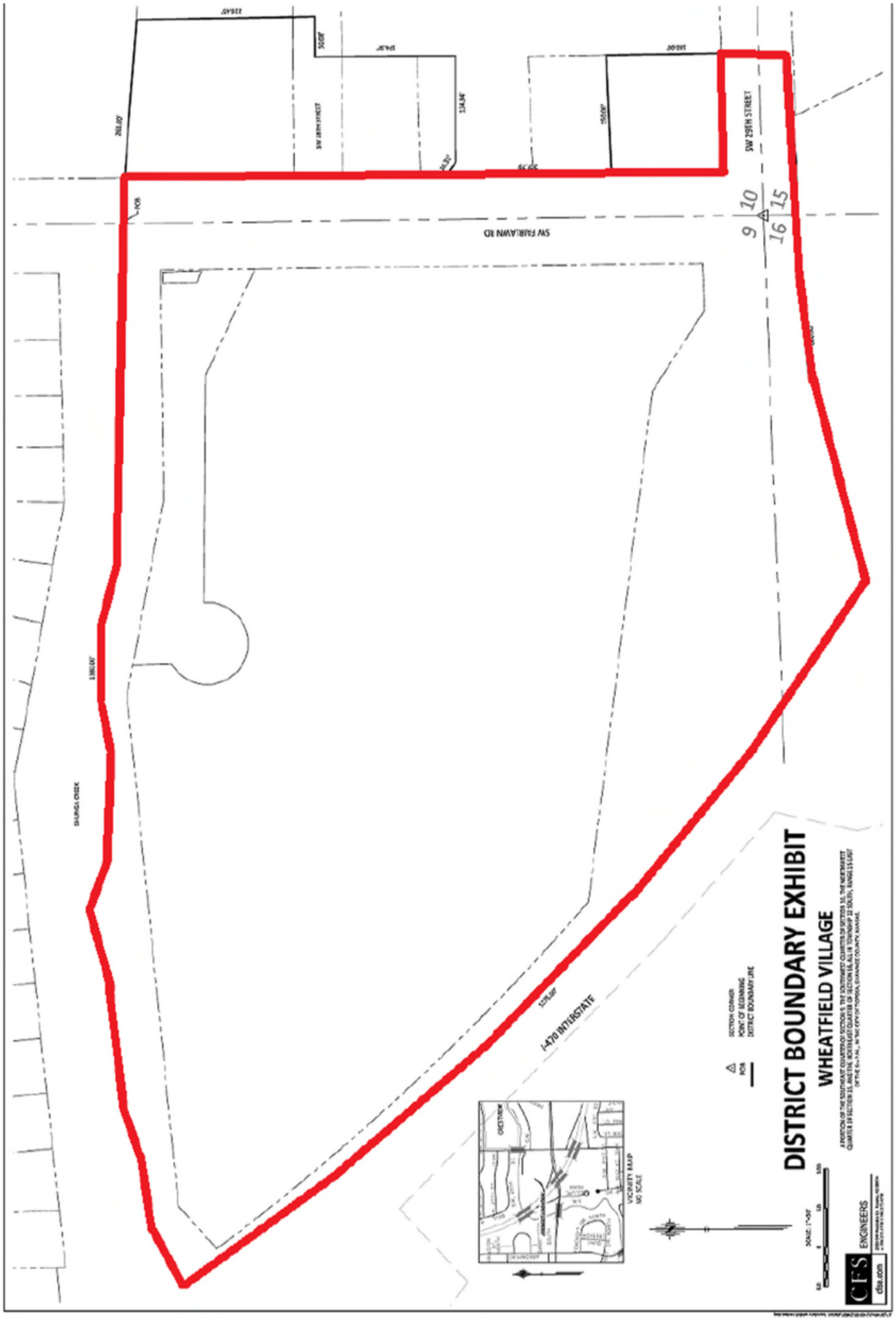


EXHIBIT B

PROPERTY RECORD CARDS

(See Attached)

Parcel ID: 089-142-09-0-40-10-007.00-0 Quick Ref: R51947 Tax Year: 2018 Run Date: 6/21/2017 4:54:06 PM

OWNER NAME AND MAILING ADDRESS

29 FAIRLAWN LLC

3715 SW 29TH ST
TOPEKA, KS 66614

PROPERTY SITUS ADDRESS

5235 SW 28TH CT
Topeka, KS 66614

Image Date: 12/03/2014

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
11/05/2014	2:00 PM	1	P	SLL	Jennifer McFarland	6
05/04/2012	10:20 AM	6	H	SLL		
09/02/2011	11:40 AM	6	R	TMB	Vacant - Bldg is boarded u	

LAND BASED CLASSIFICATION SYSTEM

Function:	2105	Strip store cente	Sfx: 0
Activity:	2110	Goods-oriented shopping	
Ownership:	1100	Private-fee simple	
Site:	6000	Developed site - with building	

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp
14-7058	500	Interior Remodel	06/06/2014	CN	100
T0141	4,200	Dwelling Addition	02/01/1999	C	100

GENERAL PROPERTY INFORMATION

Prop Class: C Commercial & Industrial - C
Living Units:
Zoning: C4
Neighborhood: 311.2 311.2 - FAIRLAWN CORR
Economic Adj. Factor:
Map / Routing: S08 WE-D-
Tax Unit Group: 094

PROPERTY FACTORS

Topography: Level - 1

Utilities: All Public - 1

Access: Paved Road - 1,Sidewalk - 6

Fronting: Cul-De-Sac - 6
Location: Neighborhood or Spot - 6
Parking Type: Off Street - 1
Parking Quantity: Adequate - 2
Parking Proximity: On Site - 3

Parking Covered:
Parking Uncovered: 100

2018 APPRAISED VALUE

Not Yet Available

2017 APPRAISED VALUE

Cls	Land	Building	Total
V	1,851,750	0	1,851,750
C	392,800	0	392,800
Total	2,244,550	0	2,244,550

TRACT DESCRIPTION

SUNSET HILLS REPLAT A, S09, T12, R15, BLOCK A, Lot 1 +, ACRES 12.91, BLK A LOTS 1 THRU 11 SUNSET HILLS REPLAT A & FAIRLAWN LOT 1 CONROY SUB & PART OF TRACT A SUNSET HILLS SUB BEG SE COR TR A TH N 200' W 42' S 20' W 158' S 129.72' E 33.56' SE 126.2' E 60' TO POB LESS ROW

PARCEL COMMENTS

GenLink: 089-142-09-0-40-10-002.00-0-, 089-142-09-0-40-10-003.00-0-, 089-142-09-0-40-10-004.00-0-, 089-142-09-0-40-10-005.00-0-, 089-142-09-0-40-10-006.00-0-, 089-142-09-0-40-10-007.01-0-; Prop-NC: IES10-Sent, IES11-Sent, IES12-Sent; Prop-Com: AN - SP FOR ROW 7/2016; COMB 2, 3, 4, 5, 6, & 7.010 INTO 7.00 11/14; AN-5203-5209 8/05; AN- 2807-2825 8/05; App-Com: 0000007107-, 08-2717-EQSC-, INF-1644-2009-, 09-6872-EQ-, INF-3598-2010-, PUPinf1-3003-2011-, PUPinf1-3692-2012-, PUPinf1-3974-2013-; Val-Com: 2015 zero value improvements- purchased 6/14 for l; Land-Ac/Sf: ,

MARKET LAND INFORMATION

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	Value Est
Sqft	1-Primary Site - 1	464,098				0	190					V	7	40,000.00	2.10	2.10	2.10	1,851,750
Sqft	1-Primary Site - 1	98,446				0	190						7	40,000.00	2.10	2.10	2.10	392,800

Total Market Land Value 2,244,550

Parcel ID: 089-142-09-0-40-10-007.00-0 | Quick Ref: R51947 | Tax Year: 2018 | Run Date: 6/21/2017 4:54:06 PM

GENERAL BUILDING INFORMATION

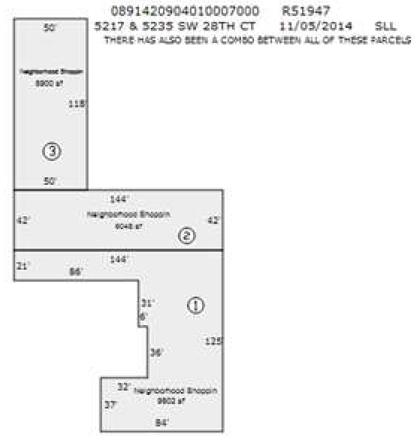
LBCS Structure Code: 2591-Strip shopping center

Bldg No. & Name: 1 VIP LOUNGE/VACANT 11/14

Identical Units: 1 No. of Units:

Unit Type:

MS Mult: MS Zip:



Sketch by Apex Medina™

COMMERCIAL BUILDING SECTIONS & BASEMENTS

Sec	Occupancy	MSCls	Rank	Yr Blt	Eff Yr	Levels	Stories	Area	Perim	Hgt	Phys	Func	Econ	OVR %	Rsn	Inc Use	Net Area	Cls
1	412-Neighborhood Shopping Ctr	C	1.33	1963		01 / 01		9,802	602	12	2	2		0	Oth	034		
2	412-Neighborhood Shopping Ctr	C	1.33	1974		01 / 01		6,048	228	12	3	3		0	Oth	035		
3	412-Neighborhood Shopping Ctr	C	1.33	1972		01 / 01		5,900	286	12	3	3		0	Oth	035		

OTHER BUILDING IMPROVEMENTS

No.	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls
1	163-Site Improvements	P	2.00	1	1970			10		8		1	3	3		0	Oth	

COMMERCIAL BUILDING SECTION COMPONENTS

Sec	Code	Units	Pct	Size	Other	Rank	Year
1	612-Warmed and Cooled Air		100				
1	812-Concrete Block		100				
1	8065-Canopy, Retail Wood Frame	300					
1	8065-Canopy, Retail Wood Frame	80					
1	8065-Canopy, Retail Wood Frame	132					
2	612-Warmed and Cooled Air		100				
2	812-Concrete Block		100				
2	8016-Deck, Wood with Roof	576					
3	612-Warmed and Cooled Air		100				
3	812-Concrete Block		100				
3	8112-Storage Bldg, Wood	160					

OTHER BUILDING IMPROVEMENT COMPONENTS

No.	Code	Units	Pct	Size	Other	Rank	Year
1	8350-Paving, Asphalt with Base	61,000		10			

Parcel ID: 089-142-09-0-40-10-007.00-0 | Quick Ref: R51947 | Tax Year: 2018 | Run Date: 6/21/2017 4:54:07 PM

GENERAL BUILDING INFORMATION

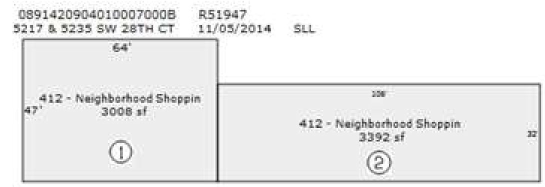
LBCS Structure Code: 2591-Strip shopping center

Bldg No. & Name: 2 STRIP CENTER&HERMANS MEAT

Identical Units: 1 No. of Units:

Unit Type:

MS Mult: MS Zip:



Sketch by Apex Medina™

COMMERCIAL BUILDING SECTIONS & BASEMENTS

Sec	Occupancy	MSCls	Rank	Yr Blt	Eff Yr	Levels	Stories	Area	Perim	Hgt	Phys	Func	Econ	OVR %	Rsn	Inc Use	Net Area	Cls
1	412-Neighborhood Shopping Ctr	S	1.33	1963		01 / 01		3,008	222	12	2	2		0	Oth	034		
2	412-Neighborhood Shopping Ctr	S	1.33	1963		01 / 01		3,392	244	12	2	2		0	Oth	034		

COMMERCIAL BUILDING SECTION COMPONENTS

Sec	Code	Units	Pct	Size	Other	Rank	Year
1	612-Warmed and Cooled Air		100				
1	812-Concrete Block		100				
1	8065-Canopy, Retail Wood Frame	640					
2	612-Warmed and Cooled Air		100				
2	812-Concrete Block		100				
2	8065-Canopy, Retail Wood Frame	36					
2	8065-Canopy, Retail Wood Frame	696					
2	8112-Storage Bldg, Wood	216				4.00	

OTHER BUILDING IMPROVEMENT COMPONENTS

GENERAL BUILDING INFORMATION

LBCS Structure Code: 2222-Bar / tavern

Bldg No. & Name: 3 FORMERLY THE STATIC BAR

Identical Units: 1 No. of Units:

Unit Type:

MS Mult: MS Zip:

Sketch by Apex Medina™

COMMERCIAL BUILDING SECTIONS & BASEMENTS

Sec	Occupancy	MSCls	Rank	Yr Blt	Eff Yr	Levels	Stories	Area	Perim	Hgt	Phys	Func	Econ	OVR %	Rsn	Inc Use	Net Area	Cls
1	442-Bar/Tavern	C	1.33	1973		01 / 01		7,200	310	12	1	1		0	Oth	086		

OTHER BUILDING IMPROVEMENTS

No.	Occupancy	MSCls	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls
2	163-Site Improvements	P	2.00	1	1973			10		8		1	2	2		0	Oth	

COMMERCIAL BUILDING SECTION COMPONENTS

Sec	Code	Units	Pct	Size	Other	Rank	Year
1	617-Complete HVAC		100				
1	812-Concrete Block		100				
1	8325-Patio, Concrete	746					

OTHER BUILDING IMPROVEMENT COMPONENTS

No.	Code	Units	Pct	Size	Other	Rank	Year
2	8350-Paving, Asphalt with Base	10,041					

SNCAMA Property Record Card

Parcel ID: 089-142-09-0-40-10-001.00-0 | Quick Ref: R51941 | Tax Year: 2018 | Run Date: 6/21/2017 4:54:15 PM

OWNER NAME AND MAILING ADDRESS

29 FAIRLAWN LLC

3715 SW 29TH ST
TOPEKA, KS 66614

PROPERTY SITUS ADDRESS

SW FAIRLAWN RD
Topeka, KS 66614

No Image Available

Image Date:

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
09/01/2012	12:00 PM	0	R	SJB		
03/25/1997	2:20 PM	0		441		
11/02/1987	11:08 AM	0		150		

LAND BASED CLASSIFICATION SYSTEM

Function:	9950	Commercial hig	Sfx:	0
Activity:	9000	No human activity		
Ownership:	1100	Private-fee simple		
Site:	5000	Developed site - nonbuilding		

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp

GENERAL PROPERTY INFORMATION

Prop Class: V Vacant Lots - V
Living Units:
Zoning:
Neighborhood: 311.2 311.2 - FAIRLAWN CORR
Economic Adj. Factor:
Map / Routing: J02
Tax Unit Group: 094

PROPERTY FACTORS

Topography:	Level - 1
Utilities:	All Public - 1
Access:	Paved Road - 1,Sidewalk - 6
Fronting:	Residential Street - 4
Location:	Neighborhood or Spot - 6
Parking Type:	None - 0
Parking Quantity:	None - 0
Parking Proximity:	Far - 0
Parking Covered:	
Parking Uncovered:	

2018 APPRAISED VALUE

Not Yet Available

2017 APPRAISED VALUE

Cls	Land	Building	Total
V	1,450	0	1,450
Total	1,450	0	1,450

TRACT DESCRIPTION

SUNSET HILLS REPLAT A , Lot B , FAIRLAWN RD TRACT B SUNSET HILLS - REPLAT OF TRACT A SECTION 09 TOWNSHIP 12 RANGE 15

PARCEL COMMENTS

App-Com: PUPinf1-1643-2010-, INF-6871-2012-, PUPinf1-2996-2011-, PUPinf1-3973-2013-

MARKET LAND INFORMATION

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	Value Est
Sqft	1-Primary Site - 1	689											7	40,000.00	2.10	2.10	2.10	1,450

Total Market Land Value 1,450

EXHIBIT C

DISTRICT TENANT CONTACT INFORMATION

Tenant Name	Address
Hermans Meat, Inc.	2825 SW Fairlawn Rd. Topeka 66614 Has a current lease, but recently moved – please also send notices to: 4211 SW Huntoon Topeka 66604
The Vac Shop	2807 SW Fairlawn Topeka, KS 66614
Kansas VIP, Inc.	5235 SW 28th Ct. Topeka 66614
Breakers Sports Bar	5217 SW 28th Ct. Topeka 66614

EXHIBIT D

DEVELOPMENT PROFORMA

SALES			
Use	**SF**	**SALES PER SF**	**TOTAL SALES**
Building 1: Hotel			$2,529,450
Building 2: Restaurant	3,500	$415.00	$1,452,500
Building 3: Coffee Shop	1,600	$450.00	$720,000
Building 4: Restaurant	7,375	$415.00	$3,060,625
Building 5: Movie Theater	34,355	$130.99	$4,500,000
TOTAL	**46,830**		**$12,262,575**

Project Sales	**$12,262,575**
Estimated Annual Growth:	1.50%
CID Sales Tax:	1.50%

CID REVENUE PROJECTIONS	
	WHEATFIELD VILLAGE
Total CID Sales Tax Revenues over 22 years	**$4,621,213**
NPV (5.5%)	**$2,563,985**

SALES ASSUMPTIONS - WHEATFIELD VILLAGE	
TOTAL SALES	$ 12,262,575
Annual Growth	1.5%

CID REVENUE AT 1.5% RATE		
Year		
1	$	183,939
2	$	183,939
3	$	183,939
4	$	186,698
5	$	189,498
6	$	192,341
7	$	195,226
8	$	198,154
9	$	201,126
10	$	204,143
11	$	207,205
12	$	210,314
13	$	213,468
14	$	216,670
15	$	219,920
16	$	223,219
17	$	226,567
18	$	229,966
19	$	233,415
20	$	236,917
21	$	240,470
22	$	244,077
TOTAL	**$**	**4,621,213**
NPV 5.5%		**$2,563,985**

<u>EXHIBIT E</u>

APPENDIX I to CID APPLICATION

- Evidence of site control.

  See Exhibit B for property record cards showing ownership of the parcels by 29 Fairlawn, LLC.

- Current financial statements of the Applicant and owning and/or operating entity if different from the Applicant (2 years); P&L (2 years); and Balance Sheet (2 years).

  The Applicant, 29 Fairlawn, LLC, was formed on June 12, 2014, as a special purpose entity and has limited financial history. Applicant will provide available relevant records upon request.

- Market studies which identify target markets, analysis of competition, demographics, market rents and sales prices, and letters of intent/interest from prospective tenants.

  The project is in development and planning stages and any studies produced, if applicable, will be provided upon request.

- Financial analysis (projected revenue is sufficient to pay costs).

  See attached Development Proforma on Exhibit D.

- Approved site plans or plan submissions for the Project Plan area.

  See Wheatfield Village site plans included with PUD submittal.

- Renderings of the project, if available.

  Renderings will be provided upon completion.

PETITION FOR THE CREATION OF A COMMUNITY IMPROVEMENT DISTRICT (WHEATFIELD VILLAGE)

TO: City Council,
City of Topeka, Kansas

The undersigned (the "**Petitioner**"), being the owner of record, whether resident or not, of the following:

1. Not less than fifty-five percent (55%) of the land area contained within the hereinafter described community improvement district; and
2. Not less than fifty-five percent (55%) by assessed value of the land area contained within the hereinafter described community improvement district.

hereby petitions the City of Topeka, Kansas (the "**City**") to create the Wheatfield Village Community Improvement District ("**CID**") and authorize the proposed CID project (the "**CID Project**") hereinafter set forth, all in the manner provided by K.S.A. § 12-6a26, *et seq*. (the "**Act**"). In furtherance of such request, the Petitioner states as follows:

1. GENERAL NATURE

The general nature of the proposed CID Project is to promote the redevelopment and revitalization of the Wheatfield Village mixed-use development, located at the northwest corner of Southwest 29th Street and Southwest Fairlawn Road within the City, by providing community improvement district financing in accordance with this petition and the Act to finance the demolition, construction, maintenance, and procurement of certain improvements, costs, and services within the district, including, but not limited to: land acquisition, infrastructure related items, streets, sidewalks, parking lots and/or structures, buildings, facilities, tenant improvements, water management and drainage related items, utilities, landscaping, lighting, art, water features and other cultural amenities, ongoing maintenance of the district, marketing, advertisement and economic development, promotion of activities and special events, training, cleaning and maintenance, and administrative costs in establishing and maintaining the district and the CID Project, and any other items permitted to be financed within the district under the Act.

2. ESTIMATED COST

The total estimated cost of the CID Project is $93,222,834, plus interest. It is anticipated that revenue generated from collection of the CID sales tax described in paragraph 5 of this Petition will be utilized to reimburse a portion of the cost of the CID Project.

3. PROPOSED METHOD OF FINANCING

The proposed method of financing the CID Project is from the CID sales tax described in paragraph 5 of this Petition through Pay-as-you-go financing.

4. PROPOSED METHOD AND AMOUNT OF ASSESSMENT

Petitioner does not propose that the CID Project be financed through the levying of assessments.

5. PROPOSED AMOUNT OF SALES TAX

Petitioner proposes that the CID Project be financed through the levying of a CID sales tax in the amount of 1.5% for a 22 year term as authorized by the Act.

6. MAP AND LEGAL DESCRIPTION OF THE PROPOSED CID

A map of the CID is attached hereto at **EXHIBIT A**.

The legal description of the CID is attached hereto at **EXHIBIT B**.

7. NOTICE TO PETITION SIGNER

Petitioner hereby acknowledges that signatures may not be withdrawn from this Petition by the signer hereof after the Governing Body of the City commences consideration of this Petition, or later than seven (7) days after the filing hereof with the City Clerk, whichever occurs first.

8. PETITION BINDING ON FUTURE OWNERS

Petitioner hereby acknowledges that if this Petition is not properly withdrawn as permitted by the Act, any future owners of the property within the CID shall be bound by this Petition.

9. BOND MARKETABILITY

Petitioner hereby acknowledges that the City will record this Petition if the proposed CID Project is approved by the City Council and that by the acceptance of this Petition, the City Council is not making any representation as to the issuance or marketability of CID bonds/notes, if any, to finance the CID Project described in this Petition. The Petitioner assumes the risk that such CID bonds/notes can be issued under terms acceptable to the City.

10. ACKNOWLEDGMENTS

Petitioner acknowledges that:

(A) the City's approval of this Petition or of the CID Project set forth in this Petition and creation of a CID by the City as proposed in this Petition does not eliminate independent requirements by the Petitioner to comply with all applicable zoning, planning, permit and other laws relating to the development of property;

(B) the City is relying on the estimated costs of the CID Project set forth in this Petition without independent investigation as to the accuracy of such estimates; and

(C) the implementation of the CID proposed by the Petition and the receipt of CID sales tax proposed by this Petition may be governed by the terms of a reimbursement or development agreement entered into between the City and the Petitioner, or any successor or assigns of the Petitioner approved by the City.

No further text on this page

IN WITNESS WHEREOF, the undersigned have executed the above foregoing Petition to create the CID on the date set forth below:

29 FAIRLAWN, LLC, a Kansas limited liability company

By: Jim Klausman
Name: Jim Klausman
Title: Vice President
Date: 8/3/17

ACKNOWLEDGMENT

STATE OF Kansas)
) ss.
COUNTY OF Shawnee)

BE IT REMEMBERED, that on this 3 day of August, 2017, before me, the undersigned, a Notary Public in and for said County and State, came ________________, who is known to me to be the same person who executed the within instrument, and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

(Seal)

Susan Brooks
NOTARY PUBLIC~STATE OF KANSAS
MY APPT EXP: 9-17-2018

Susan Brooks
Notary Public in and for said County and State

My Commission Expires:
9-17-2018

EXHIBIT A

MAP OF CID

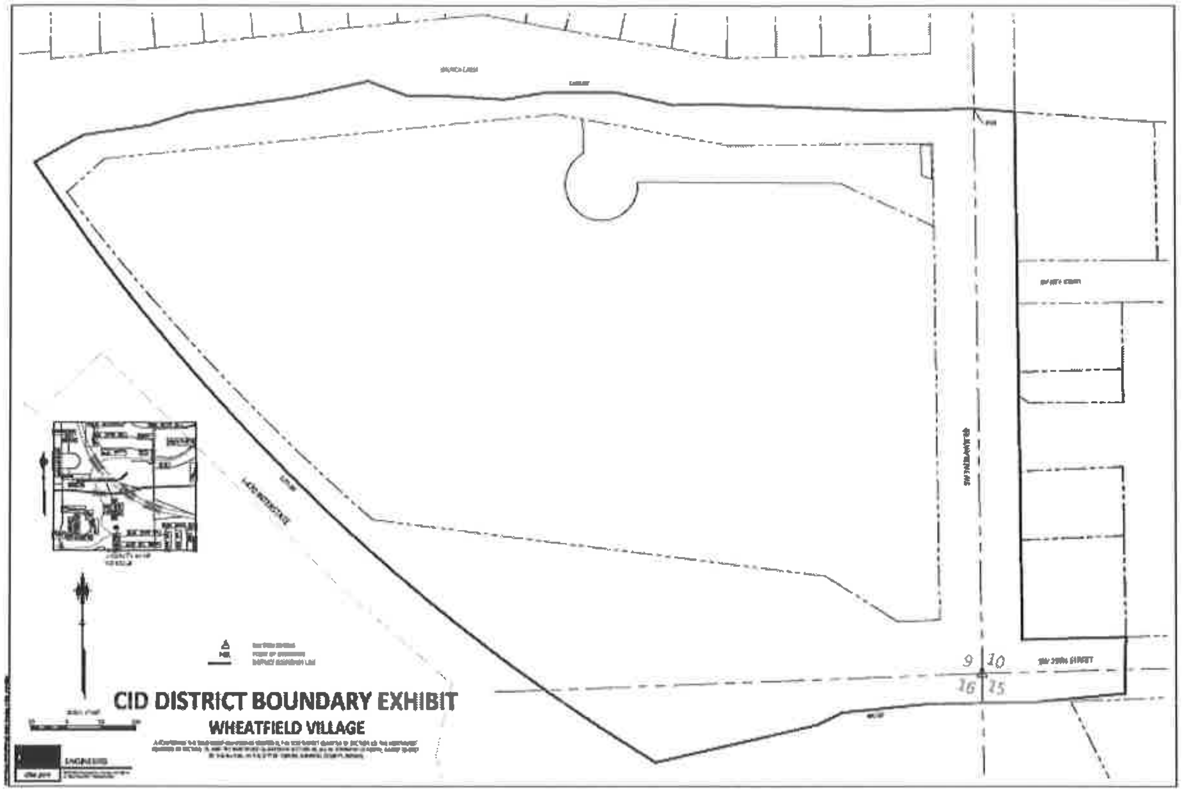


EXHIBIT B

LEGAL DESCRIPTION OF CID

CFS ENGINEERS
cfse.com

WHEATFIELD VILLAGE

Project 14-5195
July 26, 2017

CID DISTRICT BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10, at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the extension of the North line of said Shunga Plaza Subdivision to the East Right of Way line of Southwest Fairlawn Road; thence Southerly on said East Right of Way line to the intersection with the North Right of Way line of Southwest 29th Street; thence Easterly on the North Right of Way of Southwest 29th Street a distance of 150 feet more or less; thence Southerly to a point 20 feet South of the South curb line of Southwest 29th Street; thence Westerly and Southwesterly parallel with said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

CITY OF TOPEKA
COMMUNITY IMPROVEMENT DISTRICT ("CID") POLICY

Effective Date: October 25, 2011

Sections:

I. OBJECTIVES.

The proper use of a Community Improvement District (CID) should promote, stimulate and develop the general and economic welfare of and quality of life in the City of Topeka. A CID involves public financing of all or a portion of a "Project" as defined in the Community Improvement District Act ("Act") within a prescribed area (the District). A CID Project should provide public benefit such as strengthening economic development and employment opportunities; enhancing tourism; upgrading older real estate through redevelopment or rehabilitation; or promoting sustainability. Public financing is achieved by levying and collecting special assessments and/or a CID sales tax upon property in the District.

II. SCOPE.

An applicant may petition the City to utilize CID financing to fund Projects eligible under the Act. The authority and decision to approve a petition establishing a CID for a Project is within the sole discretion of the Governing Body. However, Projects in which the anticipated costs are less than $1 million dollars will not be considered. The Governing Body is under no obligation to approve any petitioned Project. This Policy is intended to provide a guide in considering applications. The Governing Body reserves the right to deviate from this Policy when it believes it is in the City's best interest.

III. DEFINITIONS.

A. <u>"CID Sales Tax"</u> means a retailers' sales tax over and above the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto, on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer's sales tax act, within a District, in any increment of .10% or .25% not to exceed 2% as authorized by the Act, pledging such revenue to pay the bonds issued for the Project or to reimburse the cost of the Project pursuant to pay-as-you-go financing.

B. "Cost" means the definition set out in K.S.A. 12-6a27, as amended. The City, on a case by case basis, may consider costs incurred within 12 months prior to District establishment, provided the costs were incurred after July 1, 2009. The City reserves the right to exclude otherwise eligible costs under the Act. . The approved project costs shall be described in detail in a Development Agreement.

C. "Owner" means the owner or owners of record, whether resident or not, of real property within the District. The applicant shall be an owner.

D. "Pay-As-You-Go" means a method of financing in which the costs of a Project are financed privately, and the approved costs of such Project are reimbursed after Project completion as monies are deposited in the District fund.

E. "Project" may include any item eligible under the Act, as described in K.S.A. 12-6a27, as amended, but the City reserves the right to exclude otherwise eligible Projects under the Act; determine eligible and ineligible projects; and determine the amount of funding for a Project on a case by case basis. These terms and approvals shall be set out in a Development Agreement.

F. "Review Committee" includes the Deputy City Manager, Director of Finance, Director of Public Works, Director of Planning, Director of Development Coordination, and the City Attorney, or their designees. The Committee may also include City staff and individuals designated by the City Manager, including but not limited to the City's bond counsel and City financial advisor.

IV. PROVISIONS.

A. Criteria. The Governing Body shall consider establishment of a CID when it determines it is in the best interest of the City and provided the Project meets one or more of the following criteria:

1. Creates facilities which promote the cultural, historical, or artistic elements of the City and enhance tourism and quality of life.

2. Attracts unique commercial, office, industrial, and/or mixed use development which will enhance the economic climate of the City and diversify the economic base.

3. Substantially promotes economic development, investment or reinvestment in the community.

4. Encourages retail projects that enhance the retail base by either attracting new sales or capturing sales moving to other markets.

5. Provides for the construction of facilities that promote tourism or enhance the quality of life within the City.

6. Upgrades older real estate through redevelopment and/ or rehabilitation.

B. Applicant Responsibility. The application process shall include an application form and the petition required by the Act. As part of the process, the applicant shall complete the following prior to submission of the petition to the Governing Body:

1. Provide evidence in a form satisfactory to the City of the applicant's financial ability to complete the proposed project in a timely manner.

2. Provide documentation substantiating the applicant's sources of funding, including the amount/percentage of equity funding.

3. Submit a financial analysis demonstrating that the projected revenue is sufficient to pay the costs of the project, including bond debt service. The Review Committee may secure an independent feasibility study, the costs of which shall be borne by the applicant.

4. Pay all required fees and comply with all procedural requirements of the Act and the City's CID Policy.

5. Execute a Development Agreement contemporaneous with presentation of the CID petition to the governing body.

C. Review Committee Consideration. The Review Committee shall review each application and petition and make a recommendation to the Governing Body. In determining whether to recommend approval of a CID petition and the method of financing, the Review Committee may consider all of the following:

1. Whether creation of a CID meets one or more of the criteria set forth in Section IV(A);

2. The total development costs and investment, including estimated Project costs for which public financing is sought;

3. Sources of funding, including the amount of equity funding in comparison to public financing;

4. Experience and financial stability of Developer;

5. Whether tenants for the Project are in place and the nature and quality of the tenants;

6. Financial viability of the Project, including potential competition;

7. The amount and purpose of the funding request, including the percentage of funding for capital costs; operational costs; and public costs;

8. If bonds are requested, the projected debt service coverage from projected revenues; any additional security pledged by the Developer; and the marketability of the bonds; and

9. Whatever other factors or considerations the Review Committee believes the Governing Body would find relevant to its decision.

D. Governing Body Review. The Governing Body shall review the financial viability of each CID and shall use this information in determining whether to grant the Petition and, if granted, the appropriate term of the CID, which may be less than the duration allowed by the Act.

1. In the event pay-as-you-go financing is utilized, the CID sales tax shall expire on a date approved by the City, but no later than twenty-two (22) years from the date the state director of taxation begins collecting such tax or when the pay-as-you-go costs have been paid.

2. CID Bonds issued to finance the Project shall mature on a date approved by the City, but no later than twenty-two (22) years from date of issue, unless otherwise provided by law.

3. In no event shall any CID sales tax extend later than the date the bonds issued to finance such project or refunding bonds issued for the Project mature.

E. Financing.

1. Source of Funds. The cost of all or a portion of any authorized CID Project may be financed by any or all of the following sources:

a. Pay-As-You-Go financing based either on a special assessment or a CID sales tax within the District, or both;

b. Special Obligation Bond financing payable wholly through special assessments within the CID;

c. Special Obligation Bond financing payable in part through special assessments within the CID and in part through a CID sales tax;

d. General Obligations Bonds;

e. Any other funds appropriated by the City; or

f. A combination of the foregoing methods.

2. Development Agreement. If after review of the application, the Review Committee determines to recommend approval of the CID to the Governing Body, the the Applicant shall supply an executed Development Agreement (the “Development Agreement”) which shall be presented to the Governing Body for consideration contemporaneous with the Petition. The Development Agreement shall address the recommended method of financing, approved Project(s) and approved Costs; the feasibility of the Project, the steps to be taken to minimize the risk of default; and any other terms the Committee deems appropriate.

3. Bonds. The City encourages the use of private financing (“Pay-As-You-Go”) with reimbursement to the applicant for eligible, approved costs associated with a CID Project, but the City may consider the issuance of Bonds. Any determination to issue Bonds is within the sole discretion of the Governing Body.

a. CID Bonds. The City may issue special obligation notes or bonds (“CID Bonds”) (collectively, “Bonds”) to finance one or more Projects. In no event shall special assessments be levied against the City. The City will not provide credit enhancements for CID Bonds; however, credit enhancement provided by an applicant will be viewed favorably.

b. G.O. Bonds. The City discourages the use of full faith and credit notes or bonds (G.O. Bonds) to finance a Project under this Act, but may consider such action for that portion of a CID Project that is exclusively for public improvements.

Prior to the issuance of any Bonds, the applicant must receive a Certificate of Completion from the City. In addition, the applicant must agree to certain disclosures required by the City and the Bond underwriters and ensure that if necessary, such disclosure requirements are included in all subsequent tenant leases and land sales within the District.

4. Project Funds. A separate fund shall be created for each District and such fund shall be identified by a suitable title (the “Fund”). CID sales tax receipts, special assessments paid to the City under this Act, the proceeds from the sale of Bonds, and any other moneys appropriated by the Governing Body for the purpose of paying Project Costs, including the principal and interest on the bonds issued pursuant to this Act shall be credited to such Fund.

a. The Fund shall be solely used to pay the Costs of the Project either through the issuance of Bonds or Pay-As-You-Go financing, and shall be limited to approved costs included in the ordinance authorizing the Project or in the Development Agreement.

b. Reimbursement of approved Costs may only be made after a Certificate of Completion has been issued by the City.

c. In the event moneys remain in the Fund after the expiration of the CID sales tax, such moneys shall continue to be used solely to pay the Cost of the Project. Upon payment of all Project Costs and principal and interest on any bonds issued for such District, the City has the authority to terminate the CID and spend any moneys remaining in such Fund for the purposes for which local sales tax receipts may be spent.

5. Fees. When submitting its application the applicant shall pay a non-refundable application fee to cover City expenses associated with reviewing and processing the CID request. The City shall also require the applicant to reimburse all costs incurred by the City for additional legal, financial and/or planning consultants, for direct out-of-pocket expenses, and for other costs relating to services rendered for the City to review, evaluate, process and consider the petition for a CID. If bonds are requested and subsequently approved by the City the applicant shall also be responsible for all costs of issuance associated therewith. The applicant shall also be responsible for paying an annual administrative fee to cover the cost of monitoring and administering

the CID. Fee amounts shall be set out in the CID Procedures as described in Section

V. PROCEDURES.

City staff shall develop procedures for processing CID applications and filing CID petitions, in addition to such other matters such as the establishment of fees. Such procedures shall be approved, and amended as appropriate, by the City Manager.

VI. STATUTORY AMENDMENTS; CONFLICT WITH STATE LAW.

Any amendment to the Act or any statute cited herein or used as a source of authority for development of the City's CID Policy shall apply without the need to modify or amend this Policy. If any part of this policy conflicts with state law, the latter shall control.

VII. EFFECTIVE DATE.

This CID Policy shall take effect upon passage by the City Council.

VIII. RESPONSIBILITY FOR ENFORCEMENT.

The City Manager shall be responsible for the enforcement of this Policy.

CITY OF TOPEKA
COMMUNITY IMPROVEMENT DISTRICT ("CID") PROCEDURES

Effective Date: 11-9-11

Sections:

I. POLICY APPLICABILITY.

The following procedures are established under the authority of the City Manager and are intended to provide guidance in establishing a Community Improvement District ("CID" or "District") in accordance with the Governing Body CID Policy as approved by Resolution No. 8392 on October 25, 2011. The CID Policy is incorporated herein by reference. These procedures may be waived by the City Manager, if such waiver is in the best interest of the City and does not conflict with any statutory or procedural requirement of state law. If any part of this procedure conflicts with state law, the latter shall control.

II. DEFINITIONS.

The terms used in these Procedures shall have the same meaning as set forth in Section III of the CID Policy.

III. APPLICATION PROCESS.

A. CID Application. An applicant shall make application for a CID by filing with the City Clerk one (1) original written application on a form provided by the City, in addition to an electronic copy of the application. The applicant shall also submit the petition required by the Act.

B. Fees.

1. Application Fee. A non-refundable application fee in the amount of $1,500.00, made payable to the City of Topeka, shall accompany the CID Application.

2. Reimbursement. Applicant shall pay the following costs by either paying the third party directly or by reimbursing the City prior to the City incurring the cost:

a. All costs necessary to comply with state law, including but not limited to: costs of all legal publication notices, resolutions, ordinances, and proceedings relating to the issuance of bonds;

b. City bond counsel, the City's financial advisor, and any other third party professional retained by the City to review and evaluate the petition.

3. CID Administrative Fee if District is Approved. An annual administrative fee of 1% of the annual CID revenue generated within the District shall be charged to reimburse City for services rendered in the administration and supervision of the Project. Such CID Administration Fee shall be paid from the Project Fund. The CID Administrative Fee is an eligible cost for reimbursement if there are sufficient funds. In no event shall the total fee, including the initial application fee and the CID Administrative Fee, but excluding the costs in Section III(B)(2), exceed 5% of the total Project cost.

4. Amendments. The City Manager may establish City fees, for amendments and modifications to the District financing documents that occur throughout the term. In addition, the applicant shall be responsible for all City Consultant fees associated with any such amendment request.

5. State Fee. In addition to the CID Administrative Fee, if a CID sales tax is utilized, the Kansas Dept of Revenue may retain 2% of the CID sales tax up to a maximum of $60,000.00 per state fiscal year, in the state CID sales tax administration fund to defray the expenses of the state in administration and enforcement.

C. Preliminary Review and Pre-Application Meeting. Prior to submittal of a formal application, an applicant is encouraged to meet with the Review Committee to discuss a proposed project and possible CID financing. These discussions are preliminary and are not binding on the applicant, the Review Committee, or the Governing Body. If the City utilizes any consultants to assist with the preliminary evaluation, the applicant shall be responsible to pay the associated costs, provided the City has first notified the applicant of such request and received their consent.

IV. DISTRICT ESTABLISHMENT.

A. Petition. A CID shall be established by petition filed with the City Clerk. The Petition must meet all requirements of the Act, the CID Policy and these Procedures and must be submitted in sufficient time for staff to follow established procedures for publication; to perform site plan review; and to analyze the merits and feasibility of the proposed CID. The City reserves the right to request any additional information to supplement the Petition.

B. Petition Participation.

1. An applicant seeking to finance all or a portion of the CID eligible expenses with a CID special assessment must obtain the signatures of 100% of the property owners of all land area within the District.

2. An applicant seeking to finance CID eligible expenses in whole or in part by a CID sales tax must obtain the signatures of 100% of the property owners of the land area within the proposed District.

C. Public Hearing (Sales Tax Only). If a CID sales tax is requested for all or part of the project, the Governing Body shall adopt a resolution calling for a public hearing on the creation of the District and imposition of a CID sales tax. The resolution shall be published once per week for two (2) consecutive weeks with the last publication at least seven (7) days prior to the hearing and also sent by certified mail to all owners at least ten (10) days prior to the hearing.

For Districts financed by special assessments only and for which a petition signed by 100% of the property owners is submitted, no notice or public hearing is required for Governing Body action.

D. Governing Body Action. The Governing Body will not consider a CID until a complete application is submitted and reviewed by the Review Committee, fees are paid, and a recommended Development Agreement is available. Following the public hearing, if required, the Governing Body by majority vote may establish the District by ordinance.

1. The ordinance shall authorize the Project, approve the estimated cost of Project, include a legal description of the District (with map), approve the method of financing including the levying of a CID sales tax (if applicable), and approve the maximum amount and method of assessment, if applicable. The ordinance shall become effective upon publication once in the official city newspaper. The ordinance shall also be recorded with the Register of Deeds.

2. Governing Body establishment of a CID does not constitute approval of a site plan, zoning, or other land development approval. Establishment of a CID is an entirely separate process. CID projects are still required to obtain the necessary development and regulatory approvals.

V. METHOD OF PROJECT FINANCING.

A. Certificate of Completion.

1. As noted in the Policy, Projects may be financed by a variety of methods. Before payment will be made to applicant, the City must issue a

Certificate of Completion. Multiple Certificates of Completion may be issued for projects with approved phases.

2. The request for Certificate of Completion shall include an affidavit of the applicant certifying:

a. Project improvement is an approved CID eligible cost and identify its priority for reimbursement, if any;

b. Project was constructed in accordance with all applicable laws and codes;

c. Cost was incurred for authorized project improvements;

d. Cost has not previously been submitted for reimbursement;

e. Cost reflects the actual cost expended; and

f. Applicant has no outstanding or anticipated liens for work constructed.

B. Reimbursement.

1. If pay as you go financing is used, the applicant shall submit to the Director of Finance copies of all invoices supporting its request for reimbursement, accompanied by a Certificate of Completion. Invoices must be submitted quarterly and such submission must occur at least thirty (30) days prior to any quarterly disbursement period or applicant shall have to wait until the next quarterly disbursement period.

2. The Director of Finance shall attempt to determine the eligibility of the cost within thirty (30) days of the submittal. If the Director determines the nature or amount of the request for reimbursement is outside the scope of the Act or the Development Agreement, Developer may appeal this decision in accordance with the procedure in Chapter 2.145 of the Topeka Municipal Code. Any reimbursement payment shall be stayed pending a determination by the hearing officer.

3. Requests for reimbursement shall be denied unless submitted before the Project is closed or within thirty (30) days thereafter.

4. CID revenues shall be paid in the following order:

a. First, the CID administrative fee.

b. Second, cost of preparation and publication of notices of hearings, resolutions, ordinances and other proceedings relating to the creation or administration of the District or the issuance of bonds.

c. Third, the Petitioner's other costs as defined in Section III(B) of the CID Policy.

C. Special Assessments.

1. If special assessments shall be levied to finance all or any part of the Project cost, the City must follow the procedures set out in K.S.A. 12-6a01 *et seq.* except that no assessments may be levied against the City at large. In addition, if the source of financing includes payment from a pledge of revenue received from the CID sales tax or any other funds appropriated by the City for purpose of paying Project costs, including the principal and interest of bonds, then the ordinance levying the assessments may state that the annual installments of such assessment for any year may be reduced or eliminated to the extent that, prior to the date the City certifies the City tax levy to the County, the City has received sufficient funds from the above described sources to pay the debt service on any bonds issued for the Project costs, which would have been paid by such installment.

2. The City is not required to refund any prepayment of assessments after such prepayment is made to the City. Any prepayment must be paid in full prior to the issuance of bonds, or after the issuance of bonds by paying all of the installments which have been levied and also the unlevied installments with interest on the latter at the rate provided in the bonds from the date of the bonds to the time of maturity of the last installment in compliance with K.S.A. 10-115, and amendments thereto.

D. CID Sales Tax.

1. A CID sales tax may be levied in any increment of .10% or .25% not to exceed 2%, which amount is in addition to the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197. The revenue from the CID sales tax may be pledged to pay the bonds issued for the Project or to reimburse the cost of the Project through pay-as-you go financing.

2. If CID bonds are issued, the CID sales tax shall expire no later than the date the bonds mature. If pay-as-you-go financing is used, the CID sales tax shall expire on a date approved by the City, but no later than 22 years from the date the state director of taxation begins collecting such tax or when the Project bonds or pay-as-you-go costs have been paid.

3. Procedure:

a. Upon adoption of a CID sales tax, the City shall send a certified copy of the resolution or ordinance authorizing the levy of the CID sales tax to the Kansas Director of Taxation. Notice must be received ninety (90) days before the first day of the quarter in which the CID sales tax will commence. Thereafter, the Kansas Director of Taxation shall commence collection of the CID sales tax in the District at the same time and in the same manner for the collection of the state retailers' sales tax. The full remittance shall be deposited in the state treasury.

b. The state may retain 2% of all CID sales taxes collected up to $60,000 per state fiscal year for deposit in the state CID sales tax administration fund to defray the state costs of administration and enforcement (the "state fee").

c. The state shall no less than quarterly remit to the City the CID sales tax receipts collected less the state fee, if any. The amount shall be deposited in the City CID Project fund. Such fund shall be created for each District.

d. Within 15 days of written request of the City, the state will provide the City with a copy of any retailers' sales and use tax return filed with the state in connection with a District for which sales or use tax revenues are intended to be used to finance Project costs. Such returns and the information contained therein shall be kept confidential, but may be used for purposes of allocating and depositing such revenues in connection with the bonds used to finance Project costs.

E. <u>Appeals</u>. No suit to set aside assessments or otherwise question the validity of the proceedings for the District establishment or Project authorization shall be brought 30 days after publication of the resolution or ordinance creating the District. No suit to set aside the CID sales tax may be brought 30 days from the publication of the ordinance or resolution declaring the intent to impose the CID sales tax. No protest petition pertaining to the issuance of full faith and credit bonds may be brought 60 days following the date of public hearing to create or modify the District.

VI. BOND FINANCING GUIDELINES.

If CID bonds are issued for the project, the following guidelines shall be applied:

A. The maximum maturity for Bonds is 22 years.

B. For feasibility, it is recommended that Bonds be issued in a minimum amount of $ 1,000,000. This amount may be adjusted upon recommendation of the Review Committee and approval of the Governing Body.

C. CID Bonds issued under this Policy must include security for the bonds of a sufficient amount, and in a form approved by the City's bond counsel and financial advisor, to minimize any risk of default.

D. Bonds issued under this Policy must be sold to qualified investors (as defined by the Securities and Exchange Commission Regulation D) in accordance with the minimum denominations as provided herein.

E. Bonds must initially be offered in denominations of $100,000 or greater. These denominations may be stepped down (upon consultation with the City's bond counsel and financial advisor) when one of the following are met:

1. the Project being bond financed is substantially leased;

2. the estimated revenue stream yields significant debt service coverage on the bonds;

3. construction of the Project being bond financed is 100% complete;

4. the repayment term is less than or equal to 60% of the maximum permitted repayment term; or

5. waiver by the City Manager.

F. If a negotiated sale of the bonds is utilized, the City will generally select the underwriter(s) needed to structure, price, and sell the bonds. Exceptions to this process may be approved by the City Manager upon consultation with the City's bond counsel and financial advisor.

G. All pricing for negotiated sales will be performed with direct involvement by City staff and the City's financial advisor. Any savings generated as a result of discounts or premiums will be used for the benefit of the District.

CITY OF TOPEKA

Daniel R. Stanley, Interim City Manager

City of Topeka

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 8, 2017

DATE:	**August 8, 2017**		
CONTACT PERSON:	**Lisa Robertson, City Attorney**	**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 Interim City Manager Doug Gerber, setting the public hearing for consideration of the adoption of a Redevelopment Project Plan for the Wheatfield Village Redevelopment District.

Voting Requirement: Majority vote of the Governing Body (6).

(Approval would set a public hearing date of September 12, 2017 to consider public comment regarding the Wheatfield Village District Project Plan.)

VOTING REQUIREMENTS:

Majority vote of the Governing Body (6).

POLICY ISSUE:

Whether to establish a date for a public hearing.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The Wheatfield Village Tax Increment Financing (TIF) District was established on June 26, 2017. The next step in the development of the area at 29th and Fairlawn is consideration and approval of the developer's Project Plan for the area. The Plan will be presented to the governing body on September 12, 2017 after consideration of public comment. The Resolution will set the public hearing for September 12 and direct the Clerk to publish notice in the official newspaper and notify the property owners in the Project area, the County Commissioners and USD 501.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

Project Plan

(Published in the Topeka Metro News ______________________________________)

RESOLUTION NO. ___________

A RESOLUTION introduced by Interim City Manager Doug Gerber, setting the public hearing for consideration of the adoption of a Redevelopment Project Plan for the Wheatfield Village Redevelopment District.

BE IT RESOLVED by the Governing Body that, as the Planning Commission has determined that the Wheatfield Village Project Plan is consistent with the intent of the City's Comprehensive Plan, the Governing Body will hold a public hearing on the advisability of adopting the Project Plan for the Wheatfield Village Redevelopment District pursuant to K.S.A. 12-1772.

BE IT FURTHER RESOLVED that the City Clerk shall do the following:

(1) Deliver a copy of the Project Plan to the Board of County Commissioners for Shawnee County and the Unified School District 501 Board of Education;

(2) Publish in the official City newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing: (a) a copy of this Resolution; and (b) a sketch delineating the project area;

(3) Mail a copy of this Resolution by certified mail, return receipt requested, to the Board of County Commissioners for Shawnee County and Unified School District 501 Board of Education; and

(4) Mail a copy of this Resolution by certified mail, return receipt requested, to each owner and occupant of land within the proposed redevelopment project area not more than 10 days following the date of adoption of this Resolution.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body will meet for the purpose of holding a public hearing as provided by K.S.A. 12-1772 in the Council Chambers, 214 E. 8th Street, at 6:00 p.m. on September 12, 2017 to consider the advisability of the adoption of a

Redevelopment Project Plan for the Wheatfield Village Redevelopment District.

(1) <u>Boundaries of the Wheatfield Village Redevelopment District.</u> The boundaries for the Wheatfield Village Redevelopment District, established on June 26, 2017, in Ordinance No. 20072 are identified in Exhibit A which is attached herein and incorporated by reference.

(2) <u>Boundaries of the Proposed Wheatfield Village Project Area</u>. The boundaries of the project area proposed for the Wheatfield Village Project Plan are identified in Exhibit B which is attached herein and incorporated by reference.

(3) <u>Project Plan, Summary of Feasibility Study, Relocation Assistance, Financial Guarantee of Prospective Developer, Description and Map</u>. The Project Plan, including a summary of the feasibility study, relocation assistance, map and description of the area to be redeveloped are available for inspection at the office of the City Clerk on Monday through Friday, except holidays, during regular business hours from 8:00 a.m. to 5:00 p.m.

(4) <u>Adoption of Project Plan</u>. The Governing Body may, upon conclusion of the public hearing, pass an ordinance by two-thirds (2/3) majority adopting the proposed Wheatfield Village Project Plan.

ADOPTED and APPROVED by the Governing Body ________________________.

CITY OF TOPEKA, KANSAS

____
Larry E. Wolgast, Mayor

ATTEST:

____
Brenda Younger, City Clerk

EXHIBIT A

WHEATFIELD VILLAGE

Project 14-5195
Revised June 21, 2017

DISTRICT BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10 at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the North line of said Shunga Plaza Subdivision a distance of 261.00 feet more or less, to a point 50-feet easterly of the West line of Lot 2, Block D of said Shunga Plaza Subdivision; thence South on a line parallel with and 50-feet easterly of the West line of said Lot 2, Block D a distance of 226.45 feet more or less, to the center of Southwest 28th Street as shown on the Plat of said Shunga Plaza Subdivision; thence West on the center of said Southwest 28th Street a distance of 50.08 feet, more or less to the East lines of Lots 5 and 6, Block B, Shunga Plaza Subdivision extended; thence South on the East lines of Lots 5 and 6, Block B of said Shunga Plaza Subdivision a distance of 174.97 feet more or less; thence West on the North line of Lot 2, Block A, Butler Plaza Subdivision No.2, a distance of 134.94 feet; thence Northwesterly, continuing on said North line a distance of 18.31 feet to the West line of said Lot 2; thence South on the West line of said Lot 2 and Lot 1, Block A and the extension thereof, said line also being the East Right of Way line of Southwest Fairlawn Road, a distance of 207.79 feet to the Northwest corner of Lot 1, Block A, Phillips 66 Subdivision No.2; thence East on the North line of said Lot 1, Block A Phillips 66 Subdivision No.2, a distance of 150.00 feet; thence South on the East line of said Lot 1, Block A, of Phillips 66 Subdivision No.2 and it's extension thereof a distance of 180 feet more or less to the South curb line of Southwest 29th Street; thence Westerly and Southwesterly on said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

EXHIBIT A

TIF District – Wheatfield

EXHIBIT B

WHEATFIELD VILLAGE

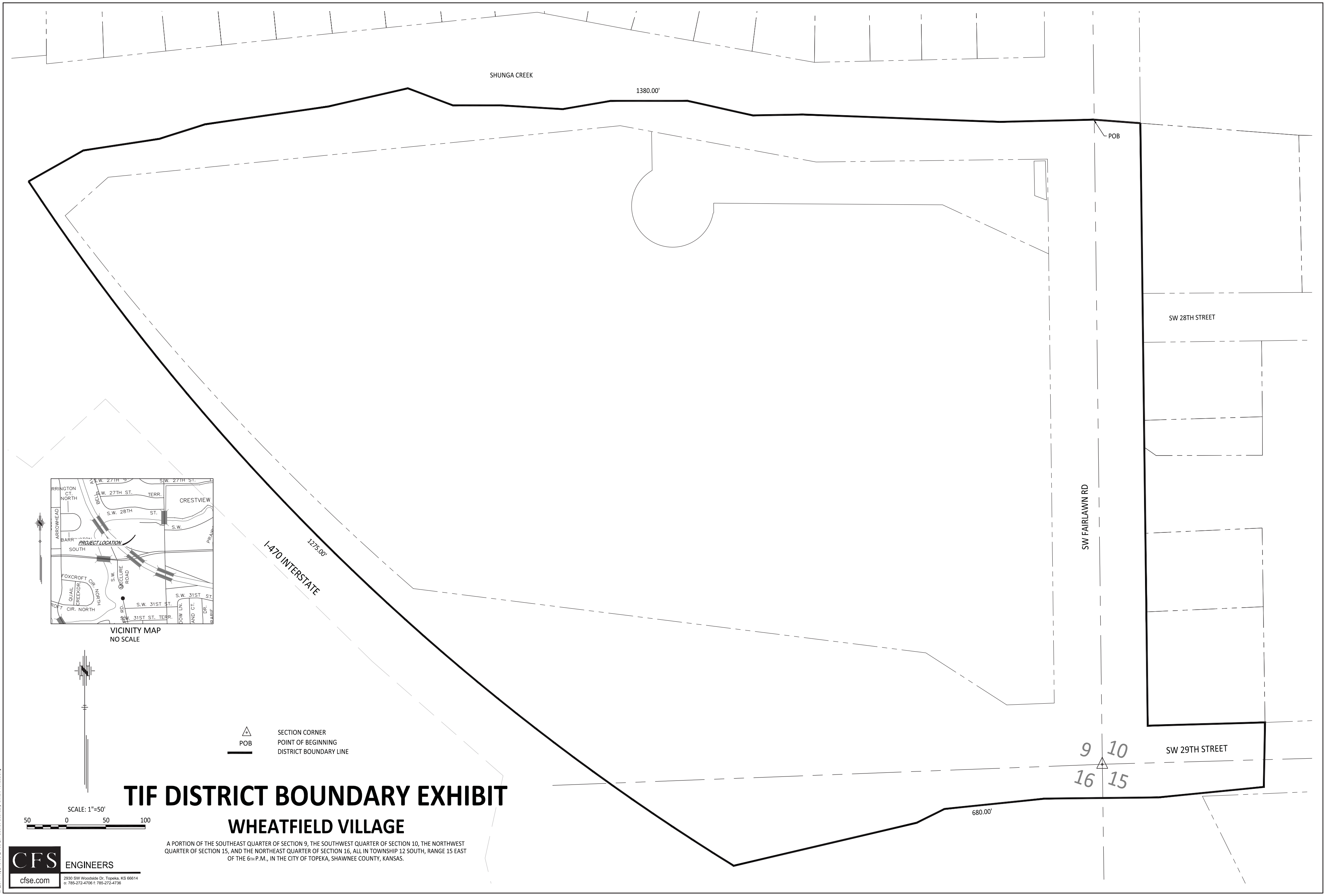
Project 14-5195
July 26, 2017

TIF PROJECT AREA 1 BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10, at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the extension of the North line of said Shunga Plaza Subdivision to the East Right of Way line of Southwest Fairlawn Road; thence Southerly on said East Right of Way line to the intersection with the North Right of Way line of Southwest 29th Street; thence Easterly on the North Right of Way of Southwest 29th Street a distance of 150 feet more or less; thence Southerly to a point 20 feet South of the South curb line of Southwest 29th Street; thence Westerly and Southwesterly parallel with said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

EXHIBIT B



SHUNGA CREEK
1380.00'
POB
SW 28TH STREET
SW FAIRLAWN RD
SW 29TH STREET
9
10
16
15
680.00'
1275.00'
I-470 INTERSTATE
VICINITY MAP
NO SCALE
PROJECT LOCATION
SECTION CORNER
POB
POINT OF BEGINNING
DISTRICT BOUNDARY LINE
SCALE: 1"=50'
50
0
50
100
TIF DISTRICT BOUNDARY EXHIBIT
WHEATFIELD VILLAGE
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, THE SOUTHWEST QUARTER OF SECTION 10, THE NORTHWEST QUARTER OF SECTION 15, AND THE NORTHEAST QUARTER OF SECTION 16, ALL IN TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M., IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.
CFS
ENGINEERS
cfse.com
2930 SW Woodside Dr, Topeka, KS 66614
o: 785-272-4706 f: 785-272-4736
J:\2014Proj\145195\DWGS\tif district boundary exhibit revised.dwg

TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT PLAN
(WHEATFIELD VILLAGE REDEVELOPMENT PROJECT)

The Tax Increment Financing Act, K.S.A. 12-1770, et seq., as amended (the "**TIF Act**"), permits the City of Topeka, Kansas (the "**City**") to undertake one or more redevelopment projects within an established redevelopment district. In order to pursue such redevelopment projects, the City is obligated to create, in consultation with the City's Planning Commission, a "project plan."

At the request of 29 Fairlawn, LLC (the **"Developer"**), developer of the Wheatfield Village Redevelopment Project (the **"Development"**), the City presents the following information as required by the TIF Act related to the project plan for the Development ("**Redevelopment Project Plan**"). Except as otherwise noted herein, the information included in this Redevelopment Project Plan was submitted by the Developer.

Dated: JULY 14, 2017

TABLE OF CONTENTS

I. INTRODUCTION

The subject of this project plan, as defined by the TIF Act (as hereinafter defined) is the initial project area of the Wheatfield Village mixed-use development (the **"Development"**) located in the northwest corner of Southwest 29th Street and Fairlawn Road in Topeka, Kansas (the "**City**"). The Development will be constructed by 29 Fairlawn, LLC (the "**Developer**"), a special-purpose entity affiliated with Midwest Health, Inc. and led by its principals Jim Klausman and Floyd Eaton. The Development spans approximately 15 acres in total, including rights-of-way, and is planned to include approximately 13 acres of multi-family, restaurant, movie theater and hotel uses, plus infrastructure and site improvements. The Development is planned to transform a highly visible and long-deteriorating site bordering I-470 into a vibrant mixed-use setting currently unavailable within the City.

Pursuant to the Kansas Tax Increment Financing Act, K.S.A. 12-1770 et seq., as amended (the "**TIF Act**"), Kansas municipalities are authorized to establish redevelopment districts and redevelopment project plans for property within their jurisdiction. Redevelopment districts may be created based upon certain findings by the municipality, including that property within a proposed district is an "eligible area" pursuant to the TIF Act.

On June 26, 2017, the City, after conducting a duly noticed public hearing, found that the property within the boundaries described in **Exhibit A-1** and depicted in **Exhibit A-2** hereto qualifies as a "conservation area" and is therefore an "eligible area" pursuant to the TIF Act. Based in part upon said finding, the City adopted Ordinance No. 20072 creating a redevelopment district encompassing the subject property (the "**TIF District**") and approving a plan for redevelopment of the TIF District established under K.S.A. 12-1771 and amendments thereto (the **"District Plan"** as further described herein).

This redevelopment project plan (the "**Redevelopment Project Plan**") for the first redevelopment project area established within the TIF District ("**Redevelopment Project Area 1**") is presented to the City for its consideration and approval, with the maximum twenty (20) year term of the Redevelopment Project Plan to commence upon publication of the ordinance adopting this Redevelopment Project Plan. The boundaries of Redevelopment Project Area 1 are legally described in **Exhibit B-1** and generally depicted in **Exhibit B-2** attached hereto.

II. THE PROJECT PLAN

A. Description of the TIF District

The property comprising the TIF District consists of approximately 15 acres generally located in the northwest and northeast quadrants of Southwest 29th Street and Fairlawn Road within the City, plus right-of-way also included within the TIF District boundaries. A legal description and boundary map of the TIF District are attached hereto as **Exhibits A-1** and **A-2**, respectively.

B. Established TIF District

Redevelopment Project Area 1 is located within an established TIF District approved by the City on June 26, 2017 pursuant to Ordinance No. 20072. The approved District Plan contained within the Ordinance provides for certain redevelopment projects within the TIF District:

> The District shall consist of one (1) or more redevelopment project areas, which are anticipated to include a mix of uses including retail, restaurant, and other commercial uses and residential uses with associated amenities, along with associated infrastructure including but not limited to structured and/or surface parking, landscaping, lighting, utilities, storm water improvements, sidewalks/walkways, streets/drives, ingress/egress improvements, green space, signalization and other infrastructure improvements.

C. Redevelopment Project

This Project Plan proposes the use of tax increment financing revenues generated by Redevelopment Project Area 1 (**"TIF Revenues"**) to pay for or reimburse the costs of a redevelopment project as generally described in the District Plan (the "**Redevelopment Project**" or "**Project**"). Consistent with the approved District Plan, the following Redevelopment Project Plan for the Redevelopment Project is anticipated to include a mix of commercial and residential uses including:

Residential
A four-story, market-rate, multi-family rental residential complex consisting of approximately 178 units. The residential complex will be constructed in the northwest corner of the site, in part, on top of a multi-story parking deck.

Movie Theater
A nine-screen movie theater with approximately 690 seats, focusing on first-run movies and featuring state-of-the-art technology. At approximately 34,000 sq ft, the theater is located in the south central portion of the site.

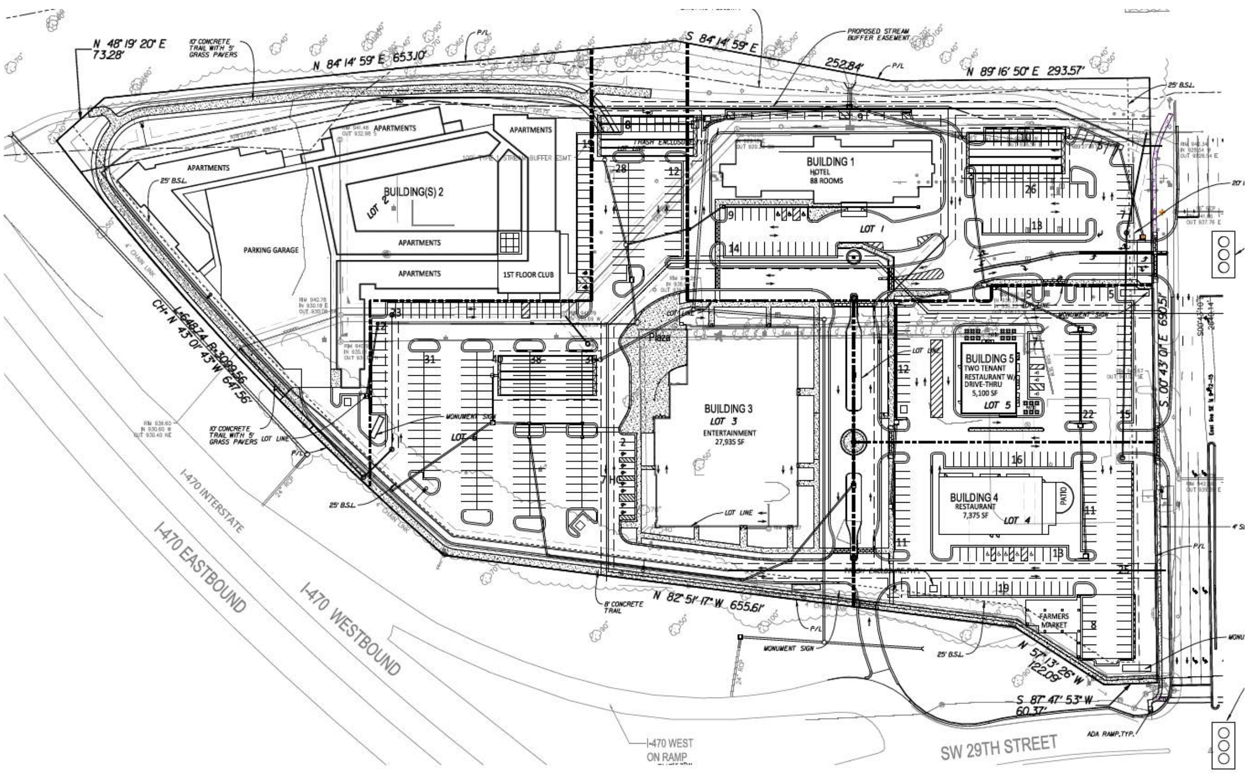
Hotel
A four-story, 88-room hotel near the northeast corner of the site (approximately 134,000 sq ft).

Restaurants
Two restaurant buildings anticipated to contain a fast food restaurant, a family dining restaurant and a coffee shop, all totaling approximately 12,000 sq ft.

Related Costs
Related costs include property acquisition, site preparation (including demolition of existing structures), the construction of infrastructure including a multi-story parking deck and the development of a small "farmers' market" open space at the southeast corner of the site.

The Developer expects all construction to be complete over approximately 36 months.

The site plan depicting the Development is as follows:



In addition to TIF Revenue, the Developer plans separately to petition the City for the creation of a community improvement district (**"CID"**) and to request that Shawnee County issue industrial revenue bonds ("**IRBs**")for the purpose of providing the Project with a sales tax exemption on construction labor and materials.

The Developer expects that the Project contemplated in the Redevelopment Project Plan will produce a significant economic impact for the City by redeveloping a significantly deteriorated and highly visible site fronting I-470, remediating blighting conditions and economic obsolescence within Project site, enhancing existing businesses and attracting new businesses within the vicinity of the Redevelopment Project Area, and spurring increased commerce, employment, and general improvement within the Redevelopment Project Area.

The Developer anticipates that redevelopment of the Redevelopment Project Area will attract visitation to the Project site from members of the City community and from visitors outside the City because of the location of the Redevelopment Project Area adjacent to a major interstate. As described in the Traffic Study prepared in connection with the Planned Unit Development plan for the Project, the Project will include construction of improvements to Fairlawn Road and Southwest 29th Street to service traffic generated by the Project (the "**Traffic Improvements**"). In connection with the proposed Traffic Improvements, the Developer and the City have requested a break in access from 29th Street to an on-ramp leading to I-470. The Traffic Study describes the Traffic Improvements to 29th Street that will be constructed as part of the Project (a) in the event the break in access request is approved by the Federal Highway

Administration and (b) in the event the break in access request is denied by the Federal Highway Administration. Although the scope of the Traffic Improvements to 29th Street differs depending upon whether the break in access request is approved or denied by the Kansas Department of Transportation and the Federal Highway Administration, the Traffic Study establishes that the scope of improvements in each circumstance adequately accounts for the traffic anticipated to be generated by the Project as quantified in the Traffic Study.

D. Feasibility Study

The table below summarizes the Project's expected sources and uses of funds:

CITY OF TOPEKA
Wheatfield Village Redevelopment District
Sources and Uses of Funds

SOURCES OF FUNDS	TOTAL
Developer Loans	65,255,984
Developer Equity	27,966,850
TOTAL SOURCES	93,222,834
USES OF FUNDS	
Land Acquisition	2,375,000
Site Work Improvements	7,150,508
Fairlawn Improvements	736,233
29th Street Improvements	376,250
Site Monuments/Features	150,000
Multi-Family Building	31,680,000
Parking Deck/MF Building	5,940,000
Hotel	12,320,000
Fast Casual Restaurant	927,500
Coffee Shop	408,000
Sit Down Restaurant	1,585,625
Movie Theater	8,760,525
Design/Const Mgt	4,812,728
Legal/Lease Concessions	771,753
Site Permit/Fees	25,000
Construction Interest	9,789,320
Contingency	5,414,392
TOTAL USES	93,222,834

The Developer requests a "pay-as-you-go" method for implementing the TIF. As a result, no TIF Revenues will be available to the Developer at financial close on the Project by virtue of the issuance of bonds. Instead, as the Project generates TIF Revenues, the City will reimburse the Developer for actual, eligible Project costs certified by the Developer to the City. The Developer expects reimbursements from the proceeds of the CID, if approved by the City, to work similarly. The Developer may also benefit from a sales tax exemption on construction materials resulting from the IRB issue it has requested be issued by Shawnee County.

The City's obligation to reimburse the Developer for TIF-eligible Project costs will be detailed by a redevelopment agreement to be entered into by and between the City and the Developer concurrently with the Topeka City Council's approval of this Redevelopment Project Plan.

The Developer represents that it is able to secure the private financing required to bridge the availability of TIF Revenues and CID proceeds and that it has the resources necessary to make the required equity contributions necessary to complete the Project, as shown in the sources and uses above. The Developer further represents that, based upon the advice of its architects, engineers and contractors, the construction costs projected for the Project are reasonable.

Based upon the foregoing, the Project's benefits and TIF Revenues and other available revenues are expected to exceed or be sufficient to pay for the costs of the Project. Further, there are no special obligation bonds outstanding relying on revenues described K.S.A. 12-1774(a)(1)(D).

E. Relocation Plan

In the event the City acquires any real property within the Redevelopment Project Area in carrying out the provisions of the TIF Act, and that, as a result, any persons, families and businesses move from real property located in the Redevelopment Project Area or move personal property from real property located in the Redevelopment Project Area, a $500 payment will be made to such persons, families and businesses as provided in the TIF Act. No persons or families reside in the TIF District and thus no such persons shall be displaced nor require suitable alternate housing. Any retailers, as defined in K.S.A. 79-3702, which are or have been located within the TIF District and which will move or have moved from the TIF District will or have moved on their own accord pursuant to arm's-length transactions with the Developer and thus no payment of damages for liquidation of inventories shall be required to be made to such parties.

[No further text on this page.]

EXHIBIT A-1

TIF DISTRICT LEGAL DESCRIPTION

WHEATFIELD VILLAGE

Project 14-5195
Revised June 21, 2017

DISTRICT BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10 at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the North line of said Shunga Plaza Subdivision a distance of 261.00 feet more or less, to a point 50-feet easterly of the West line of Lot 2, Block D of said Shunga Plaza Subdivision; thence South on a line parallel with and 50-feet easterly of the West line of said Lot 2, Block D a distance of 226.45 feet more or less, to the center of Southwest 28th Street as shown on the Plat of said Shunga Plaza Subdivision; thence West on the center of said Southwest 28th Street a distance of 50.08 feet, more or less to the East lines of Lots 5 and 6, Block B, Shunga Plaza Subdivision extended; thence South on the East lines of Lots 5 and 6, Block B of said Shunga Plaza Subdivision a distance of 174.97 feet more or less; thence West on the North line of Lot 2, Block A, Butler Plaza Subdivision No.2, a distance of 134.94 feet; thence Northwesterly, continuing on said North line a distance of 18.31 feet to the West line of said Lot 2; thence South on the West line of said Lot 2 and Lot 1, Block A and the extension thereof, said line also being the East Right of Way line of Southwest Fairlawn Road, a distance of 207.79 feet to the Northwest corner of Lot 1, Block A, Phillips 66 Subdivision No.2; thence East on the North line of said Lot 1, Block A Phillips 66 Subdivision No.2, a distance of 150.00 feet; thence South on the East line of said Lot 1, Block A, of Phillips 66 Subdivision No.2 and it's extension thereof a distance of 180 feet more or less to the South curb line of Southwest 29th Street; thence Westerly and Southwesterly on said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

EXHIBIT A-2

TIF DISTRICT BOUNDARY MAP

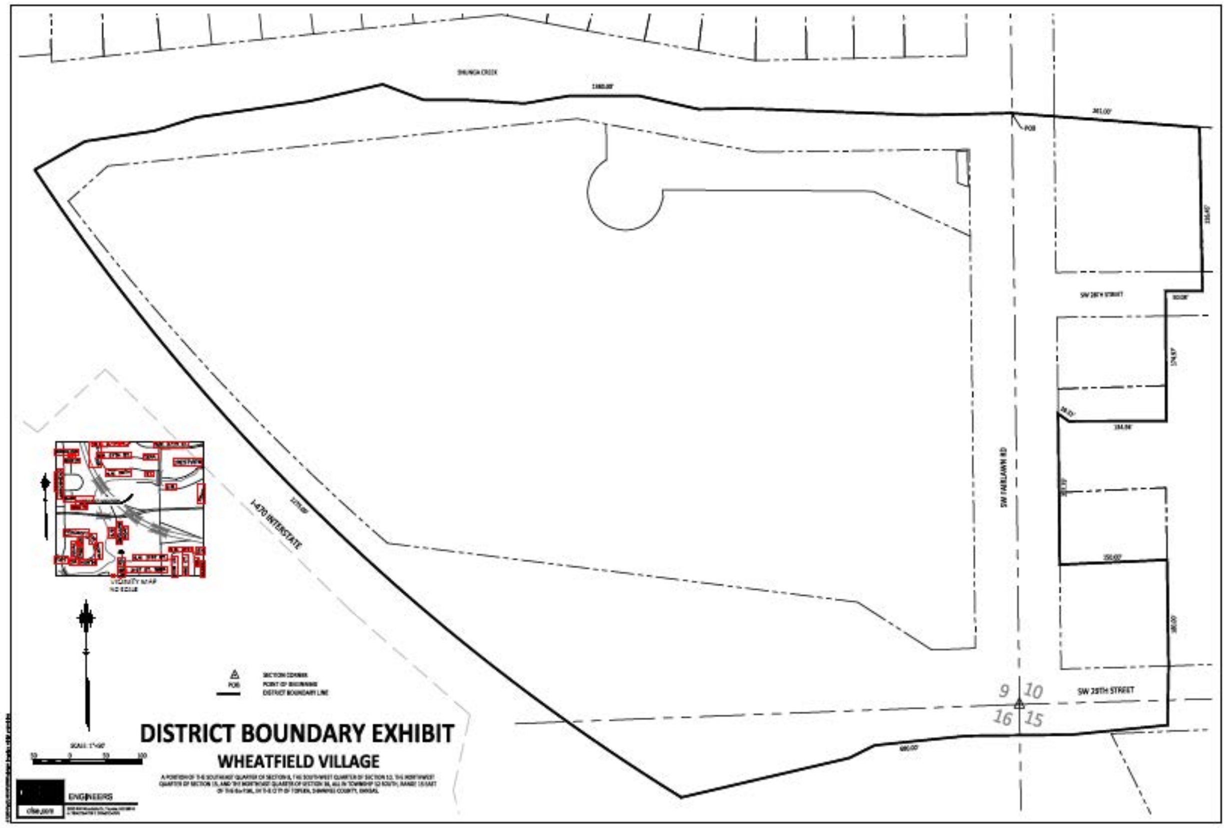


EXHIBIT B-1

PROJECT AREA 1 LEGAL DESCRIPTION

CFS ENGINEERS
cfse.com

WHEATFIELD VILLAGE

Project 14-5195
July 26, 2017

TIF PROJECT AREA 1 BOUNDARY

A portion on the Southeast Quarter of Section 9, the Southwest Quarter of Section 10, the Northwest Quarter of Section 15, and the Northeast Quarter of Section 16, all in Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas described as follows:

Beginning at a point on the West line of said Southwest Quarter of Section 10, at a point 813.39 feet North of the Southwest corner of said Quarter Section, said point being on the extension of the North line of Shunga Plaza Subdivision and in the center of Shunga Creek; thence Southeasterly on the extension of the North line of said Shunga Plaza Subdivision to the East Right of Way line of Southwest Fairlawn Road; thence Southerly on said East Right of Way line to the intersection with the North Right of Way line of Southwest 29th Street; thence Easterly on the North Right of Way of Southwest 29th Street a distance of 150 feet more or less; thence Southerly to a point 20 feet South of the South curb line of Southwest 29th Street; thence Westerly and Southwesterly parallel with said South curb line and its extension a distance of 680 feet more or less to a point 100 feet measured at right angles to the center of the west-bound lanes of Interstate-470; thence Northwesterly and Northerly along a line being parallel with of 100 feet Northeasterly of said center of the west-bound lanes, a distance of 1,275 feet more or less to the center of Shunga Creek; thence Easterly on the center of said Shunga Creek a distance of 1,380 feet more or less to the point of beginning.

2930 SW Woodside Drive | Topeka, KS 66614 | 785.272.4706 | 785.272.4736 fax

EXHIBIT B-2

PROJECT AREA 1 BOUNDARY MAP