



City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
<https://www.topeka.org>

Governing Body Agenda

August 13, 2019
6:00 PM

Mayor: Michelle De La Isla

Councilmembers

Karen A. Hiller	District No. 1	Brendan Jensen	District No. 6
Sandra Clear	District No. 2	Aaron Mays	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Coen	District No. 8
Tony Emerson	District No. 4	Michael Lesser	District No. 9
Mike Padilla	District No. 5		

City Manager: Brent Trout

Addressing the Governing Body: No person shall address the Governing Body during a Governing Body Meeting, unless they have notified the City Clerk at (785)368-3940 or by email at cclerk@topeka.org by 5:00 P.M. on the day of any Governing Body Meeting or sign up to speak at the meeting by 6:00 P.M. This limitation shall not apply to items added during the course of a meeting. The Governing Body 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 Governing Body.

Persons addressing the Governing Body will be limited to four (4) consecutive minutes on a particular agenda item. Debate, question/answer dialogue or discussion between Governing Body members will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Governing Body or by an affirmative vote of five (5) Governing Body members may extend the four (4) minute limitation. The requirement to notify the City Clerk will not apply towards public hearings required by State and Federal law.

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 <https://www.topeka.org>)

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PRESENTATIONS:

"Utilities Collection Systems Update"

2. ROLL CALL:

3. APPOINTMENTS:

A. Board Appointment - Topeka Planning Commission

BOARD APPOINTMENT recommending the re-appointment of Ariane Messina to the Topeka Planning Commission for a term ending September 30, 2022. *(Council District No. 6)*

B. Board Appointment - Shawnee County Juvenile Corrections Advisory Board

BOARD APPOINTMENT recommending the reappointment of Cathy Leonhart to the Shawnee County Juvenile Corrections Advisory Board for an unexpired term ending July 31, 2022. *(Council District No. 9)*

4. CONSENT AGENDA:

A. Resolution - Tap That Topeka - Special Event

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Tap That Topeka and rescinding conflicting portions of Resolution No. 9079. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Tap That Topeka event on September 28, 2019, and rescind portions of Resolution No. 9079.)

B. Resolution - Tap That After Party - Special Event

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Tap That After Party. *(Council District No. 1)*

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Tap That After Party event on September 28, 2019, between the hours of 8:00 p.m. and 1:00 a.m. the next day.)

C. Resolution - Tap That After Party - Noise Exception

RESOLUTION introduced by Councilmember Karen Hiller granting The Celtic Fox 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 during the hours of 8:00 p.m. and 1:00 a.m. on September 28, 2019 on SW 8th Street, Kansas Avenue to Jackson Street.)

D. Resolution - Taco Topia - Special Event

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known

as Taco Topia. (Council District No. 1)

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Taco Topia event on October 5, 2019, between the hours of 5:00 p.m. and 9:30 p.m.)

E. **MINUTES of the regular meeting of July 23, 2019**

F. **APPLICATIONS:**

5. ACTION ITEMS:

A. **Final Plat - Horseshoe Bend Subdivision No. 5 (P19/11)**

ACCEPTANCE of Land Dedications in the Final Plat for Horseshoe Bend Subdivision No. 5 which is located between SW Topeka Boulevard, SE 45th Street and the Kansas Turnpike, all being within the City of Topeka, Shawnee County, Kansas. (P19/11)(Council District No. 5)

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Acceptance of the land dedications would allow for the development of 31 lots for new single-family detached residences and one lot for stormwater management facilities.)

B. **Ordinance - General Obligation Bonds, Series 2019-A and 2019-B**

ORDINANCE introduced by City Manager Brent Trout authorizing and providing for the issuance of \$35,990,000 aggregate principal amount of General Obligation [refunding and improvement] Bonds, Series 2019-A and \$1,435,000 aggregate principal amount of General Obligation Bonds, Series 2019-B (Zoo Projects), of the City of Topeka, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would allow the City to convert capital improvement projects from temporary note status to permanent financing through General Obligation Bonds.)

C. **Resolution - General Obligation Bonds, Series 2019-A and 2019-B**

RESOLUTION introduced by City Manager Brent Trout prescribing the form and details of and authorizing and directing the sale and delivery of \$35,990,000 aggregate principal amount of General Obligation [refunding and improvement] Bonds, Series 2019-A and \$1,435,000 aggregate principal amount of General Obligation Bonds, Series 2019-B (Zoo Projects), of the City of Topeka, Kansas, previously authorized by Ordinance of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would permanently finance two neighborhood improvement projects, five street and trafficway projects, one public safety project, one quality of life project, one facilities project, and one special assessment project.)

D. **Resolution - Temporary Notes, Series 2019-A and 2019-B**

RESOLUTION introduced by City Manager Brent Trout authorizing and directing the issuance, sale and delivery of \$39,035,000 in the aggregate principal amount of General

Obligation Temporary Renewal and Improvement Notes, Series 2019-A, and \$3,660,000 in the aggregate principal amount of Taxable General Obligation Temporary Renewal Notes, Series 2019-B, of the City of Topeka, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would fund 15 utility projects.)

E. Public Hearing and Approval - 2020 Consolidated Annual Action Plan

PUBLIC HEARING to obtain citizen input on the City of Topeka's draft FY 2020 Consolidated Action Plan. *(Published June 15, 2019.)*

APPROVAL of the 2020 Consolidated Annual Action Plan.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval will entitle the City to secure federal funding from the Department of Housing & Urban Development)

F. Public Hearing and Appropriation Ordinance - 2020 City of Topeka Operating Budget

PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2020 City of Topeka Operating Budget. *(Published August 1, 2019)*

APPROPRIATION ORDINANCE introduced by City Manager Brent Trout, approving and adopting the operating budget for calendar year 2020 and appropriating the amounts for the purpose set forth therein.

Voting Requirement: At least six (6) votes of the Governing Body are required.

(Approval would adopt the City's 2020 Operating Budget.)

6. NON-ACTION ITEMS:

A. Discussion - Sign Code Update

DISCUSSION of proposed amendments to Division 2, Title 18 of the Municipal Code regarding a comprehensive update of the Topeka Sign Code.

(Discuss a comprehensive update to Topeka's sign regulations.)

B. Discussion - Dynamic Core Redevelopment TIF District

DISCUSSION regarding the Dynamic Core Redevelopment District, a tax increment financing district (TIF) that would encompass the downtown area and North Topeka Arts District (NOTO). *(Deferred from the meeting of June 11, 2019.)*

7. ANNOUNCEMENTS:

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 13, 2019

DATE:	August 13, 2019	DOCUMENT #:
CONTACT PERSON:		PROJECT #:
SECOND PARTY/SUBJECT:		
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

"Utilities Collection Systems Update"

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Description

Presentation

Utilities Department Wastewater and Stormwater Collection System



Bob Sample, Utilities Director

COLLECTION SYSTEMS ASSETS

- 16,209 storm inlets
- 4,508 storm manholes
- 400 miles of storm lines
- 179 miles of ditches
- 140 miles of streams and channels
- 22 miles of earthen levees
- 87 relief wells
- 72 closure/drainage structures
- 0.78 miles of flood walls
- 9 storm pump stations
- 717 miles sanitary lines
- 15,962 sanitary manholes
- 47 sanitary pump stations

COLLECTION SYSTEMS ASSETS

Funding

- Stormwater Rates
 - \$4.75/resident
 - Equivalent Residential Unit
 - Based off average impervious surface
- Wastewater Rates

Purpose

- Stormwater MS4 Permit
- Minimize localized flooding
- Protection from major flood events
- Comply with WW Permits
- Minimize SSOs and CSOs

FUNCTIONS OF COLLECTIONS

Maintain Storm and Sanitary Lines



FUNCTIONS OF COLLECTIONS

Maintain Storm and Sanitary Lines



FUNCTIONS OF COLLECTIONS

Maintain Storm and Sanitary Lines



FUNCTIONS OF COLLECTIONS

Repair and Replace Infrastructure



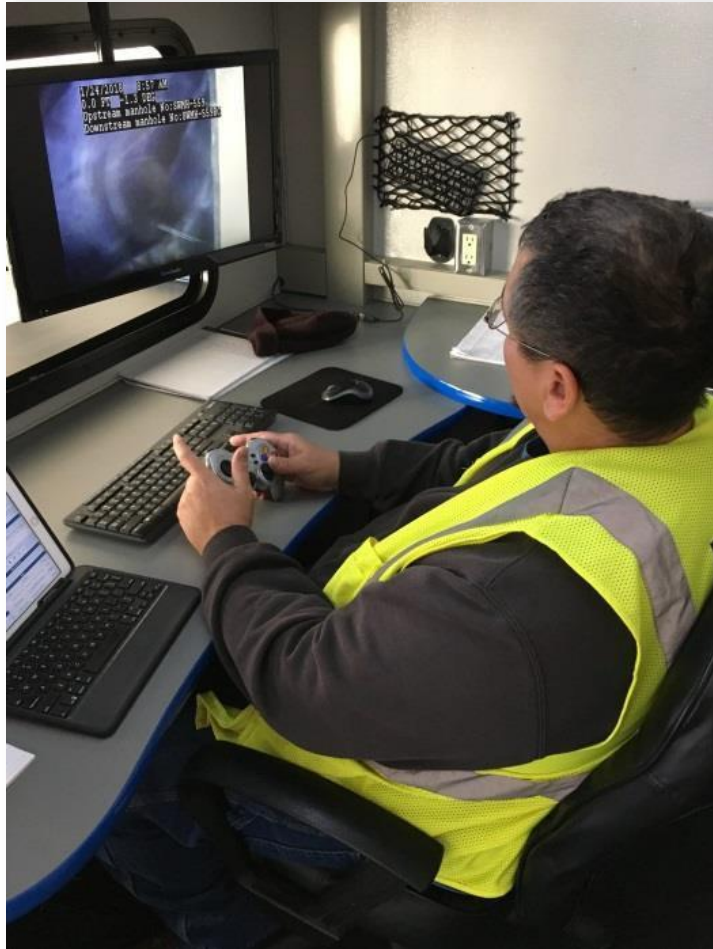
FUNCTIONS OF COLLECTIONS

Operate and Maintain Levee Infrastructure



FUNCTIONS OF COLLECTIONS

Inspection and Verification of Assets



FUNCTIONS OF COLLECTIONS

Inspection and Verification of Assets





City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE:	August 13, 2019	
CONTACT PERSON:	Michelle De La Isla	DOCUMENT #:
SECOND PARTY/SUBJECT:	Topeka Planning Commission	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 005 Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Ariane Messina to the Topeka Planning Commission for a term ending September 30, 2022. (Council District No. 6)

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. Mayor does not vote.

POLICY ISSUE:

As a primary function, the Topeka planning commission shall have the responsibility for the adoption and recommendation to the city council of the comprehensive metropolitan plan to guide the orderly growth and harmonious development of the Topeka metropolitan area. The comprehensive metropolitan plan shall consist of, but not be limited to, the elements described in TMC 18.05.020. The Topeka planning commission shall recommend appropriate legislative, administrative or budgetary actions necessary for the governing body to implement the comprehensive metropolitan plan on or before May 1st of each year.

STAFF RECOMMENDATION:

Mayor De La Isla recommends the reappointment of Ariane Messina for a term that will end September 30, 2022. Ms. Messina is a planner and meets the residency requirement.

BACKGROUND:

This is a nine member board, created by the City. Council members nominate and the Mayor appoints. The governing ordinance, 18442, specifically states that at least six, but not more than seven shall reside within the corporate boundaries of the city. At least two, but not more than three shall reside outside the city boundaries, but within the city's 3-Mile Extraterritorial Jurisdiction. At least six shall be appointed from the private sector; at least three from the private sector shall be currently licensed or engaged or have substantial past experience in the following fields: licensed professional engineer; licensed landscape architect; licensed architect; certified

planner; registered land surveyor; licensed contractor; developer or other experienced professional working in a field related to planning or land development.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Description

A. Messina - Topeka Planning Commission Application

Profile

Ariane

First Name

Messina

Last Name

messina.ariane17@gmail.com

Email Address

1025 sw Medford Ave

Street Address

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 6Check for your district here -> <https://www.topeka.org/citycouncil>

Home: (386) 341-5996

Primary Phone

Home: (

Alternate Phone

Which Boards would you like to apply for?

Topeka Planning Commission: Submitted

American Red Cross

Employer

Direct Service Specialist

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:

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

I have been serving on the Topeka Planning Commission for just under three years and have found the work extremely rewarding. This commission has given me the opportunity to use my education and motivation to see positive change in our community. As an educated, young, and active individual I have a passion for sustainable city growth and reducing a cities impact on the environment.

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.

In 2015 I received my masters degree in Urban and Environmental Planning from Arizona State University. In 2016 my husband and I moved to Topeka, KS for work. Since living in Topeka, I have been involved with bicycle events and participated in several community events representing the Red Cross. Within my line of work, I connect with community partners and individuals impacted by disasters to improve resiliency within Kansas and Nebraska. Outside of work, since October 2016, I have been on the planning commission to support the positive growth of Topeka.

[Ariane_Messina_Resume.pdf](#)

Upload a Resume

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

Question applies to multiple boards

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

n/a

Voluntary Self Identification

Completion of your race/ethnicity and gender on your application is voluntary and will not affect your opportunity to be appointed to a City of Topeka Board or Commission.

Ethnicity *

☒ Caucasian/Non-Hispanic

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/>

Ariane Renee Louise Messina

1025 SW Medford Ave Topeka, KS 66604 – 386-341-5996 – messina.ariane17@gmail.com

EDUCATION

Master of Urban and Environmental Planning

May 2015

Arizona State University, Tempe, AZ

Bachelor of Science in Homeland Security

May 2013

Embry-Riddle Aeronautical University, Daytona Beach, FL

WORK EXPERIENCE

Direct Services Specialist, American Red Cross

December 2017 – Present

1221 SW 17th St Topeka, KS 66604, Aaron Phillips (620) 688-9091

- Manage multiple agency services within Kansas, Nebraska, and SW Iowa
- Direct volunteer leadership roles to administer recovery programs
- Standardize multi-state chapter recovery programs and processes
- Develop regional guidance and communication strategies
- Design and lead in-person and virtual trainings for volunteers and partnering agencies

Disaster Program Specialist, American Red Cross

August 2016 – December 2017

- Managed and directed disaster recovery training and emergency preparedness events
- Coordinated agency response efforts for small to large-scale events
- Developed disaster engagement activities for Red Cross Volunteers

Concierge, Morris House Hotel

July 2015 – June 2016

- Coordinated reservations, payments, and daily itineraries
- Assembled special event arrangements and performed daily tasks

Honors Teaching Assistant, Arizona State University

January 2014 – May 2015

- Planned and facilitated class lectures for Honors students
- Developed criteria for assignments and exams
- Reviewed and provided feedback on assignments

Security Assistant, Daytona Beach International Airport

May 2012 – August 2013

- Internship turned into full-time employment
- Lead certification training program for security staff and airport employees

RELEVANT EXPERIENCE

Topeka Planning Commissioner

- Appointed to 3-year term

Lead Project Manager, Graduate Capstone Project, Bicycle Master Plan for ASU

- Managed peers to develop university-wide Master Plan for bicycle transportation

President of Bicycle Coalition at ASU

- Partnered with community organizations to program events
- Recruited and directed volunteers

APPLIED SKILLS

- Effective communications: strong written, verbal, listening and visual communication
- Public speaking: community outreach and engagement
- Proficient with Microsoft Office products and Google applications

Profile

Ariane

First Name

Burson

Last Name

burson.ariane@gmail.com

Email Address

4130 SW 6th
Ave

Street Address

Apt 200

Suite or Apt

Topeka

City

KS

State

66606

Postal Code

Are you a resident of the City of Topeka?

☒ Yes ☐ No

District 9

What district do you live in?

Home: (386) 341-
5596

Primary Phone

Home:
(

Alternate Phone

Which Boards would you like to apply for?

Topeka Planning Commission

American Red
Cross

Employer

Disaster Program
Specialist

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:

Interests & Experiences

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

I am interested in serving on the Topeka Planning Commission because I would love to use my education and motivation to see positive change in Topeka. As an educated, young, and active individual I have a passion for multimodal transportation, sustainable city growth, and reducing a cities impact on the environment.

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.

In 2013 I graduated with a bachelor of science in Homeland Security with a concentration in Emergency Planning. Two years later, I received my masters degree in Urban and Environmental Planning. While studying my masters, I was the president of the ASU Bicycle Coalition and secretary of the ASU Urban Planning Honors Society. As the president of the Bicycle Coalition, I worked closely with non-profits and ASU clubs to hold events including: an organized bicycle race on campus, month bicycle rides to hand out bike safety information and lights, bicycle registration tables, and bicycle education events. For my masters capstone project, I was a lead project manager. I led the team in the direction of the project requirements, organized and led administrative focus groups, delegated tasks to group members, and worked alongside my group members to create a successful bicycle master plan. While earning my masters I was also a teaching assistant for the honors students in a Sustainability course. As a TA my primary duty was to facilitat 6 self-created hour and a half long classes on water sustainability.

[Burson_Ariane_Resume.pdf](#)
Upload a Resume

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

Question applies to multiple boards.

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

n/a

Voluntary Self Identification

Caucasian/Non-Hispanic
Ethnicity

Female
Gender

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

Not Applicable.

ATTACHMENTS:

Description

C. Leonhart - SNCO Juvenile Corrections Advisory Board Application

Profile

Cathy

First Name

Leonhart

Last Name

cleonhart8@gmail.com

Email Address

208 SW Fairlawn Rd.

Street Address

Suite or Apt

Topeka

City

KS

State

66606

Postal Code

Are you a resident of the City of Topeka?☒ Yes ☐ No**What district do you live in? ***☒ District 9Check for your district here -> <https://www.topeka.org/citycouncil>

Home: (785) 271-8820

Primary Phone

Home: (785) 608-2108

Alternate Phone

Which Boards would you like to apply for?

Shawnee County Juvenile Corrections Advisory Board: Submitted

Retired

Employer

District Court Administrator

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:

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

I worked in the Criminal Justice Field for many years & have an ongoing commitment to the development of services for youth in this community.

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 have a BSW in Social Work from Washburn. My employment has included providing services in foster care & adoption while employed by SRS & Juvenile Intake & probation services while with the 3rd Judicial District Court. I was the Chief Court Services Officer over Adult, Juvenile and Domestic Services from 1991-2011 and the District Court Administrator from 2011 until my retirement in 2015. I have extensive experience writing, reviewing and administering grants. I have served on other boards including CASA, KCSL, Adult Community Corrections Board, Jail Public Relations Committee and the Juvenile Corrections Advisory Board since it was created. This is a very hard working board and I value being part of such a committed group of individuals. My apology for being unable to upload my resume. I would be happy to provide a hard copy if needed.

Upload a Resume

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

Voluntary Self Identification

Completion of your race/ethnicity and gender on your application is voluntary and will not affect your opportunity to be appointed to a City of Topeka Board or Commission.

Ethnicity *

☒ Caucasian/Non-Hispanic

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/>

Profile

Cathy

First Name

Leonhart

Last Name

cleonhart8@gmail.com

Email Address

208 SW Fairlawn Rd.

Street Address

Suite or Apt

Topeka

City

KS

State

66606

Postal Code

Are you a resident of the City of Topeka?

☒ Yes ☐ No

9

What district do you live in?

785-271-8820

Primary Phone

785-608-2180 (cell)

Alternate Phone

Which Boards would you like to apply for?

Juvenile Corrections Advisory Board

Retired-District Court

Employer

Court Administrator

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:

Interests & Experiences

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

I have been a member of this board since it was statutorily created. Although recently retired, I am highly invested in the continuing development of services to young people in Topeka. I believe I have much to offer through my experience and involvement in the community.

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 have attached my resume. I recently retired as District Court Administrator where I was responsible for the management of HR and personnel duties; public relations & media contacts; development of the Court budget and monitoring all expenditures; coordination of programs with County, State and other agencies and evaluating technology improvement needed. I served in this capacity from September 2011 through December 2015.

Upload a Resume

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

Question applies to multiple boards.

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

Voluntary Self Identification

White

Ethnicity

Female

Gender

Acknowledgements and Verification

Purpose of information being submitted.

Application for membership - Juvenile Corrections Advisory Board

☒ I Agree

The information I am submitting is true and correct.

☒ I Agree

Electronic Signature

Cathy Leonhart

☒ I Agree

The table below outlines the cost breakdown of the 2018 Tap That Topeka. It is estimated the cost of City resources will be close to the same in 2019.

DEPARTMENT	COST
Police Department:	\$1157.20
Fire Department:	\$381.21
Street Division:	\$61.90
Parking Division:	\$80
Traffic Division:	\$201.96
City Clerk:	\$75
Inmate Crews:	\$0
Legal Department:	\$4
Total Event Cost:	\$1961.27

SOURCE OF FUNDING:

City Departmental Funds

ATTACHMENTS:

Description

Resolution

Resolution No. 9079

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event
4 known as Tap That Topeka and rescinding conflicting portions of
5 Resolution No. 9079.
6

7 BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,
8 KANSAS, that:

9 Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special
10 event to be held on designated public streets, alleys, and sidewalks when a temporary
11 permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the
12 governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and
13 amendments thereto.

14 Section 2. Having considered the request of the sponsor of the Tap That: A
15 Capitol Brew Festival to allow the possession and consumption of alcoholic liquor, the
16 governing body hereby approves the event to be held on September 28, 2019, between the
17 hours of 4:00 p.m. and 8:00 p.m. provided the sponsor secures a temporary permit from
18 ABC and complies with all state laws and ordinances regulating alcoholic liquor.

19 Section 3. A portion or all of the following streets/alleys shall be closed to motor
20 vehicle traffic during the dates and times identified in Section 2: SW Jackson Street from
21 8th Avenue to 10th Avenue; 8th Avenue from Van Buren Street to Kansas Avenue; and 9th
22 Street from Jackson Street to Kansas Avenue. Pursuant to K.S.A. 41-719 and 41-2645,
23 the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed
24 is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

25 Section 4. Event attendees may purchase, possess and consume alcoholic
26 beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic
27 liquor may be removed from Designated Barricaded Area or consumed inside vehicles

28 while on public streets or alleys at the event.

29 Section 5. Conflicting portions of City of Topeka Resolution No. 9079 are hereby
30 rescinded.

31 Section 6. This Resolution shall take effect and be in force after its approval by
32 the governing body.

34 ADOPTED and APPROVED by the Governing Body on _____.

35 CITY OF TOPEKA, KANSAS

40 Michelle De La Isla, Mayor

41 ATTEST:

46 Brenda Younger, City Clerk

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3 A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event
4 known as Tap That Topeka.

6 BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,

7 KANSAS, that:

8 Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special
9 event to be held on designated public streets, alleys, and sidewalks when a temporary
0 permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the
1 governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and
2 amendments thereto.

3 Section 2. Having considered the request of the sponsor of the Tap That: A
4 Capitol Brew Festival to allow the possession and consumption of alcoholic liquor, the
5 governing body hereby approves the event to be held on September 28, 2019, between the
6 hours of 4:00 p.m. and 8:00 p.m. provided the sponsor secures a temporary permit from
7 ABC and complies with all state laws and ordinances regulating alcoholic liquor.

Section 3. A portion or all of the following streets/alleys shall be closed to motor vehicle traffic during the dates and times identified in Section 2: S. Kansas Avenue from 8th Avenue to 10th Avenue; 8th Avenue from Jackson Street to Kansas Avenue; and 9th Street from Jackson Street to Quincy Street. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means (“Designated Barricaded Area”).

4 Section 4. Event attendees may purchase, possess and consume alcoholic
5 beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic
6 liquor may be removed from Designated Barricaded Area or consumed inside vehicles

27 while on public streets or alleys at the event.

28 Section 5. This Resolution shall take effect and be in force after its approval by
29 the governing body.

30 ADOPTED and APPROVED by the Governing Body on February 19, 2019.

CITY OF TOPEKA, KANSAS



ATTEST:

lell

Michelle De La Isla, Mayor

Brenda Younger
Brenda Younger, City Clerk



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Councilmember Hiller DOCUMENT #:
SECOND PARTY/SUBJECT: Celtic Fox - Katie PROJECT #:
Turner
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Karen Hiller, approving a special event known as Tap That After Party. (Council District No. 1)

(Approval would allow the sale, consumption and possession of alcoholic beverages within the designated barricaded area for the Tap That After Party event on September 28, 2019, between the hours of 8:00 p.m. and 1:00 a.m. the next day.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

Pursuant to state law, the Governing Body must approve any special event where alcoholic liquor will be served and consumed on designated public streets, alleys, and sidewalks when a temporary permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC).

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

Streets and alleys within the boundaries of the event shall be closed to motor vehicle traffic. The traffic engineer and the chief of police or their designees shall determine the streets and alleys to be closed and the closing times. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly marked by signs, a posted map or other means ("Designated Barricaded Area").

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Councilmember Karen Hiller, approving a special event
4 known as Tap That After Party.
5

6 BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,
7 KANSAS, that:

8 Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special
9 event to be held on designated public streets, alleys, and sidewalks when a temporary
10 permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the
11 governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and
12 amendments thereto.

13 Section 2. Having considered the request of the sponsor of the Tap That After
14 Party to allow the possession and consumption of alcoholic liquor, the governing body
15 hereby approves the event to be held on September 28, 2019, from 8:00 p.m. to 1:00 a.m.
16 the next day provided the sponsor secures a temporary permit from ABC and complies with
17 all state laws and ordinances regulating alcoholic liquor.

18 Section 3. A portion or all of the following streets/alleys shall be closed to motor
19 vehicle traffic during the dates and times identified in Section 2: SW 8th Avenue from
20 Jackson Street to Kansas Avenue. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor
21 shall ensure that the area in which alcoholic liquor is possessed or consumed is clearly
22 marked by signs, a posted map or other means ("Designated Barricaded Area").

23 Section 4. Event attendees may purchase, possess and consume alcoholic
24 beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic
25 liquor may be removed from Designated Barricaded Area or consumed inside vehicles
26 while on public streets or alleys at the event.

Section 5. This Resolution shall take effect and be in force after its approval by the governing body.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, 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 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Karen Hiller **DOCUMENT #:**
SECOND PARTY/SUBJECT: Katie Turner **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Councilmember Karen Hiller granting The Celtic Fox 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 during the hours of 8:00 p.m. and 1:00 a.m. on September 28, 2019 on SW 8th Street, Kansas Avenue to Jackson Street.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

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 the Celtic Fox for the Tap That After Party event on September 28, 2019.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The Celtic Fox is requesting the noise exception due to live bands/amplified music and sound during specified date and time.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by Councilmember Karen Hiller granting The Celtic
4 Fox an exception to the provisions of City of Topeka Code
5 Section 9.45.150 concerning noise prohibitions.
6

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

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

16 WHEREAS, The Celtic Fox has requested that they be granted an
17 exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for
18 the purposes, dates and times described herein, and

19 WHEREAS, upon review of the application of The Celtic Fox the
20 Governing Body of the City of Topeka does hereby find that the requested
21 activity does not offend the spirit of the findings of City of Topeka Code Section
22 9.45.150, et seq.

23 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the
24 City of Topeka that The Celtic Fox is hereby granted an exception from the
25 provisions of City of Topeka Code Section 9.45.150, et seq. during the Tap That

26 After Party located on SW 8th Street from Kansas Avenue to Jackson Street with
27 amplified music and sound from 8:00 p.m. to 1:00 a.m. on September 28, 2019.

28

29 ADOPTED and APPROVED by the Governing Body _____.

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Michelle De La Isla, Mayor

35

36 ATTEST:

37

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Brenda Younger, City Clerk

40

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

Description

Resolution

1 RESOLUTION NO. _____

2
3 A RESOLUTION introduced by Councilmember Karen Hiller approving a special event
4 known as Taco Topia.
5

6 BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF TOPEKA,
7 KANSAS, that:

8 Section 1. Pursuant to state law, alcoholic liquor may be consumed at a special
9 event to be held on designated public streets, alleys, and sidewalks when a temporary
10 permit has been issued by the Kansas Division of Alcohol Beverage Control (ABC) and the
11 governing body has approved the event as required by K.S.A. 41-719 and 41-2645 and
12 amendments thereto.

13 Section 2. Having considered the request of the sponsor of the Downtown Fight
14 Festival to allow the possession and consumption of alcoholic liquor, the governing body
15 hereby approves the event to be held on October 5, 2019, between the hours of 5:00 p.m.
16 and 9:30 p.m., provided the sponsor secures a temporary permit from ABC and complies
17 with all state laws and ordinances regulating alcoholic liquor.

18 Section 3. A portion or all of the following streets/alleys shall be closed to motor
19 vehicle traffic during the dates and times identified in Section 2: SW Jackson Street from
20 8th Avenue to 9th Street. Pursuant to K.S.A. 41-719 and 41-2645, the sponsor shall ensure
21 that the area in which alcoholic liquor is possessed or consumed is clearly marked by
22 signs, a posted map or other means ("Designated Barricaded Area").

23 Section 4. Event attendees may purchase, possess and consume alcoholic
24 beverages within the Designated Barricaded Area. Pursuant to K.S.A. 41-719, no alcoholic
25 liquor may be removed from Designated Barricaded Area or consumed inside vehicles
26 while on public streets or alleys at the event.

Section 5. This Resolution shall take effect and be in force after its approval by the governing body.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, 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 13, 2019

DATE:	August 13, 2019	DOCUMENT #:	P19/11
CONTACT PERSON:	Bill Fiander	PROJECT #:	
SECOND PARTY/SUBJECT:	Mark Boyd-Schmidt, Beck and Boyd Engineering LLC		
CATEGORY/SUBCATEGORY	017 Plats/002 Final		
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

ACCEPTANCE of Land Dedications in the Final Plat for Horseshoe Bend Subdivision No. 5 which is located between SW Topeka Boulevard, SE 45th Street and the Kansas Turnpike, all being within the City of Topeka, Shawnee County, Kansas. (P19/11)(Council District No. 5)

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Acceptance of the land dedications would allow for the development of 31 lots for new single-family detached residences and one lot for stormwater management facilities.)

VOTING REQUIREMENTS:

At least 6 votes of the governing body.

POLICY ISSUE:

Whether to accept the dedications of land noted in the plat.

The request complies with the City of Topeka Subdivision Regulations and is in conformance with the Land Use and Growth Management Plan - 2040. The key issues that arose at the neighborhood information meeting that were directly related to the subdivision design included:

1. Planning staff recommends a multi-use path connection between the Landon Trail and Horseshoe Bend neighborhood/park. Establishment of a direct link to the Landon Trail would support better connectivity in our transportation system and add future value to the homes. The County has agreed to maintain the trail connection. The increased activity along with more residences directly abutting the trail should also have the affect of discouraging homeless from residing along this public trail which was a concern expressed.

2. This plat will provide two access points to the Horseshoe Bend subdivisions for the first time ever. The Public Works Department and Fire Department are satisfied with street connections as depicted on the final plat. The Grand Oaks Blvd connection will be included within the next phase of Horseshoe Bend as indicated on the preliminary plat
3. Maintenance and ownership of the stormwater management easement retention ponds will be by the developer. The developer's Stormwater Management Plan has been accepted by the City which provides a guide to follow for maintenance of the ponds.

STAFF RECOMMENDATION:

Staff recommends the Governing Body accept the dedications of land in the final plat for Horseshoe Bend Subdivision No. 5.

BACKGROUND:

P19/11 is a final plat for 10.79 acres and proposes 31 new single-family lots and 1 lot for stormwater management retention ponds. The plat extends and connects SE 43rd Terrace with SE Truman Avenue. This is the fifth phase of the original preliminary plat for Horseshoe Bend Subdivision approved by the Planning Commission in 2000.

The proposed 40 foot street rights-of-way with 16 foot utility/pedestrian access easements on either side were approved by the original preliminary plat in 2000. This new final plat provides a 20 foot wide trail easement to allow a 10 foot concrete multi-use path to connect to the Landon Trail located along its west boundary.

The purpose of the plat is to vacate existing right-of-way formerly platted with an undeveloped subdivision and dedicate new right-of-way for the proposed street extensions.

The applicant conducted a neighborhood information meeting on May 23, 2019. The Planning Commission approved the plat by a vote of 7-0-0 at its June 17, 2019 public hearing as indicated in the attached minutes. The final step before the plat can be recorded is for the governing body to accept the land that has been dedicated for public purposes.

BUDGETARY IMPACT:

The future street extensions and trail connection will be constructed and paid for by the developer as part of a street benefit district that is approved by the Governing Body. Street, water, and sewer facilities to be maintained by the City after the developer improves and the City accepts.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

Description

Staff Report Addendum - June 17, 2019

Staff Report - June 17, 2019

Final Plat

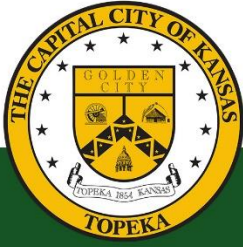
Aerial Map

Planning Commission Meeting Minutes June 17, 2019

Question and Answers - Response to Concerns July 2019

Neighborhood Information Meeting Minutes - May 23, 2019

Neighborhood Information Meeting Attendance Sheet May 23, 2019



CITY OF TOPEKA

Planning & Development Department
620 SE Madison, Unit 11
Topeka, KS 66607

Bill Fiander, AICP, Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: Topeka Planning Commission
From: Bill Fiander, AICP, Director
Date: June 17, 2019

Re: P19/11 Horseshoe Bend Subdivision #5 – Resolution to Staff Conditions

The staff report indicates a recommendation to approve the final plat for Horseshoe Bend Subdivision #5 subject to four conditions. Those four conditions have been addressed as follows:

1. Approval and acceptance of the Stormwater Management Plan by the City of Topeka Departments of Public Works and Utilities prior to City Council consideration of the final plat, including submittal and acceptance of a signed "Operations & Maintenance Manual" that addresses the continued ownership, responsibility, and maintenance of the Stormwater Management Easement lot as well as the sidewalks adjacent with this lot. **The Stormwater Management Plan has been accepted. The applicant has submitted this signed Operations & Maintenance Manual accepting responsibility of the retention ponds.**
2. Add plat note the clarifies the ownership, maintenance and responsibility of the "SME" lot "Tract A" that includes the retention ponds as well maintenance responsibility of the public sidewalks adjacent with this lot. **This has been resolved per condition #1 with the developer maintaining ownership of the SME lot "Tract A".**
3. Dedicate an additional 10' for the Pedestrian Access Easement "P.A.E." on Lots 3 and 4, Block B. The "P.A.E." should be a total of 20' in width to allow for the 10' concrete trail connection with 5' of unpaved areas on both sides of the concrete trail. **Label this "P.A.E." between Lots 3 and 4, Block B as "20' Trail Easement" instead of "Pedestrian Access Easement", which better establishes its purpose as well as to differentiate this easement from the other Pedestrian Access Easements intended for sidewalks.**
4. Revise Note #7 to include: ". . . The "P.A.E." between Lot 3 and 4 Block B shall be constructed by the developer at the time of street improvements with a 10' wide concrete trail connection with the Landon Trail." Address maintenance responsibility for this trail path and whether this trail connection is maintained by lot owners, jointly by all owners through establishment of a Homeowner's Association (HOA), other arrangement established by the developer, or Shawnee County Parks Department. **Shawnee County Parks and Recreation has agreed to accept maintenance of the trail connection. Revise this note as follows: ". . . The 20' Trail Easement connection between Lot 3 and Lot 4, Block B shall be constructed by the developer at the time of street improvements and be improved with a 10' wide concrete trail connection with the Landon Trail and maintained by the Shawnee County Department of Parks and Recreation."**

STAFF REPORT - SUBDIVISION

CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase

Preliminary and Final Plat

Final Plat Phase

RECOMMENDATION: Based upon the findings and staff analysis below, the Planning & Development Department recommends the final plat phase of Horseshoe Bend Subdivision #5 be **APPROVED** and forwarded to the City Council for its acceptance of land to be dedicated for public purposes, subject to the following conditions on Pg. 4.

RECOMMENDED MOTION: I move to forward approval of the final plat for Horseshoe Bend Subdivision #5 to the Governing Body for acceptance of land to be dedicated for public purposes as conditioned on Pg. 4.

NAME: Horseshoe Bend Subdivision #5 [P19/11]

OWNER/DEVELOPER: R&T Builders

ENGINEER/SURVEYOR: Schmidt, Beck, and Boyd LLC/Richard T. Schmidt, P.L.S./Jeff Laubach, P.E.

STAFF: Annie Driver, AICP, Planner

GENERAL LOCATION: On property located north of SE 45th Street, east of SW Topeka Blvd and along the south side of the Kansas Turnpike.

JURISDICTION: Class "A" Subdivision- within the corporate limits of the City of Topeka

ANNEXATION: Inside the City Limits

Area	# of Lots	Residential Density	Proposed Land Use	Zoning
10.79 acres	32	3 DUs/acre	Single family dwellings (31 lots); Stormwater Management Easement "SME" (1 lot)	PUD (R-1 uses)

Zoning Case: The property was zoned in 2000 and included in the Grand Oaks Master Planned Unit Development Plan for single family dwellings. The main reason for the PUD zoning was to allow the reduced 40' street right-of-way width with 16' U.E. /P.A.E. along all the lot's frontages to incorporate public sidewalks and utilities instead of the standard 60' right-of-way. A minor amendment to the PUD is also pending staff's review as it is needed to alter the overall phasing schedule. This particular change to the phasing breaks up the last phase (93 more lots total) of Horseshoe Bend into three separate phases. (i.e. The phasing is shown on the preliminary plat.)

Design: The final plat is irregular in shape and comprises 10.79 acres and 32 single-family lots. The final plat will connect SE 43rd Terrace to SE Truman Avenue, which provides another connection from SE 45th Street. The 16' utility easements/pedestrian access easements are provided along the frontage of the lots for public sidewalks along the streets. A pedestrian access easement is being provided between Lots 3 and 4, Block B to allow a trail connection to the Landon Trail.

BACKGROUND: This is a final plat for the fifth phase of the seven phase Horseshoe Bend/Grand Oaks Subdivision that was approved July 17, 2000 by the Planning Commission. The original preliminary plat allowed for a total of 309 single-family residential lots and a 7-acre public park and was approved in 2000. Since a preliminary plat is only effective for a period of six months, an extension is needed from the Planning Commission with approval of this final plat phase. This final plat (Horseshoe Bend Subdivision #5) does not significantly alter the original design. In fact, this plat ultimately reduces the total lots and increases the area for stormwater retention since water quality treatment is required in addition to addressing water runoff in the existing pond.

NEIGHBORHOOD INFORMATION MEETING: The applicant's representative conducted a meeting on Thursday, May 23, 2019 located at the Southern Hills Mennonite Church at 511 SE 37th Street. Three people in addition to the applicant and staff attended.

➤ Key issues related to the subdivision design that were discussed at the meeting included:

1. The location and safety of the pedestrian access connection with the Landon Trail: A pedestrian access easement is necessary since it will connect the trail with the Shawnee County operated public park previously dedicated and located at the east end of Horseshoe Bend. (i.e. The Landon Trail was not yet constructed when the subdivision was originally preliminary platted so this connection was not provided at the time.) The City Engineer recommends this easement be increased in width to 20' to allow a 10' wide concrete public trail path with 5' of unpaved surface on each side of the path. The trail connection will need to be included in the street improvement project and built by the developer at the time the streets are constructed.
2. The need for the SE Grand Oaks Blvd. connection between SE 43rd Terrace and SE 44th Terrace with this phase: Both the Public Works Department and Fire Department are satisfied with street connections as depicted on the final plat. The Grand Oaks Blvd connection will be included within the next phase of Horseshoe Bend as indicated on the preliminary plat.
3. Maintenance and ownership of the Stormwater Management Easement retention ponds: The ownership, responsibility and maintenance of these ponds and open area will need to be outlined and described in an "Operations and Maintenance Manual" submitted by the developer to the City of Topeka Utilities Department and noted on the final plat prior to the acceptance of the Stormwater Management Plan by Utilities. This should be completed prior to consideration of the plat by the City Council. The developer intends to retain ownership and, therefore, maintenance of the pond in the short-term. The long term maintenance of these ponds and areas around the ponds (i.e. sidewalks) is not resolved and will need to be resolved by the developer. (Options include: Homeowner's Association, Shawnee County Parks acceptance, or other arrangement made by the developer)

➤ Other issues mentioned at the meeting that are not directly related to the subdivision design include:

1. The City's insufficient street maintenance;
2. The developer's inadequate maintenance of the undeveloped land around the perimeter of the developed lots;
3. The homeless population residing along the Landon Trail;
4. The need for traffic control signage.

SERVICES AND FACILITIES:

1. **WATER SERVICE:** The subdivision will be served by City of Topeka public water supply via an 8" water main to be extended at the expense of the developer.
2. **SEWAGE DISPOSAL:** The subdivision will be served via an 8" City of Topeka sanitary sewer main to be extended at the expense of the developer.

3. **WASTEWATER PLAN SERVICE AREA:** The property is located within the Urban Service Area (city limits) of the Land Use and Growth Management Plan -2040, which requires service by a sanitary sewer system. In this respect, the proposal and is in full compliance with said Plan.
4. **DRAINAGE CONDITIONS:** The Stormwater Management Plan as submitted by the consultant is has not been accepted by the Department of Public Works- Engineering Division and Department of Utilities per comments from City Engineer dated June 6, 2019. The subdivision final plat dedicates an "SME" for an extended wet detention basin incorporating two retention ponds that will be designed to address both water quality treatment and stormwater runoff. The developer is required by the Utilities Department to submit a signed "Operations and Maintenance Manual" that identifies who is responsible for and a maintenance schedule for the continued ownership and maintenance of these retention ponds, as well as areas around the ponds and sidewalks along the south and west edges of the retention pond tract. This signed Operations & Maintenance Manual needs to be accepted by the Department of Utilities prior to their approval of the Stormwater Management Plan for the subdivision.
5. **STREET PLAN/ACCESS:** The subdivision design vacates previously platted public right of way for SE 43rd Terrace that was part of the previously platted Hilltop Subdivision. This final plat dedicates new right-of-way for the extension of SE 43rd Terrace and its re-alignment and connection with SE Truman Avenue. The subdivision's 40' rights-of-way were part of the original preliminary plat approved in 2000. The plat provides 16' utility easements/pedestrian access easements on both sides of the street rather than the standard 60' local street right-of-way. This alternative design was intended so the houses could be closer to the street curb line, which allowed greater density and was accommodated under the existing PUD zoning.
6. **FIRE DISTRICT:** City of Topeka Fire Department. Additional fire hydrants will be provided as needed with the water main extensions.
7. **STREAM BUFFER/FLOOD PLAIN:** N/A
8. **SCHOOL DISTRICT:** USD 450 – Shawnee Heights
9. **PARKS/OPEN SPACE:** The subdivision is located in Parkland Fee District #7 and would normally require a parkland fee of \$225 per new single-family lot. However, a parkland dedication totaling 7 acres was accepted by the Parks Department as a part of the approval of the preliminary plat in 2000 for a public park and is located to the east. Due to that previous parkland dedication, Horseshoe Bend Subdivision #5 only requires a parkland fee of \$141 per single-family unit under TMC 18.40.130 to be collected at the time of building permit issuance.

The developer may also request the Shawnee County Parks Department accept this additional 2.2 acre "SME" (Stormwater Management Easements) as a public park. The Topeka/Shawnee County Parks and Open Space Plan (adopted 2005) established policy for parkland dedications. Under the current policy, this tract is too small to function as a usable public park. Neighborhood parks should be a minimum of 3- 5 acres.

WAIVER/VARIANCE TO STANDARDS: Pursuant to TMC 18.35.160, it is requested the Topeka Planning Commission grant an extension to the six month time limit on its approval of the preliminary plat. Staff is supportive of the Planning Commission granting this extension since the overall street design, lot configuration, and density have not been altered significantly from what was originally approved by the Planning Commission.

CAPITAL IMPROVEMENT PLAN (CIP): 45th Street from SW Topeka Blvd was widened to five-lanes in 2012 as a part of the County ½-cent sales tax project.

CONFORMANCE TO COMPREHENSIVE PLAN: The Land Use and Growth Management Plan - 2040 establishes this area for *Urban/Suburban Low Density Residential* land uses. The expected residential density is 3 dwelling units per acre, which is in conformance with the LUGMP – 2040 policies that recommend densities of up to 3-4 DUs/acre within areas classified *Urban/Suburban Low Density Residential*.

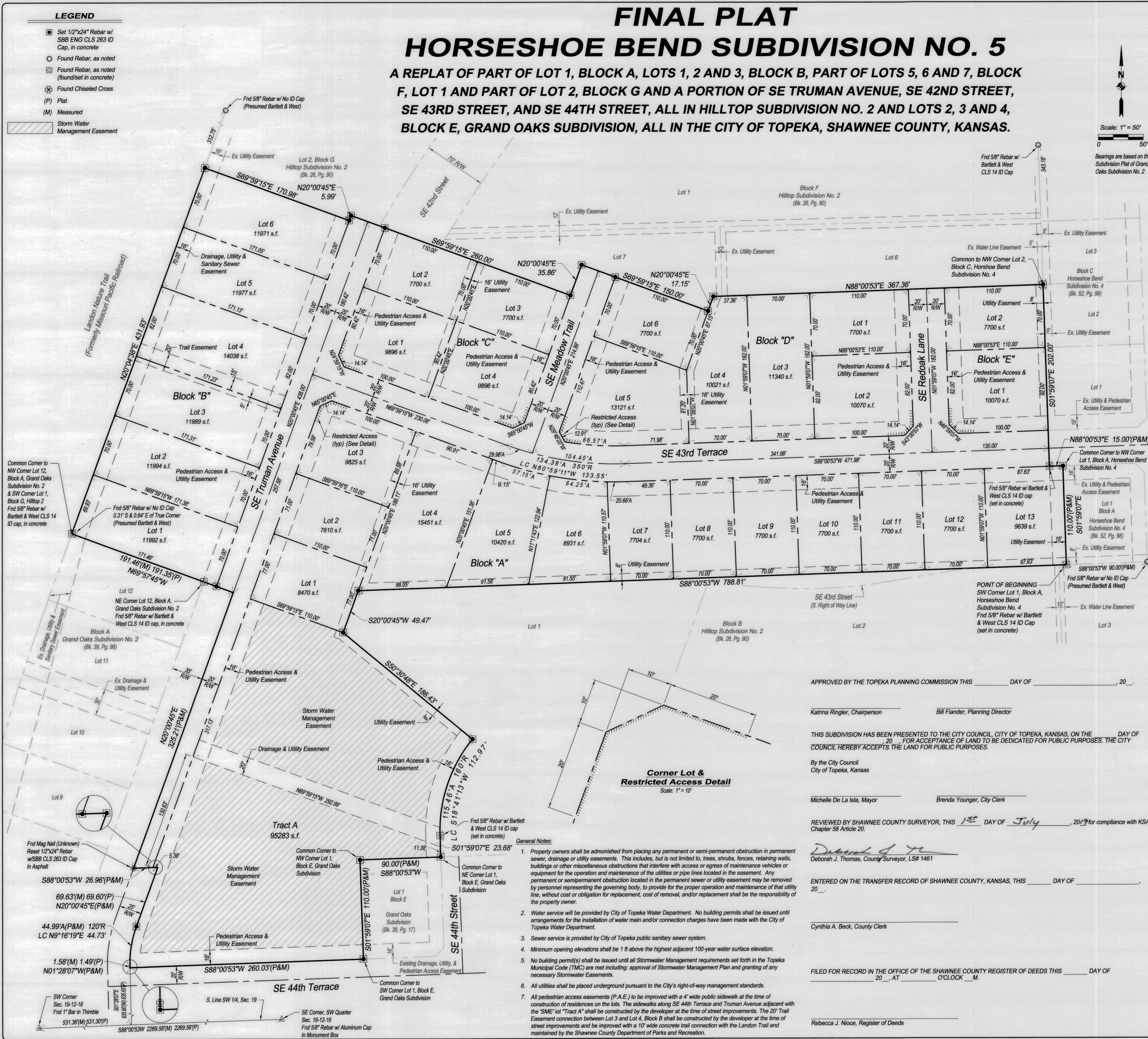
STAFF ANALYSIS:

As zoned under the existing PUD master plan allowing the reduced rights-of-way widths for a local street, the subdivision conforms to the standards and provisions of the Subdivision Regulations. The subdivision is compatible with, as well as, an extension of the adjacent subdivisions. Based upon the above findings and analysis, staff recommends Horseshoe Bend Subdivision #5 be **APPROVED** and forwarded to the City Council for its acceptance of land to be dedicated for public purposes, subject to the following conditions:

1. Approval and acceptance of the Stormwater Management Plan by the City of Topeka Departments of Public Works and Utilities prior to City Council consideration of the final plat, including submittal and acceptance of a signed "Operations & Maintenance Manual" that addresses the continued ownership, responsibility, and maintenance of the Stormwater Management Easement lot as well as the sidewalks adjacent with this lot.
2. Add plat note that clarifies the ownership, maintenance and responsibility of the "SME" lot "Tract A" that includes the retention ponds as well maintenance responsibility of the public sidewalks adjacent with this lot.
3. Dedicate an additional 10' for the Pedestrian Access Easement "P.A.E." on Lots 3 and 4, Block B. The "P.A.E." should be a total of 20' in width to allow for the 10' concrete trail connection with 5' of unpaved areas on both sides of the concrete trail.
4. Revise Note #7 to include: ". . . The "P.A.E." between Lot 3 and 4 Block B shall be constructed by the developer at the time of street improvements with a 10' wide concrete trail connection with the Landon Trail." Address maintenance responsibility for this trail path and whether this trail connection is maintained by lot owners, jointly by all owners through establishment of a Homeowner's Association (HOA), other arrangement established by the developer, or Shawnee County Parks Department.

Attachments:

Aerial Map
Revised Preliminary Plat
Final Plat
NIM Meeting



LEGAL DESCRIPTION:
 A replat of part of Lot 1, Block A, Lots 1, 2 and 3, Block B, part of Lots 5, 6 and 7, Block F, Lot 1 and part of Lot 2, Block G and a portion of SE Truman Avenue, SE 42nd Street, SE 43rd Street, and SE 44th Street, all in Hilltop Subdivision No. 2 and Lots 2, 3 and 4, Block E, Grand Oaks Subdivision, all in the City of Topeka, Shawnee County, Kansas being more particularly described as follows: Beginning at the Southwest corner of Lot 1, Block A, Horseshoe Bend Subdivision No. 4, thence on the plat bearing of Grand Oaks Subdivision No. 2, S88°00'53"W, 788.81 feet; thence S20°00'45"W, 49.47 feet; thence S50°30'48"E, 186.43 feet; thence on a 160.00 foot radius curve left an arc distance of 115.46 feet, said curve having a long chord bearing of S18°41'13"W, 112.97 feet; thence S01°59'07"E, 23.68 feet to the Northeast corner of Lot 1, Block E, Grand Oaks Subdivision; thence S88°00'53"W, 90.00 feet to the Northwest corner of said Lot 1; thence S01°59'07"E, 110.00 feet to the Southwest corner of said Lot 1; thence S88°00'53"W, 260.03 feet to the Southwest corner of said Lot 4, Block E, Grand Oaks Subdivision; thence N01°28'07"W along the West line of said Lot 4, being coincident with the Easterly right of line of SE Truman Avenue, 1.58 feet Measured, (1.49 feet Plat); thence continuing along said right of way line on a 120.00 foot radius curve right an arc distance of 44.99 feet, said curve having a long chord bearing of N09°16'19"E, 44.73 feet; thence continuing along said right of way line N20°00'45"E, 69.63 feet Measured (69.60 feet Plat); thence S88°00'53"W, 26.96 feet to the centerline of said SE Truman Avenue; thence N20°00'45"E along said centerline, 325.21 feet; thence N89°57'45"W, 161.46 feet Measured (191.35 feet Plat) to the Southwest corner of said Lot 1, Block G, Hilltop Subdivision No. 2; thence Northerly along the West line of said Lots 1 and 2, Block G, Hilltop Subdivision No. 2, N20°04'38"E, 431.93 feet; thence S69°59'15"E, 170.98 feet; thence N20°00'45"E, 5.99 feet; thence S69°59'15"E, 260.00 feet; thence N20°00'45"E, 35.86 feet; thence S69°59'15"E, 150.00 feet; thence N20°00'45"E, 17.15 feet; thence N88°00'53"E, 367.36 feet to the Northwest corner of Lot 2, Block C, Horseshoe Bend Subdivision No. 4; thence S01°59'07"E along the West line of Horseshoe Bend Subdivision No. 4, 202.00 feet; thence N88°00'53"E, 15.00 feet to the Northwest corner of Lot 1, Block A, Horseshoe Bend Subdivision No. 4; thence S01°59'07"E, 110.00 feet to the Point of Beginning. Containing 10.79 acres more or less.

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 HORSESHOE BEND SUBDIVISION NO. 5.

NOTICE: In the event there are other owners or those holding any proprietary interest in any land contained in this subdivision who do not appear and duly acknowledge this plat prior to the time of recording in the Office of the Register of Deeds, the plat shall be null and void.

EASEMENTS: 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."

GENERAL DRAINAGE EASEMENT: Drainage easements are hereby established as shown to provide for the unobstructed overland flow or 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 easement. All maintenance within the general drainage easement (GDE) 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 applicable director of public works or designee, 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.

STORMWATER MANAGEMENT EASEMENT: Stormwater Management Easements (SME) are hereby established as shown or described to provide for the management of storm water including, but not limited to, detention, retention, storage and treatment of storm water. Property Owners and their assigns and successors (Property Owners) agree to install, construct, reconstruct, replace, enlarge, repair, operate and provide perpetual maintenance of pipe, flume, ditch, swale, vegetative areas or mechanical devices for storm water conveyance and/or treatment, or any improvements in the SME for the drainage and/or treatment of said storm water. No change to the grade, topography or storm water management structures and improvements in the SME shall be made without the prior written approval of the applicable public works director or designee.

Property Owners shall not place or permit any permanent, semi-permanent or temporary obstruction in said SME including, but not limited to, trees, shrubs, vegetation, rocks, fences, retaining walls, landscaping, structures, buildings or other obstructions that interfere with or obstruct designed water flow and/or treatment process in an engineered channel, conduit, structure or area, nor shall Property Owners obstruct, prevent or otherwise hinder ingress, egress or operation of maintenance vehicles, equipment and personnel. Upon receiving written permission from the applicable public works director or designee, Property Owners may construct at their own peril other limited improvements and/or landscaping within the SME which do not and will not interfere with the function of the storm water management system. Any obstructions or improvements in the SME, permitted or not permitted, may be removed by the applicable public works department or its contractor to provide for designed water flow and/or treatment process of the storm water management system. Cost of removal, damage and any repair or replacement shall be the responsibility of the Property Owner.

All maintenance and repairs within the SME shall be the right, duty and responsibility of the Property Owners of the property on which the SME is located. However, if designed water flow and/or treatment process are impeded by neglected maintenance, system failure or are subject to other unusual circumstances causing a hazard or threat to public safety, as determined by the applicable public works director or designee, emergency or corrective maintenance may be performed by the applicable public works department or its contractor with costs charged to said Property Owners. Unpaid costs shall be assessed to and imposed as a lien on the land. The applicable public works department and its contractors shall have the right to enter upon the SME for purposes of periodic or special inspection and/or corrective maintenance.

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.

FLOOD PLAIN NOTE: According to "FIRM" Map Community Panel Number 20177C0306E, effective September 29, 2011, this tract is in flood zone "X", areas determined to be outside the 0.2% annual chance flood plain.

APPROVED BY THE TOPEKA PLANNING COMMISSION THIS _____ DAY OF _____, 20____.

Katrina Ringler, Chairperson Bill Fiander, Planning Director

THIS SUBDIVISION HAS BEEN PRESENTED TO THE CITY COUNCIL, CITY OF TOPEKA, KANSAS, ON THE _____ DAY OF _____, 20____, FOR ACCEPTANCE OF THE LAND FOR PUBLIC PURPOSES. THE CITY COUNCIL HEREBY ACCEPTS THE LAND FOR PUBLIC PURPOSES.

By the City Council
 City of Topeka, Kansas

Michelle De La Isla, Mayor Brenda Younger, City Clerk

REVIEWED BY SHAWNEE COUNTY SURVEYOR, THIS 1st DAY OF July, 2019 for compliance with KSA Chapter 58 Article 20.

Deborah J. Thomas
 Deborah J. Thomas, County Surveyor, LSN# 1461

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 DEEDS THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M.

Rebecca J. Nioce, Register of Deeds

CERTIFICATE OF SURVEYOR:
 I hereby certify that the details of this plat to be correct to the best of my knowledge and belief, that all boundary corners of this subdivision of land have been monumented and that iron pins are set as shown on the attached plat this 28th day of June, 2019.

RICHARD T. SCHMIDT, P.S. 919
 SCHMIDT, BECK & BOYD ENGINEERING, LLC
 1415 SW TOPEKA BLVD.
 TOPEKA, KS 66612
 rick.schmidt@sbbeng.com

IN TESTIMONY WHEREOF, the owner, RT Builders, LLC, has caused these presents to be signed this 10th day of July, 2019.

Raymond J. Thurlow, President

STATE OF Kansas
 COUNTY OF Shawnee, SS:

Be it remembered that on this 10th day of July, 2019, before me, the undersigned, a notary public in and for the County and State aforesaid came Raymond J. Thurlow, President of RT Builders, LLC, who is personally known to me to be the same person who executed, the within instrument of writing.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my notarial seal the day and year last written above.

Valerie Kamper
 Notary Public My Commission Expires: 8/27/23

SBB
 1415 SW Topeka Boulevard
 Topeka, Kansas 66612
 Ph: (785) 215-6630 / www.sbbeng.com

SBB Proj. No.: 19-048
 Drawn by: JEM
 Checked by: RS
 Date: 5/23/19
 Drawing No.:
 Sh. 1 of 1



P19/11 Horseshoe Bend Subdivision #5





CITY OF
TOPEKA

TOPEKA PLANNING COMMISSION

Monday, June 17, 2019

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

CASE MINUTES

Members present: Brian Armstrong (Acting Chair), Corey Dehn, Carole Jordan, Wiley Kannarr, Corliss Lawson, Ariane Messina, , Matt Werner (7)

Members Absent: Katrina Ringler, Marc Fried (2)

Staff Present: Bill Fiander, Planning & Development Director; Mike Hall, Current Planning Manager; Dan Warner, Comprehensive Planning Manager; Annie Driver, Planner; John Neunuebel, Planner; Kris Wagers, Administrative Officer; Mary Feighny, Deputy City Attorney

Public Hearing of P19/11 Horseshoe Bend Subdivision #5 (Final Plat) by RT Builders, LLC, comprising 10.79 acres and proposed as 32 single family residential lots, located at the west end of SE 43rd Terrace (to be extended) and more generally located north of SE 45th Street, south of the Kansas Turnpike and east of SW Topeka Blvd, all being within the City of Topeka, Shawnee County, Kansas.

Ms. Driver presented the staff report and recommendation for approval. She noted that the four conditions listed in the staff report have been addressed, as indicated on the memo emailed to commissioners on 6/17/19 and handed out to commissioners at this evening's meeting.

Mr. Dehn asked if access will be provided to the Landon Trail. Ms. Driver confirmed and added that the county will provide maintenance for the trail easement.

Mark Boyd of SBB Engineering came forward to speak representing the applicant. He noted the owner was in attendance and available for questions. Mr. Boyd explained that this is an ongoing subdivision that is being broken up into smaller phases to allow for more economical development.

Mr. Armstrong asked if there is an expected timeframe for the additional phases. Mr. Boyd explained that they will begin once the 1st phase is built out and marketed.

Ms. Messina noted a concern expressed at the Neighborhood Information Meeting (NIM) about excessive speed on the streets and the possibility of using traffic calming measures. Mr. Boyd explained that in residential areas the speed is designed to be low. COT Traffic Engineering has reviewed the street plans.

Mr. Armstrong opened the floor for public comment.

Tim Emerson of 110 SE 44th Parkway in Grand Oaks came forward to speak. He stated he attended the NIM and one of the questions that came up was why Grand Oaks can't be extended in Phase 1 rather than Phase 2. He is concerned about construction traffic that will be on Truman, which is a very narrow road, while Grand Oaks is a wide road. He also spoke of concerns about the speed of traffic and lack of stop signs in the area, as well as concerns about stormwater runoff and a lack of mosquito control.

Mr. Emerson stated that without extending Grand Oaks there will only be one way in and out for emergency vehicles, etc. He also expressed concern about a lack of fence between properties and the Landon trail, stating that anyone using the trail can easily walk into back yards and noting that homeless are currently

DRAFT

living just beyond the trail.

Mr. Armstrong asked for clarification about whether there are one or two ways out of the neighborhood and Ms. Driver explained that Truman Ave and SE 43rd Terrace would serve as the two entrances/exits until Grand Oaks is extended. She added that though it may not be ideal, both Fire and Engineering have reviewed and they feel that what is proposed is sufficient until Phase 2.

Mr. Armstrong asked Ms. Driver about potential or current stormwater issues. Ms. Driver stated that the Stormwater Management Plan was approved by City of Topeka Departments of Public Works and Utilities as noted in the memorandum provided dated 6/17/19 re: P19/11 Horseshoe Bend Subdivision #5 – Resolution to Staff Conditions.

Greg DeBacker came forward and encouraged the use of speed bumps to slow down traffic in residential areas, then returned to his seat.

Mr. Fiander explained traffic controls are not governed through the platting process. This is an operational control that takes place once a street plan has been approved by engineering and put in place. Signage or traffic calming measures are not found on plats and are beyond the purview of the Planning Commission.

With nobody else coming forward to speak, Mr. Armstrong declared the **public comment period closed**.

Ms. Lawson asked if there had been consideration about concerns regarding the trail being open to back yards. Mr. Fiander explained that the additional housing would likely discourage the homeless population from living in the area as they attempt to avoid people. He added that the trail is an amenity; providing connections and access to our trail systems is a goal.

Motion by Mr. Kannarr to recommend approval of the final plat for Horseshoe Bend #5 to the Governing Body for acceptance of land to be dedicated for public purposes, as conditioned on page 4 of the staff report and as amended in the memo from Bill Fiander on 6/17/2019 regarding P19/11 Horseshoe Bend Subdivision #5; **second** by Mr. Dehn.

Discussion: Mr. Armstrong stated he is comfortable for now with there being an east and south access point in/out of the neighborhood. He also noted that he likes and supports the connection to the Landon Trail; this will provide access to the neighborhood and encourage more use of the trail.

Ms. Messina stated she agrees with Mr. Armstrong.

Upon roll call vote, **APPROVAL** (7/0/0)



CITY OF TOPEKA

Planning & Development Department
620 SE Madison, Unit 11
Topeka, KS 66607

Bill Fiander, AICP, Director
Tel: 785-368-3728
www.topeka.org

July 2019

To: Topeka Governing Body
From: Bill Fiander, AICP, Planning & Development Director

RE: Horseshoe Bend Subdivision #5

The intent of this memorandum is to provide a response to concerns brought up in email dated 5/24/2019 from resident of Grand Oaks.

Q: Homeless people on Landon Trail living in the woods and coming into backyards into Grand Oaks.

A: *The creation of new single family lots backing up to the trail along with the new public trail connection also means there will be more human activity and visible presence using and accessing the trail, which in turn will cause a decrease in the number of homeless residing along the Landon Trail. The public trail connection from the Landon Trail to the County owned public park in Horseshoe Bend is both an asset to the neighborhood and City since it will encourage use of the Landon Trail and public park and is recommended by City staff. The Shawnee County Parks Department will accept maintenance of this trail connection, which will be contain a 10' wide concrete trail path built by the developer when the streets are installed.*

Q: Not extending Grand Oaks Blvd. into the Horseshoe Bend development. This will not allow two access points into Grand Oaks. This causes response times to increase for Emergency Service Personnel to increase. The city is basically building a dead end street that is a quarter mile long. This will increase traffic flow 150% on SE Truman to have one access in and out of Grand Oaks.

A. *Grand Oaks Blvd. is proposed to be connected with the next phase after build-out of this phase. In addition to the proposed connection of SE Truman to SE 43rd Terrace, there are additional ways of accessing the subdivision from 45th via both Grand Oaks Blvd. to 44th Pkwy and Horseshoe Bend Drive to 44th Street. The extensions proposed with this final plat means there will now be three ways of accessing the subdivision off of SE 45th Street. Overall, this improves connectivity within the subdivision. Both the Fire Dept and Public Works Dept. are satisfied with the phase for the final plat and Grand Oaks Blvd will need to be extended/connected as a part of the next phase (shown on the new preliminary plat).*

Q: The two drain water containment ponds on the corner of SE 44th Terrace and SE Truman will now be a breeding ground for mosquitoes. The survey guy said this is not a public health concern. There is day care with 9 children less than a 100 feet from the ponds. Who is going to treat the standing water to prevent outbreak of mosquitoes?

A. *The developer signed an "Operations and Maintenance Manual" for the Stormwater Retention Ponds that sufficiently addresses this concern. That manual indicates the ponds*

should be inspected within 48 hours after each major storm event (In this case, at least 2 inches or more in 24 hours). The manual is a guideline for how the inspections are to be conducted and indicates the stormwater facilities should be inspected for mosquito larvae and other public health concerns (i.e. rodents, etc). This agreement is kept on file with the City Engineer. In the future, any owner of the lot containing the ponds will be required to conduct such maintenance.

- Q: Does the city have roads with speed bumps in residential areas to slow traffic down to prevent accidents with children playing? The survey guy was not concerned about it since he doesn't have kids playing in Grand Oaks that will get hit by cars speeding in the neighborhood. Currently there is no "Slow Children at Play" signs in Grand Oaks. There is no posted speed limits for 20 MPH. He said there is no plan to put stop signs up in the development. That is and was not his problem or concern. I explained to him a car traveling at 30 MPH takes 110 feet or 36 yards to stop. That can do a lot of damage to a child. City code 10.20.060 says a posted speed limit needs to be posted.
- A. Speed bumps: *Speed bumps are typically found to be ineffective as they tend to slow vehicles at the location of the bump, but cause drivers to go faster between bumps. The same is found for unwarranted stop signs.*
Signs: *The City Engineer does not currently support installing a "Kids at Play" sign in attempt to slow down traffic speeds.*
Design speed: *TMC 10.20.060 states that if no speed limit is posted, then the speed limit is 30mph in any urban district. The design speed for this neighborhood is 30 mph and no part of the neighborhood is posted 20 mph. The Traffic Engineer indicated there will not be enough traffic to warrant intersection controls in this residential neighborhood.*
Stop signs: *Unwarranted stop signs influence drivers similar to stop signs.*
Traffic Calming: *Traffic calming measures, minus speed bumps, may be considered with the developer's street plans as the City Engineer has a traffic calming policy for residential neighborhoods, but this needs more discussion for consideration. The neighborhood HOA or representatives should contact the City Traffic Engineer.*
- Q: The residents of Grand Oaks were told that a park was going to be installed in Grand Oaks for many years. There was one placed in Horse Bend and never one in Grand Oaks.
- A. *In my understanding, the developer renamed the subdivision after its first phase (Grand Oaks to Horseshoe Bend). The new phase will actually improve access to the public park by extending Truman and connecting to 43rd Terrace. The proposed public trail connection will allow residents to more easily access and use the Landon Trail. The dedication of the park in Horseshoe Bend was planned and dedicated as part of the original phase in 2000. "Grand Oaks" is too close in distance from the existing public park in "Horseshoe Bend" to support another public park.*

Date: May 23, 2019
To: City of Topeka Planning Department
From: SBB Engineering, LLC
Mark A. Boyd
Re: Horseshoe Bend Subdivision No. 5 – P19/11
Neighborhood Meeting Minutes

To whom it may concern:

On May 23, 2019 at 5:30 P.M., we held a publicized meeting for the above referenced case. There were 4 people present for the meeting. An attendance sheet is attached for name and address. Others in attendance were Annie Drive (Topeka Planning Department), and Mark Boyd (SBB Engineering).

Those in attendance live in the Horseshoe Bend and Grand Oaks subdivisions. Concerns raised included the following:

- The street connection of the current proposed phase creating a raceway. And the lack of connection or completion of Grand Oaks Dr. for emergency access.
- Storm drainage and how it will be handled with the new subdivision. The neighbor directly to the east of the planned facility has concerns with regards to size and maintenance. General discussion on maintenance responsibilities.
- Concerns of construction traffic causing further deterioration the streets.
- General discussion that the City does not adequately maintain the local streets within Grand Oaks subdivision.
- Complained of the current condition of the undeveloped land and the lack of maintenance, such as weed control and construction equipment.
- Homeless population living within the woods along the Landon Trail currently trespass into the lots that parallel the trail and concerns with the proposed pedestrian connection allowing easier access to the subdivision.
- Request that the proposed detention facility also be constructed as a park, as the current Horseshoe Bend facility functions.
- Discussion on the need for traffic control signage throughout the subdivision (ie. Stop signs and Children Playing).

Respectfully submitted,


Mark A. Boyd
SBB Engineering, LLC

Neighborhood Information Meeting Sign in Sheet



Case #: P19/11 Horseshoe Bend Subd. No. 5

Date: May 23, 2019

1415 SW Topeka Blvd, Topeka, KS 66612

P: 785-215-8630 F: 785-215-8634

Name	Address	Phone (if desired)	E-mail (if desired)
Mark Boyd	1415 SW Topeka Blvd.	(785) 215-8630	mark.boyd@sbbeng.com
Tim Emerson	110 SE 44th Hwy	230-5694	timtim269@gmail.com
Jennifer Joy	4311 SE Truman Ave.	785-633-3367	jenny@joyhousecreative.com
Lyle Stroud	120 SE 44th Ter	785-230-0758	Lstroud@Live.com

SBB Engineering, LLC
www.sbbeng.com

mark.boyd@sbbeng.com jeff.laubach@sbbeng.com rick.schmidt@sbbeng.com brian.austin@sbbeng.com



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Jessica Lamendola, DOCUMENT #:
Director of
Administrative and
Financial Services
SECOND PARTY/SUBJECT: GO Bonds 2019-A and PROJECT #:
2019-B
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 012 Bond Ordinances
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by City Manager Brent Trout authorizing and providing for the issuance of \$35,990,000 aggregate principal amount of General Obligation [refunding and improvement] Bonds, Series 2019-A and \$1,435,000 aggregate principal amount of General Obligation Bonds, Series 2019-B (Zoo Projects), of the City of Topeka, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would allow the City to convert capital improvement projects from temporary note status to permanent financing through General Obligation Bonds.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

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 two neighborhood improvement projects, five street and trafficway projects, one facilities project, one public safety project, one quality of life project, and one special assessment project.

BUDGETARY IMPACT:

Debt service would mature serially over 15 years for general obligation projects directly funded by the City. The 2020 proposed 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**

Overview of City Borrowing Programs - Columbia Capital Memo - August 1, 2019

Project List

Ordinance

M E M O R A N D U M

0 7 . 2 3 . 1 8

Nickie Lee
City of Topeka

You asked us to provide a very high-level overview of the City of Topeka's borrowing programs. The paragraphs below provide that summary. In Kansas, cities have a small number of structures under which they can borrow, generally limited to bonds, notes and state-sponsored loans. Most borrowing by cities can be accomplished without a public vote, and the state constitution grants home rule powers to cities that allows for a significant amount of flexibility in creating bond programs to meet their individual needs.

GENERAL OBLIGATION BONDS AND TEMPORARY NOTES

In Kansas, all general obligation bonds are "unlimited" general obligations (GO). This means that issuers pledge their full faith and credit to the repayment of principal and interest in full and on time, even if that requires raising property taxes to do so. Mill levies on general obligation borrowings are unlimited under tax law, providing investors with confidence that issuers can rely on their taxpayers for full and timely payment of debt service. The City's issuance of GO bonds and notes does not require a vote of the people.

Interestingly, all political subdivisions issue their GO bonds under the same statutory authority, known as the General Bond Law (KSA 10-101 *et seq.*). The City has supplemented this statutory authority over the years through charter ordinance (home rule) authority.

Kansas permits the issuance of "temporary notes" to be used to fund construction in progress and other short-lived borrowings. Temporary notes can be regarded as GO bonds with final maturities inside of four years. The City has historically issued one-year temporary notes to finance construction in progress, including for benefit district projects that cannot be permanently financed until their completion and final assessment. We attempt to structure the City's notes as "money fund eligible," improving their marketability to tax-exempt money market fund portfolio managers which reduces the City's borrowing cost.

State law generally permits a final maturity on GO bonds up to 30 years from issuance. The City's historical practice had been to limit issuances to 20-year final maturities. Over the past few years, however, the City has generally limited issuances to 15-year final maturities on GO debt for City projects with longer maturities on special assessment projects.

The City's GO bonds are rated by Standard & Poor's and carry a 'AA' rating, the third highest rating available. The City's temporary notes carry a 'SP-1+' rating, the highest short-term rating available from Standard & Poor's.

STATE REVOLVING LOAN FUNDS (SRF)

The State of Kansas, like many states, manages revolving loan programs for both drinking water and wastewater capital programs. In Kansas, these loans are limited to approximately a 20-year term and require a GO backstop. In 1998, the City negotiated an arrangement with the Kansas Department of Health and Environment to permit the City to avoid a GO backstop of SRF loans, instead providing a bond insurance policy to cover the principal and interest on the SRF loans. The City used the SRF program for a number of projects in the early 2000s, but stopped in 2008 when it could no longer obtain 'AAA' insurance for the SRF loans due to bond insurer downgrades in the wake of the financial crisis. The City's SRF loans finally mature in 2029.

The SRF loans enjoy a first-lien position with respect to the net revenues of the City's Combined Utility, as discussed below. The SRF documents require the City to set its utility rates sufficient to pay for the costs of operating and maintaining the Combined Utility System and to pay principal and interest due on the SRF loans.

COMBINED UTILITY REVENUE BONDS

In 1998 the City refunded its outstanding water and wastewater debt and created the "Combined Utility." A few years later the City added its stormwater system to the Combined Utility, as well. Although the City operates the three utility systems as if they were independent, for debt repayment, bondholders look to the financial strength of the three utility systems combined.

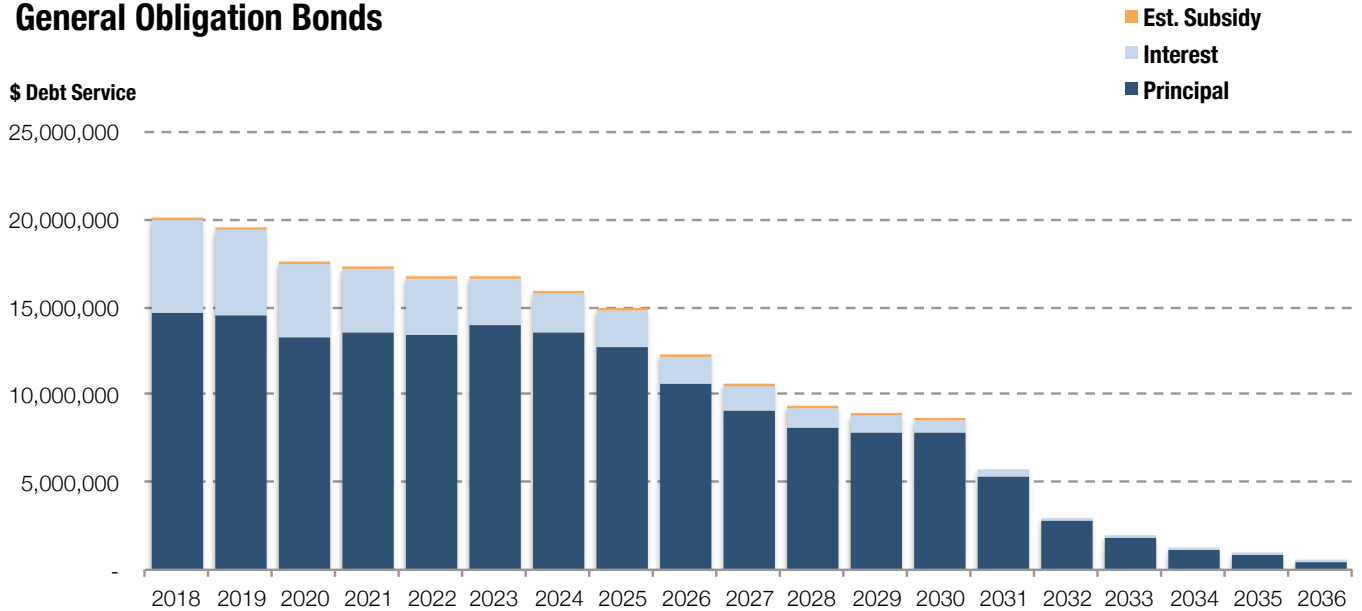
The Combined Utility revenue bonds are structured with a "net" revenue pledge. This means that the security pledged to the bondholders for repayment on revenue bonds is the amount revenues remaining after the payment of the operating and maintenance costs of the Combined Utility. As noted above, debt service payments to Combined Utility bondholders are subordinate to the City's repayment on its SRF loans. The Combined Utility system is "closed," meaning that any surplus revenues from the system remain in the system and cannot be transferred to other funds for unrelated operating or capital costs.

The City's issuance of Combined Utility revenue bonds does not require a vote of the people, but is subject to a backdoor referendum/protest period permitting a sufficient number of protestors to force a public vote. The City currently maintains a Moody's rating of 'Aa3', the fourth highest rating available. Combined Utility revenue bonds may be issued for up to 40 years; the City has historically issued 30-year bonds.

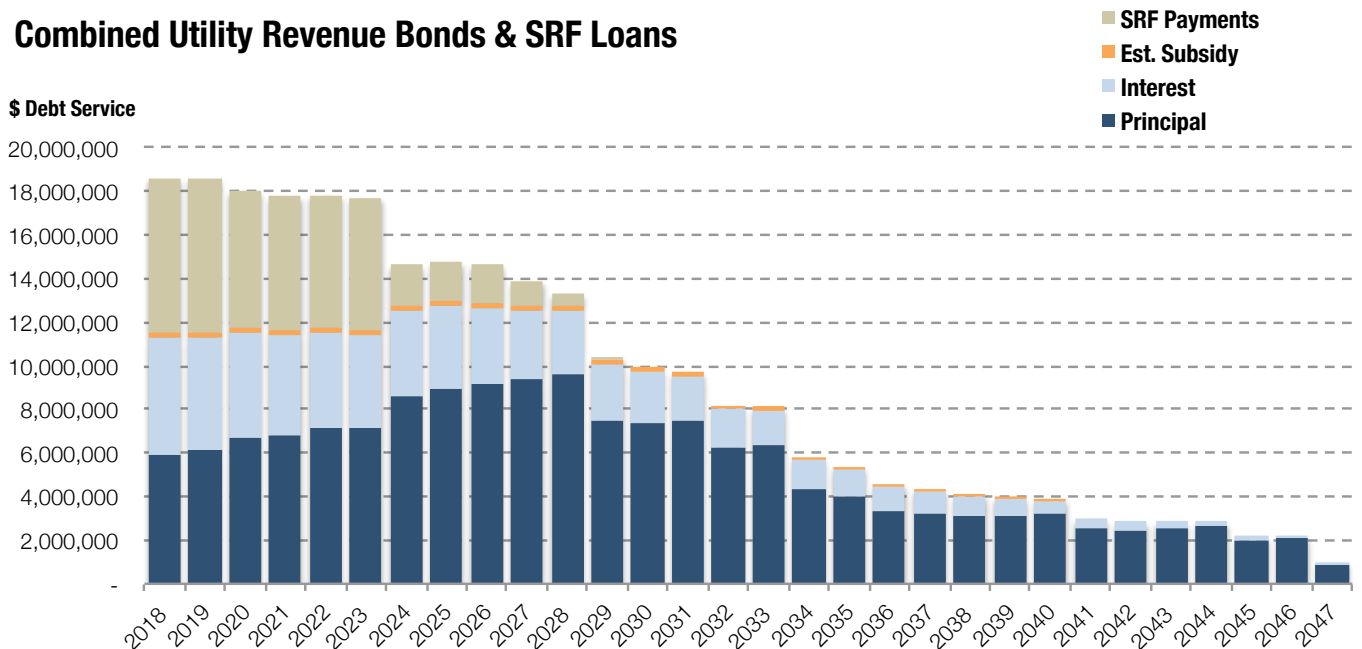
To streamline the administrative challenge of financing construction work-in-progress within the utility systems, the City has historically issued GO temporary notes on behalf of the Combined Utility, using proceeds of Combined Utility revenue bonds to retire those notes upon their maturity.

The Topeka City Council maintains full authority to establish the rates and charges of the Combined Utility. There is no additional state or third-party board or commission rate-setting oversight.

General Obligation Bonds



Combined Utility Revenue Bonds & SRF Loans



The graphs above present the City's debt repayment structure as of June 30, 2018. The downward sloping debt service structure provides the City with the ability to issue new debt

each year in roughly the same amount a debt being retired without placing pressure on the amount of taxes demanded (GO bonds) or utility rates required (Revenue Bonds).

BORROWING CAPACITY—GENERAL OBLIGATION

We do not anticipate that the City's planned 2018 issuance will create negative rating pressure. Debt burden influences only 10-15% of the City's GO bond rating and S&P's "stable" outlook reflects its expectation that the City's rating is unlikely to change over an 18-24 month time horizon.

In the aggregate, the City's general purpose GO debt has been stable to declining over the last five years, as reflected in the table below. As a percentage of assessed valuation (tax base), the City's debt burden has steadily declined over the last five years.

Change in General Obligation Debt (Excluding Note-Financed Utility Projects)

	2013	2014	2015	2016	2017	2018
Beginning GO Bond Balance	\$ 163,955,000	\$ 165,800,000	\$ 157,195,000	\$ 158,385,000	\$ 167,980,000	\$ 165,550,000
Less Bond Principal Matured	(12,695,000)	(14,195,000)	(13,855,000)	(13,310,000)	(14,215,000)	(14,600,000)
Less Bond Principal Refunded	(20,585,000)	-	(40,220,000)	(25,080,000)	(16,705,000)	-
Plus Bond Principal Issued	35,125,000	5,590,000	55,265,000	47,985,000	28,490,000	14,145,000
Ending GO Bond Balance	165,800,000	157,195,000	158,385,000	167,980,000	165,550,000	165,095,000
Beginning (Non-Utility) Notes Balance	14,685,000	22,720,000	29,415,000	20,270,000	8,295,000	6,890,000
Plus Change in (Non-Utility) Notes Balance	8,035,000	6,695,000	(9,145,000)	(11,975,000)	(1,405,000)	2,630,000
Ending Note Balance	22,720,000	29,415,000	20,270,000	8,295,000	6,890,000	9,520,000
Total Ending GO Bonds + GO Notes	\$ 188,520,000	\$ 186,610,000	\$ 178,655,000	\$ 176,275,000	\$ 172,440,000	\$ 174,615,000
City of Topeka Est. Assessed Value	1,106,396,833	1,135,205,618	1,126,187,327	1,133,023,721	1,163,193,458	1,178,734,089
GO Debt as % of Assessed Value	17.04%	16.44%	15.86%	15.56%	14.82%	14.81%

(2018 new issuance figures are estimated)

BORROWING CAPACITY—COMBINED UTILITY

The City's Combined Utility is more constrained in its borrowing capacity given current utility rates. A positive factor in the City's revenue bond rating is the unfettered ability of the Topeka City Council to set utility rates. In recent history, the City Council has generally approved multi-year rate increases which provide confidence to the rating agency that utility revenues will keep pace with increased debt service costs.

With the City's current multi-year rate increase plan coming to a conclusion, coupled with substantial capital needs in the Combined Utility, we anticipate that the City could face rating pressure over the next three years if utility rates are not increased. Based upon this year's proposed borrowing, however, we do not expect downward rating pressure on the Combined Utility.

TEMPORARY NOTES VS PERMANENT FINANCING

The City has historically used temporary notes—effectively one-year bonds with interest due at maturity—for four primary reasons:

- 1) **With respect to special assessment projects, the use of temporary notes is effectively mandated by state law.** Special assessment projects cannot be permanently financed until the project is complete, its costs have been assessed against benefitted property owners and such property owners have had a chance to pre-pay their assessments. Historically, the City has used a combined series of temporary notes each year to provide for both special assessment projects and City projects in progress.
- 2) **The Combined Utility uses temporary notes to finance work-in-progress, avoiding pressure on utility rates until projects are in revenue service.** The revenue bond statutes do not provide for a short-term borrowing program similar to temporary notes. Without the use of temporary notes, the Combined Utility would likely issue long-term bonds at the outset of construction using capitalized interest during construction to defer upward pressure on rates until project completion.

Additionally, rating agencies closely scrutinize utilities' liquidity available for daily operations (because the payment of operating expenses is senior to the payment of debt service), so significant draws on cash balances for work-in-progress can create rating pressure for the Combined Utility. The use of temporary notes avoids this.

- 3) **The use of temporary notes allows the City to avoid under- or overissuing bonds for projects.** For large scale, multi-year projects, using temporary notes permits the City to borrow only the money it needs for the next year of project costs, better tailoring borrowing needs to the project's schedule. Additionally, if fortunes change and a project either comes in under budget or does not require as much debt financing, or if a project is cancelled, the City can use unspent note proceeds to retire notes at their maturity—no more than one-year in the future. If the City were to permanently borrow for these projects, it would be unable to redeem bonds for unspent proceeds until the call date, typically between five and six years from issuance.
- 4) **Temporary notes provide for a more efficient borrowing.** In most interest rate environments, the City's cost of borrowing for one-year is substantially less than its cost to borrow for 15 or 20 years. By using temporary notes during construction, the City can reduce its borrowing cost by taking advantage of this typically "upward sloping" yield curve.

As a corollary, the City's cost of borrowing on its temporary notes is typically quite similar to the value of investment income on its cash. Unfortunately, the City cannot include in a bond borrowing the opportunity cost of investment earnings on its cash used to finance capital-in-progress. The interest cost on its temporary notes, however, is often a proxy for the value of this opportunity cost would the City have used its cash and *can* be assessed to the property owners (special assessments) and ratepayers (Combined Utility borrowings) benefitting from the City's issuance of temporary notes.

Project Number	Description	Temp Note	GO Bond	Revenue Bond
Special Assessments				
T-701027.00	St Imp SW 49th St Wenger Rd.		\$ 1,050,000	
Fire				
T-801014.00	Engines 1 & 11		\$ 1,345,500	
Neighborhoods				
T-241046.00	2019 Citywide Infill Sidewalks		\$ 600,000	
T-601094.00	2019 Neighborhood Infrastructure		\$ 1,400,000	
Traffic				
T-141024.00	2019 Traffic Signal Replacement		\$ 750,000	
T-601095.00	2019 Traffic Safety Project		\$ 220,000	
Facilities				
T-131036.00	Municipal Bldg Renov/Mech Sys		\$ 8,425,000	
Streets				
T-601096.00	2019 Complete Streets		\$ 100,000	
T-601097.00	2019 Citywide Infrastructure		\$ 225,000	
T-701014.00	SW Huntoon/I470/Arvonla PI		\$ 3,056,500	
Quality of Life				
T-301056.00	Zoo Storm Drainage,Parking, Group Ent		\$ 1,456,000	
Utilities				
T-281055.00	2MG West Elevated Tank	\$ 510,028		
T-281091.00	2.2 MGD Meriden Booster Station			\$ 788,826
T-281106.00	Soldier Township Improvements			
T-281122.00	2020 Water Main Replacement			\$ 3,000,000
T-281123.00	2020 Water Treatment Plant Rehab			\$ 1,000,000
T-281141.02	Citywide Water Meter Replacement - Year 2			\$ 2,000,000
T-281160.00	Water Treatment Modifications			\$ 2,213,250
T-281160.01	Water Treatment Modifications Ph II	\$ 2,000,000		
T-281161.00	Central Zone Improvements	\$ 1,000,000		
T-281194.00	Montara Water Tower	\$ 1,500,000		
T-281200.00	Soldier (Meriden PhII) BPS	\$ 400,000		
T-281201.00	2020 SCADA System Upgrades			\$ 775,000
T-501012.00	Levee Repairs Replacement	\$ 1,122,058		
T-501036.00	2019 Storm Convey Sys Rehab			\$ 1,400,000
T-502730.00	In-Situ Fairlawn 22nd Pk/28th St			\$ 1,800,000
T-291018.12	Solids Handling Ph II - Wastewater	\$ 6,630,346		\$ 1,500,000
T-291018.22	Solids Handling Ph II - Biogas	\$ 3,633,520		
T-291050.00	Eastside IS Relief CSO	\$ 4,080,213		
T-291056.00	Wanamaker Force Main Rehab	\$ 612,032		
T-291057.00	Ash St Force Main Replacement	\$ 8,160,425		
T-291058.00	Shunga Pump Station Rehab	\$ 1,122,058		
T-291059.00	WW PS VFD Replacement			\$ 625,000
T-291060.00	Oakland Aerator & Mixing Replace	\$ 6,120,319		
T-291061.00	Grant/Jefferson Pump Station	\$ 1,020,053		
T-291062.00	Ultraviolet Expansion Oakland	\$ 5,100,266		
T-291067.00	2018 San Swr Interceptor Rehab			\$ 1,500,000
T-291068.00	2018 Small WW PS Rehab			\$ 1,500,000
T-291072.00	2019 WW Replacement Program			\$ 3,000,000
T-291074.00	2019 WPC Facility Rehab Program			\$ 1,000,000
T-291097.00	2020 WPC SCADA System Upgrade			\$ 810,000
Total Projects		\$ 43,011,318	\$ 18,628,000	\$ 22,912,076

ORDINANCE NO. _____

OF

THE CITY OF TOPEKA, KANSAS

PASSED

AUGUST 13, 2019

\$_____*
**GENERAL OBLIGATION [REFUNDING AND
IMPROVEMENT] BONDS**
SERIES 2019-A

\$_____*
GENERAL OBLIGATION BONDS
SERIES 2019-B (ZOO PROJECTS)

DATED SEPTEMBER 10, 2019

(PUBLISHED IN THE **TOPEKA METRO NEWS** ON AUGUST ___, 2019)

ORDINANCE NO. _____

AN ORDINANCE INTRODUCED BY CITY MANAGER BRENT TROUT AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$_____* AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION [REFUNDING AND IMPROVEMENT] BONDS, SERIES 2019-A AND \$_____* AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2019-B (ZOO PROJECTS), OF THE CITY OF TOPEKA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

WHEREAS, the City of Topeka, Kansas (the “City”) is a city of the first class, duly created, organized and existing under the Constitution and laws of the State of Kansas (the “State”); and

WHEREAS, pursuant to the provisions of the laws of the State applicable thereto, as described in the definition of the “Act” herein, by proceedings duly had, the City Council (the “Governing Body”) of the City has caused or authorized, and does by this Ordinance hereby further authorize, certain capital improvements, as more fully listed and in the amounts shown on ***Schedule I*** to the hereinafter defined Bond Resolution (collectively the “Improvements”) to be made; and

WHEREAS, all legal requirements pertaining to the Improvements have been complied with, and the Governing Body has found and determined that the total cost of the Improvements (including interest on temporary notes of the City and issuance costs of the Bonds) and related expenses, less other funds available to the City as detailed on said ***Schedule I***, leaves a balance of at least \$_____ to be paid by the City at large and to be financed by the issuance of general obligation bonds of the City; and

WHEREAS, the Governing Body is authorized by law to issue general obligation bonds of the City to pay all or a portion of the costs of the Improvements; and

WHEREAS, the City heretofore issued and has outstanding the Refunded Bonds and is authorized by K.S.A. 10-427 *et seq.* to issue general obligation refunding bonds of the City for the purpose of refunding the Refunded Bonds; and

WHEREAS, in order to achieve interest cost savings through early redemption of the Refunded Bonds, and provide an orderly plan of finance for the City, it has become desirable and in the best interest of the City and its inhabitants to refund the Refunded Bonds; and

WHEREAS, none of such general obligation bonds heretofore authorized have been issued and the City proposes to issue \$_____* of its general obligation bonds, together with bid premium thereon, to pay the costs of a portion of the Improvements, retire a portion of the City’s Series 2018-A Temporary Notes, and refund the Refunded Bonds; and \$_____* of its general obligation bonds, together with bid premium thereon, to pay the costs of a portion of the Improvements related to projects at the Topeka Zoo and retire a portion of the City’s Series 2018-A Temporary Notes; and

WHEREAS, the Governing Body has advertised the sale of the Bonds in accordance with the law and at a meeting held in the City on this date awarded the sale of such Bonds to the best bidders.

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

Section 1. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-620 *et seq.*, K.S.A. 12-6a01 *et seq.*, K.S.A. 12-110c *et seq.*, K.S.A. 10-427 *et seq.*, Charter Ordinance No. 89 of the City, and Article 12, Section 5 of the Constitution of the State of Kansas, all as amended and supplemented from time to time.

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

“Bond Resolution” means the resolution to be adopted by the Governing Body prescribing the terms and details of the Bonds and making covenants with respect thereto.

“Bonds” means, jointly, the Series 2019-A Bonds and Series 2019-B Bonds.

“City” means the City of Topeka, Kansas.

“Clerk” means the duly appointed and acting Clerk of the City or, in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk.

“Director of Administrative and Financial Services” means the duly appointed and acting Director of Administrative and Financial Services of the City or, in the Director of Administrative and Financial Services' absence, the duly appointed Deputy, Assistant or Acting Director of Administrative and Financial Services of the City.

“Improvements” means the improvements described in *Schedule I* to the Bond Resolution and any Substitute Improvements.

“Governing Body” means the City Council of the City.

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

“Ordinance” means this Ordinance authorizing the issuance of the Bonds.

“Refunded Bonds” means collectively: (a) the Series 2011-B Bonds maturing in the years [2020] to [2031], inclusive, in the aggregate principal amount of \$[2,365,000]; (b) the Series 2013-A Bonds maturing in the years [2020] to [2031], inclusive, in the aggregate principal amount of \$[10,355,000]; and (c) the Series 2013-B Bonds maturing in the years [2020] to [2033] inclusive, in the aggregate principal amount of \$[7,775,000].

“Refunded Notes” means that portion of the Series 2018-A Notes paid from the proceeds of the Bonds and other available funds of the Issuer.

“Series 2011-B Bonds” means the City's General Obligation Bonds, Series 2011-B (Special Assessment Improvements), dated September 29, 2011.

“Series 2013-A Bonds” means the City's General Obligation Refunding Bonds, Series 2013-A, dated June 4, 2013.

“Series 2013-B Bonds” means the City's General Obligation Bonds, Series 2013-B, dated September 30, 2013.

“Series 2018-A Notes” means the City's General Obligation Temporary Renewal and Improvement Notes, Series 2018-A, dated September 4, 2018.

“Series 2019-A Bonds” means the City's General Obligation [Refunding and Improvement] Bonds, Series 2019-A, in the aggregate amount of \$_____, dated September 10, 2019, and authorized by this Ordinance.

“Series 2019-B Bonds” means the City's General Obligation Bonds, Series 2019-B (Zoo Projects), in the aggregate amount of \$_____, dated September 10, 2019, and authorized by this Ordinance.

“State” means the State of Kansas.

“Substitute Improvements” means the substitute or additional improvements of the City authorized in the manner set forth in the Bond Resolution.

Section 2. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation [Refunding and Improvement] Bonds, Series 2019-A, of the City in the principal amount of \$_____, for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements; (b) pay a portion of the costs of issuance of the Bonds; (c) retire a portion of the Refunded Notes; and (d) refund the Refunded Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Bonds, Series 2019-B (Zoo Projects), of the City in the principal amount of \$_____, for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements related to projects at the Topeka Zoo; (b) pay a portion of the costs of issuance of the Bonds; and (c) retire a portion of the Refunded Notes.

Section 3. Security for the Bonds. The Series 2019-A Bonds shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of certain portions of the Improvements and certain improvements financed by the Refunded Bonds, and if not so paid, 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 Issuer. The Series 2019-B 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 Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 4. Terms, Details and Conditions of the Bonds. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner

prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the Governing Body.

Section 5. Levy and Collection of Annual Tax. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the City in the manner provided by law.

The taxes and/or assessments above referred to 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 general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the paying agent for the Bonds. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the City 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.

Section 6. Further Authority. The Mayor, Director of Administrative and Financial Services, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make 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 7. Governing Law. This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of the Ordinance or a summary thereof in the official City newspaper.

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PASSED AND APPROVED by the Governing Body on August 13, 2019 and **SIGNED** by the Mayor.

(SEAL)

Mayor

ATTEST:

Clerk

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CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on August 13, 2019; that the record of the final vote on its passage is found on page ____ of journal ____; and that the Ordinance or a summary thereof was published in the ***Topeka Metro News*** on August ____, 2019.

DATED: August 13, 2019.

Clerk

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City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Jessica Lamendola, DOCUMENT #:
Director of
Administrative and
Financial Services
SECOND PARTY/SUBJECT: GO Bonds Series 2019- PROJECT #:
A and 2019-B
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Brent Trout prescribing the form and details of and authorizing and directing the sale and delivery of \$35,990,000 aggregate principal amount of General Obligation [refunding and improvement] Bonds, Series 2019-A and \$1,435,000 aggregate principal amount of General Obligation Bonds, Series 2019-B (Zoo Projects), of the City of Topeka, Kansas, previously authorized by Ordinance of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would permanently finance two neighborhood improvement projects, five street and trafficway projects, one public safety project, one quality of life project, one facilities project, and one special assessment project.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

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 permanently finance one neighborhood improvement project, six street and trafficway projects, one public safety project, two quality of life projects, and four special assessment projects.

BUDGETARY IMPACT:

Debt service would mature serially over 15 years for general obligation projects directly funded by the City. The 2020 proposed budget included the issuance of new bonds for projects, plus the costs of issuance and interest costs.

SOURCE OF FUNDING:

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

ATTACHMENTS:

Description

Project List

Resolution

Project Number	Description	Temp Note	GO Bond	Revenue Bond
Special Assessments				
T-701027.00	St Imp SW 49th St Wenger Rd.		\$ 1,050,000	
Fire				
T-801014.00	Engines 1 & 11		\$ 1,345,500	
Neighborhoods				
T-241046.00	2019 Citywide Infill Sidewalks		\$ 600,000	
T-601094.00	2019 Neighborhood Infrastructure		\$ 1,400,000	
Traffic				
T-141024.00	2019 Traffic Signal Replacement		\$ 750,000	
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Facilities				
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Streets				
T-601096.00	2019 Complete Streets		\$ 100,000	
T-601097.00	2019 Citywide Infrastructure		\$ 225,000	
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Quality of Life				
T-301056.00	Zoo Storm Drainage,Parking, Group Ent		\$ 1,456,000	
Utilities				
T-281055.00	2MG West Elevated Tank	\$ 510,028		
T-281091.00	2.2 MGD Meriden Booster Station			\$ 788,826
T-281106.00	Soldier Township Improvements			
T-281122.00	2020 Water Main Replacement			\$ 3,000,000
T-281123.00	2020 Water Treatment Plant Rehab			\$ 1,000,000
T-281141.02	Citywide Water Meter Replacement - Year 2			\$ 2,000,000
T-281160.00	Water Treatment Modifications			\$ 2,213,250
T-281160.01	Water Treatment Modifications Ph II	\$ 2,000,000		
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T-291068.00	2018 Small WW PS Rehab			\$ 1,500,000
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T-291074.00	2019 WPC Facility Rehab Program			\$ 1,000,000
T-291097.00	2020 WPC SCADA System Upgrade			\$ 810,000
Total Projects		\$ 43,011,318	\$ 18,628,000	\$ 22,912,076

RESOLUTION NO. _____

OF

THE CITY OF TOPEKA, KANSAS

ADOPTED

AUGUST 13, 2019

\$ _____*
**GENERAL OBLIGATION [REFUNDING AND
IMPROVEMENT] BONDS**
SERIES 2019-A

\$ _____*
GENERAL OBLIGATION BONDS
SERIES 2019-B (ZOO PROJECTS)

DATED SEPTEMBER 10, 2019

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RESOLUTION NO. _____

A RESOLUTION INTRODUCED BY CITY MANAGER BRENT TROUT PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$_____ * AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION [REFUNDING AND IMPROVEMENT] BONDS, SERIES 2019-A AND \$_____ * AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2019-B (ZOO PROJECTS), OF THE CITY OF TOPEKA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. _____ OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

WHEREAS, the City Council (the “Governing Body”) of the City of Topeka, Kansas (the “Issuer”) has heretofore passed the hereinafter defined Ordinance authorizing the issuance of its General Obligation [Refunding and Improvement] Bonds, Series 2019-A (the “Series 2019-A Bonds”), and General Obligation Bonds, Series 2019-B (Zoo Projects) (the “Series 2019-B Bonds,” and, with the Series 2019-A Bonds, jointly, the “Bonds”); and

WHEREAS, said Ordinance authorized the governing body of the Issuer to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to 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 defined elsewhere herein, the following words and terms as used in this Bond Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-620 *et seq.*, K.S.A. 12-6a01 *et seq.*, K.S.A. 12-110c *et seq.*, K.S.A. 10-427 *et seq.*, Charter Ordinance No. 89 of the City, and Article 12, Section 5 of the Constitution of the State of Kansas, all as amended and supplemented from time to time.

“Authorized Denomination” means \$5,000 or any integral multiples thereof.

“Beneficial Owner” of the Bonds includes any Owner of the Bonds and any other Person who, directly or indirectly has the investment power with respect to such Bonds.

“Bond and Interest Fund” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“Bond Counsel” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“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 State Treasurer and any successors and assigns.

“Bond Resolution” means this resolution relating to the Bonds.

“Bonds” or **“Bond”** means, jointly, the Series 2019-A Bonds and Series 2019-B Bonds.

“Business Day” means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and 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 of DTC and any successor nominee of DTC.

“City” means the City of Topeka, Kansas.

“Clerk” means the duly appointed and/or elected Clerk or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder by the United States Department of the Treasury.

“Consulting Engineer” means an independent engineer or engineering firm, or architect or architectural firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by this Bond Resolution.

“Costs of Issuance” means all costs of issuing the Bonds, including but not limited to 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, all expenses incurred in connection with receiving ratings on the Bonds, and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

“Costs of Issuance Account” means the account by that name created herein.

“Dated Date” means September 10, 2019.

“Debt Service Account” means, jointly, the Debt Service Account--Series 2019-A Bonds and Debt Service Account--Series 2019-B Bonds.

“Debt Service Account--Series 2019-A Bonds” means the Debt Service Account for General Obligation [Refunding and Improvement] Bonds, Series 2019-A created within the Bond and Interest Fund pursuant to **Section 501** hereof.

“Debt Service Account--Series 2019-B Bonds” means the Debt Service Account for General Obligation Bonds, Series 2019-B (Zoo Projects) created within the Bond and Interest Fund pursuant to **Section 501** hereof.

“Debt Service Requirements” means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Bonds for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

“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;

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

(6) such obligations are rated in a rating category by Moody's or Standard & Poor's that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

“Derivative” means any 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.

“Director of Administrative and Financial Services” means the duly appointed and acting Director of Administrative and Financial Services of the Issuer or, in the Director of Administrative and Financial Services' absence, the duly appointed Deputy, Assistant or Acting Director of Administrative and Financial Services of the Issuer.

“Disclosure Undertaking” means the Issuer’s Continuing Disclosure Undertaking relating to the Bonds, dated September 10, 2019, as may be amended and supplemented, relating to certain obligations contained in the SEC Rule.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

“DTC Representation Letter” means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

“Event of Default” means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, 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;

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

(c) The Issuer 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 Bond Resolution (other than the covenants relating to continuing disclosure requirements contained herein and in the Disclosure Undertaking) on the part of the Issuer to be performed, 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 Issuer by the Owner of any of the Bonds then Outstanding.

“Federal Tax Certificate” means the Issuer's Federal Tax Certificate dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the Governing Body to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

“Fiscal Year” means the twelve-month period ending on December 31.

“Fitch” means Fitch Ratings, a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Fitch” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

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

“Governing Body” means the City Council of the Issuer.

“Improvement Fund” means, jointly, the Improvement Fund—Series 2019-A Bonds and Improvement Fund—Series 2019-B Bonds.

“Improvement Fund—Series 2019-A Bonds” means the Improvement Fund for General Obligation [Refunding and Improvement] Bonds, Series 2019-A, created pursuant to **Section 501** hereof.

“Improvement Fund—Series 2019-B Bonds” means the Improvement Fund for General Obligation Bonds, Series 2019-B (Zoo Projects), created pursuant to **Section 501** hereof.

“Improvements” means the improvements described on **Schedule I** to this Bond Resolution and any Substitute Improvements.

“Independent Accountant” means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Bond Resolution.

“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, 2020.

“Issue Date” means the date when the Issuer delivers the Bonds to the Purchaser in exchange for the Purchase Price.

“Issuer” means the City and any successors or assigns.

“Kroll” means Kroll Bond Rating Agency, Inc., a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Kroll” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

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

“Mayor” means the duly elected and acting Mayor, or in the Mayor's absence, the duly appointed and/or elected Deputy Mayor or Acting Mayor of the Issuer.

“Moody's” means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody's” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Notice Address” means with respect to the following entities:

(a) To the Issuer at:

Department of Finance
215 SE 7th Street

Topeka, Kansas 66603-3914
Fax: (785) 368-3943

(b) To the Paying Agent at:

State Treasurer of the State of Kansas
Landon Office Building
900 Southwest Jackson, Suite 201
Topeka, Kansas 66612-1235
Fax: (785) 296-6976

(c) To the Purchaser:

Series 2019-A Bonds:

Fax:

Series 2019-B Bonds:

Fax:

(d) To the Rating Agency(ies):

Moody's Municipal Rating Desk
7 World Trade Center
250 Greenwich Street
23rd Floor
New York, New York 10007

S&P Global Ratings, a division of S&P Global Inc.
55 Water Street, 38th Floor
New York, New York 10004

Fitch Ratings
One State Street Plaza
New York, New York 10004

Kroll Bond Rating Agency
845 Third Avenue, 4th Floor
New York, New York 10022

or such other address as is furnished in writing to the other parties referenced herein.

“Notice Representative” means:

- (a) With respect to the Issuer, the Director of Administrative and Financial Services.
- (b) With respect to the Bond Registrar and Paying Agent, the Director of Bond Services.
- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

“Official Statement” means Issuer’s Official Statement relating to the Bonds.

“Ordinance” means Ordinance No. _____ of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

“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 **Article VII** hereof; and
- (c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register. Whenever consent of the Owners is required pursuant to the terms of this Bond Resolution, and the Owner of the Bonds, as set forth on the Bond Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Bonds.

“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.

“Permitted Investments” shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (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 Issuer's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in any of the three highest rating categories by Moody's or Standard & Poor's; (i) investments and 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

State 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), all as may be further restricted or modified by amendments to applicable State law.

“Person” means any natural person, 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 (a) with respect to the Series 2019-A Bonds, the principal amount of the Bonds plus accrued interest to the date of delivery[, plus a premium of \$[_____]], less an underwriting discount of \$[_____]], less an original issue discount of \$[_____]]; and (b) with respect to the Series 2019-B Bonds, the principal amount of the Bonds plus accrued interest to the date of delivery[, plus a premium of \$[_____]], less an underwriting discount of \$[_____]], less an original issue discount of \$[_____]].

“Purchaser” means (a) with respect to the Series 2019-A Bonds, _____, the original purchaser of the Series 2019-A Bonds, and any successor and assigns; and (b) with respect to the Series 2019-B Bonds, _____, the original purchaser of the Series 2019-B Bonds, and any successor and assigns.

“Rating Agency” means any company, agency or entity that provides, pursuant to request of the Issuer, financial ratings for the Bonds.

“Record Dates” for the interest payable on any Interest Payment Date means the first day (whether or not a Business Day) of the calendar 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 Bond Resolution.

“Redemption Fund” means the Redemption Fund for Refunded Bonds and Refunded Notes created pursuant to **Section 501** hereof.

“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 Bond 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 collectively: (a) the Series 2011-B Bonds maturing in the years [2020] to [2031], inclusive, in the aggregate principal amount of \$[2,365,000]; (b) the Series 2013-A Bonds maturing in the years [2020] to [2031], inclusive, in the aggregate principal amount of \$[10,355,000]; and (c) the Series 2013-B Bonds maturing in the years [2020] to [2033] inclusive, in the aggregate principal amount of \$[7,775,000].

“Refunded Bonds Paying Agent” means the respective paying agent for each series of the Refunded Bonds as designated in the respective Refunded Bonds Resolution, and any successor or successors at the time acting as paying agent for any of the Refunded Bonds.

“Refunded Bonds Redemption Date” means, collectively, September 11, 2019.

“Refunded Bonds Resolution” means each ordinance and resolution which authorized the Refunded Bonds.

“Refunded Notes” means that portion of the Series 2018-A Notes paid from the proceeds of the Bonds and other available funds of the Issuer.

“Refunded Notes Paying Agent” means the paying agent for the Refunded Notes as designated in the Refunded Notes Resolution, and any successor or successors at the time acting as paying agent of the Refunded Notes.

“Refunded Notes Resolution” means the resolution which authorized the Refunded Notes.

“Replacement Bonds” means Bonds issued to the Beneficial Owners of the Bonds in accordance with **Section 210** hereof.

“SEC Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

“Securities Depository” means, initially, DTC, and its successors and assigns.

“Series 2011-B Bonds” means the City's General Obligation Bonds, Series 2011-B (Special Assessment Improvements), dated September 29, 2011.

“Series 2013-A Bonds” means the City's General Obligation Refunding Bonds, Series 2013-A, dated June 4, 2013.

“Series 2013-B Bonds” means the City's General Obligation Bonds, Series 2013-B, dated September 30, 2013.

“Series 2018-A Notes” means the City's General Obligation Temporary Renewal and Improvement Notes, Series 2018-A, dated September 4, 2018.

“Series 2019-A Bonds” means the City's General Obligation [Refunding and Improvement] Bonds, Series 2019-A, in the aggregate amount of \$_____, dated September 10, 2019, and authorized by the Ordinance.

“Series 2019-B Bonds” means the City's General Obligation Bonds, Series 2019-B (Zoo Projects), in the aggregate amount of \$_____, dated September 10, 2019, and authorized by the Ordinance.

“Special Record Date” means the date fixed by the Paying Agent pursuant to **Article II** hereof for the payment of Defaulted Interest.

“Standard & Poor's” or “S&P” means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor's shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“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.

“Stated Maturity” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in **Article V** hereof.

“Treasurer” means the duly appointed and/or elected Treasurer of the Issuer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting 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 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), or securities which represent an undivided interest in such obligations, and such obligations are held in a custodial account for the benefit of the Issuer.

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. The Series 2019-A Bonds have been heretofore authorized and directed to be issued pursuant to the Ordinance in the principal amount of \$_____, for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements; (b) pay a portion of the costs of issuance of the Bonds; (c) retire a portion of the Refunded Notes; and (d) refund the Refunded Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Bonds, Series 2019-B (Zoo Projects), of the City in the principal amount of \$_____, for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements related to projects at the Topeka Zoo; (b) pay a portion of the costs of issuance of the Bonds; and (c) retire a portion of the Refunded Notes.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in an Authorized Denomination, and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated as of the Dated Date, 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:

SERIAL BONDS – SERIES 2019-A BONDS

Stated Maturity	Principal	Annual Rate	Stated Maturity	Principal	Annual Rate
<u>August 15</u>	<u>Amount</u>	<u>of Interest</u>	<u>August 15</u>	<u>Amount</u>	<u>of Interest</u>
2020	\$	____%	2028	\$	____%
2021		____%	2029		____%
2022		____%	2030		____%

2023	_____%	2031	_____%
2024	_____%	2032	_____%
2025	_____%	2033	_____%
2026	_____%	2034	_____%
2027	_____%		

SERIAL BONDS – SERIES 2019-B BONDS

<u>Stated Maturity</u> <u>August 15</u>	<u>Principal</u> <u>Amount</u>	<u>Annual Rate</u> <u>of Interest</u>	<u>Stated Maturity</u> <u>August 15</u>	<u>Principal</u> <u>Amount</u>	<u>Annual Rate</u> <u>of Interest</u>
2020	\$	_____%	2028	\$	_____%
2021		_____%	2029		_____%
2022		_____%	2030		_____%
2023		_____%	2031		_____%
2024		_____%	2032		_____%
2025		_____%	2033		_____%
2026		_____%	2034		_____%
2027		_____%			

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 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 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 State Treasurer is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Bond Registrar and Paying Agent for the Bonds.

The Issuer will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Bond Registrar by (a) 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 (b) 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, 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 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 at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of an interest payment to Cede & Co. or 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 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 Issuer 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 Issuer of such Special Record Date and, in the name and at the expense of the Issuer, 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 Issuer.

Section 205. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

Section 206. Registration, Transfer and Exchange of Bonds. The Issuer 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 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 Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Bond 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 Code § 3406, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The Issuer 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 Paying Agent pursuant to **Article III** 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 Issuer 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 this **Article II**.

The Issuer 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 Issuer 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 (or a designated representative thereof) 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 207. 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 Issuer by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk, and the seal of the Issuer 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 Issuer 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 Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds as herein specified, and when duly executed, to deliver the Bonds to the Bond Registrar for authentication.

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 Bond Resolution or be valid or obligatory for any purpose unless and until such certificate 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 Bond Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the Issuer or its representative.

Section 208. 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 Issuer and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer'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 Issuer, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the Issuer and the Paying Agent 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 Paying Agent) connected therewith.

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

Section 209. 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 Issuer.

Section 210. Book-Entry Bonds; Securities Depository. The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in this Section. 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 the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) 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 (3) 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

(b) 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 of 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 (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph 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 Issuer, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, 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 Issuer.

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 Issuer may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar 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 an Authorized Denominations and form as provided herein.

Section 211. 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 Issuer 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 Bond Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

Section 212. Preliminary and Final Official Statement. For the purpose of enabling the Purchaser to comply with the requirements of Section (b)(1) of the SEC Rule, the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be “final” as of its date, except for the omission of such information as is permitted by Section (b)(1) of the SEC Rule, and the appropriate officers of the Issuer are hereby authorized, if requested, to provide the 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 Purchaser to comply with the requirement of the SEC Rule.

The 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 and Director of Administrative and Financial Services are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of the SEC Rule and Rule G-32 of the Municipal Securities Rulemaking Board.

Section 213. Sale of the Bonds. The sale of the Bonds to the Purchasers is hereby ratified and confirmed. The Mayor and Clerk are hereby authorized to execute the official bid forms submitted by the Purchasers. Delivery of the Bonds shall be made to the Purchaser on the Issue Date (which shall be as soon as practicable after the adoption of this Bond Resolution), upon payment of the Purchase Price.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption by Issuer.

Optional Redemption. At the option of the Issuer, the Series 2019-A Bonds maturing on August 15 in the years [2025], and thereafter, will be subject to redemption and payment prior to their Stated

Maturity on February 15, [2025], and thereafter, as a whole or in part (selection of maturities and the amount of Series 2019-A Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

At the option of the Issuer, the Series 2019-B Bonds maturing on August 15 in the years [2025], and thereafter, will be subject to redemption and payment prior to their Stated Maturity on February 15, [2025], and thereafter, as a whole or in part (selection of maturities and the amount of Series 2019-B Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

[**Mandatory Redemption.** [(a) [] Term Bonds.] 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 Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on August 15 in each year, the following principal amounts of such [] Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
\$	
	*

*Final Maturity

[(b) [] Term Bonds. 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 Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on August 15 in each year, the following principal amounts of such [] Term Bonds:

<u>Principal Amount</u>	<u>Year</u>
\$	
	[]*

*Final Maturity]

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the Issuer 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 Issuer 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) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. 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 Issuer 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 as designated by the Issuer, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the Issuer intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the Issuer 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 an Authorized Denomination. When less than all of the Bonds are to be redeemed and paid prior to their Stated Maturity, such Bonds shall be redeemed in such manner as the Issuer shall determine. Bonds of less than a full Stated Maturity shall be selected by the Bond Registrar in a minimum Authorized Denomination 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 a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption a minimum Authorized Denomination of face value shall be treated as though it were a separate Bond of the denomination of a minimum Authorized Denomination. If it is determined that one or more, but not all, of a minimum Authorized Denomination of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem a minimum Authorized Denomination, 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 a minimum Authorized Denomination 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 of a minimum Authorized Denomination of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the Issuer 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 the Bond Registrar at least 45 days prior to the Redemption Date of written instructions of the Issuer specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. [The foregoing provisions of this paragraph shall not apply in the case of any mandatory redemption of Term Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such mandatory redemption requirements without the necessity of any action by the Issuer and whether or not the Paying Agent holds moneys available and sufficient to effect the required redemption.]

Unless waived by any Owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the Purchaser. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the Owners of said Bonds. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

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

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding 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 Issuer 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.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

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 Issuer 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 of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date 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.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. Further notice may be given by the Issuer or the Bond Registrar on behalf of the Issuer as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed:

- (a) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2)

the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) Each further notice of redemption shall be sent at least one day before the mailing of notice to Owners by first class, registered or certified mail or overnight delivery, as determined by the Bond Registrar, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

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

ARTICLE IV

SECURITY FOR BONDS

Section 401. Security for the Bonds. The Series 2019-A Bonds shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of certain portions of the Improvements and certain improvements financed by the Refunded Bonds, and if not so paid, 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 Issuer. The Series 2019-B Bonds shall be general obligations of the Issuer 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 Issuer.

The full faith, credit and resources of the Issuer 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; Transfer to Debt Service Account. The Governing Body shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by, to the extent necessary, levying and collecting the necessary taxes upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes and/or assessments 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 Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be transferred to the respective Debt Service Account and shall be used solely for the payment of the principal of and interest on the respective Bonds as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the respective Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer 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 BOND PROCEEDS

Section 501. Creation of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Improvement Fund for General Obligation [Refunding and Improvement] Bonds, Series 2019-A.
- (b) Improvement Fund for General Obligation Bonds, Series 2019-B (Zoo Projects).
- (c) Redemption Fund for Refunded Bonds and Refunded Notes.
- (d) Debt Service Account for General Obligation [Refunding and Improvement] Bonds, Series 2019-A (within the Bond and Interest Fund).
- (e) Debt Service Account for General Obligation Bonds, Series 2019-B (Zoo Projects) (within the Bond and Interest Fund).
- (f) Costs of Issuance Account for General Obligation [Refunding and Improvement] Bonds, Series 2019-A, and General Obligation Bonds, Series 2019-B (Zoo Projects).

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

Section 502. Deposit of Bond Proceeds. (a) The net proceeds received from the sale of the Series 2019-A Bonds shall be deposited simultaneously with the delivery of the Series 2019-A Bonds as follows:

- (1) All accrued interest and excess proceeds, if any, received from the sale of the Series 2019-A Bonds shall be deposited in the Debt Service Account—Series 2019-A Bonds.
- (2) The sum of \$_____ shall be deposited in the Costs of Issuance Account.
- (3) The sum of \$_____ shall be deposited in the Redemption Fund.
- (4) The remaining balance of the proceeds derived from the sale of the Series 2019-A Bonds (\$_____) shall be deposited into the Improvement Fund--Series 2019-A Bonds.

(b) The net proceeds received from the sale of the Series 2019-B Bonds shall be deposited simultaneously with the delivery of the Series 2019-B Bonds as follows:

(1) All accrued interest and excess proceeds, if any, from the sale of the Series 2019-B Bonds shall be deposited in the Debt Service Account—Series 2019-B Bonds.

(2) The sum of \$_____ shall be deposited in the Costs of Issuance Account.

(3) Series 2019-B Bond proceeds in the amount of \$_____ shall be deposited in the Redemption Fund, [along with \$_____ of unspent proceeds of the Series 2018-A Notes allocable to Zoo project referenced herein].

(4) The remaining balance of the proceeds derived from the sale of the Series 2019-B Bonds (\$_____,) shall be deposited into the Improvement Fund--Series 2019-B Bonds.

Section 503. Application of Moneys in the Improvement Fund. Moneys in the Improvement Fund—Series 2019-A Bonds shall be used for the sole purpose of: (a) paying a portion of the costs of the Improvements, in accordance with the plans and specifications therefor prepared by the Consulting Engineer heretofore approved by the Governing Body and on file in the office of the Clerk, including any alterations in or amendments to said plans and specifications deemed advisable by the Consulting Engineer and approved by the Governing Body; and (b) paying any amount necessary to satisfy the Rebate Amount (as defined in the Federal Tax Certificate).

Moneys in the Improvement Fund—Series 2019-B Bonds shall be used for the sole purpose of: (a) paying the costs of a portion of the Improvements related to Zoo Projects (identified on **Schedule I** as Project Number T-301056.00) in accordance with the plans and specifications therefor prepared by the Consulting Engineer heretofore approved by the Governing Body and on file in the office of the Clerk, including any alterations in or amendments to said plans and specifications deemed advisable by the Consulting Engineer and approved by the Governing Body; and (b) paying any amount necessary to satisfy the Rebate Amount (as defined in the Federal Tax Certificate).

Withdrawals from the Improvement Fund shall be made only when authorized by the Governing Body. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Director of Administrative and Financial Services (or designate) stating that such payment is being made for a purpose within the scope of this Bond Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Director of Administrative and Financial Services (or designate) stating that such payment is being made for a purpose within the scope of this Bond Resolution.

Upon completion of the Improvements, any surplus remaining in the Improvement Fund—Series 2019-A Bonds shall be deposited in the Debt Service Account—Series 2019-A Bonds.

Upon completion of the Improvements, any surplus remaining in the Improvement Fund—Series 2019-B Bonds shall be deposited in the Debt Service Account—Series 2019-B Bonds.

Section 504. Substitution of Improvements; Reallocation of Proceeds.

(a) The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Bonds provided the following conditions are met: (1) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement

has been duly authorized by the Governing Body in accordance with the laws of the State; (2) a resolution or ordinance authorizing the use of the proceeds of the Bonds to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the Governing Body pursuant to this Section, (3) the Attorney General of the State has approved the amendment made by such resolution or ordinance to the transcript of proceedings for the Bonds to include the Substitute Improvements; and (4) the use of the proceeds of the Bonds to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Bonds under State or federal law.

(b) The Issuer may reallocate expenditure of Bond proceeds among all Improvements financed by the Bonds; provided the following conditions are met: (1) the reallocation is approved by the Governing Body; (2) the reallocation shall not cause the proceeds of the Bonds allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (3) the reallocation will not adversely affect the tax-exempt status of the Bonds under State or federal law.

Section 505. Application of Moneys in the Redemption Fund. Moneys in the Redemption Fund shall be (a) paid and transferred to the Refunded Bonds Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Bonds on the Refunded Bonds Redemption Date, and (b) paid and transferred to the Refunded Notes Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Notes on October 1, 2019. The Clerk is authorized and instructed to provide appropriate notice of redemption in accordance with the Refunded Bonds Resolution authorizing the issuance of such Refunded Bonds. Any moneys remaining in the Redemption Fund not needed to retire the Refunded Bonds and Refunded Notes shall be transferred to the respective Debt Service Accounts in amounts corresponding to the Series 2019-A Bond and Series 2019-B Bond proceeds deposited in the Redemption Fund.

Section 506. Application of Moneys in the Debt Service Account. (a) All amounts paid and credited to the Debt Service Account—Series 2019-A Bonds shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Series 2019-A 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 Debt Service Account—Series 2019-A Bonds sums sufficient to pay both principal or Redemption Price of and interest on the Series 2019-A 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, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Series 2019-A Bonds are no longer entitled to enforce payment of the Series 2019-A Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. 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 Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Series 2019-A Bonds entitled to payment from such moneys.

(b) All amounts paid and credited to the Debt Service Account—Series 2019-B Bonds shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Series 2019-B Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account—Series 2019-B Bonds sums sufficient to pay both principal or Redemption Price of and interest on the Series 2019-B Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and

fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Series 2019-B Bonds are no longer entitled to enforce payment of the Series 2019-B Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. 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 Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Series 2019-B Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Accounts after the retirement of the Bonds shall be transferred and paid into the Bond and Interest Fund.

Section 507. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer; or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured 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 Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account other than the Redemption Fund may be invested in accordance with this Bond Resolution and the Federal Tax Certificate in Permitted Investments; 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 was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account; provided that, during the period of construction of the Improvements, earnings on the investment of such funds may, at the discretion of the Issuer, be credited to the Debt Service Account.

Section 508. Application of Moneys in the Costs of Issuance Account. Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance. Any funds remaining in the Costs of Issuance Account, after payment of all Costs of Issuance, but not later than 30 days prior to the first Interest Payment Date, shall be apportioned and transferred to the respective Improvement Funds in amounts corresponding to the Series 2019-A Bond and Series 2019-B Bond proceeds deposited in the Costs of Issuance Account.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Bond Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer 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 Issuer and its officers, agents and employees, and to require and

compel duties and obligations required by the provisions of the Bond 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 Issuer, 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 Issuer 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 of 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 Bond Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their 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 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 Bond 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 Issuer and the Owners of the 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, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Issuer'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, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Bond 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 or Redemption Price 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. If the amount to be so deposited is based on the Redemption Price of any Bonds, no such satisfaction shall occur until (a) the Issuer has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the Issuer 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 **Article III** hereof. 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 Issuer, 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 Bond Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants. The Issuer covenants and agrees that it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor and Director of Administrative and Financial Services are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer 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 Issuer.

Section 802. Survival of Covenants. The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to **Article VII** hereof or any other provision of this Bond Resolution until such time as is set forth in the Federal Tax Certificate.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The Issuer hereby covenants with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking, the provisions of which are incorporated herein by reference. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the Issuer fails to comply in a timely manner with its covenants contained in the preceding section, the

Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any 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 Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section. Notwithstanding any other provision of this Bond Resolution, failure of the Issuer to comply with its covenants contained in the preceding section shall not be considered an Event of Default under this Bond Resolution.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Annual Audit. Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any 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 shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Bond Resolution, the Issuer shall promptly cure such deficiency.

Section 1002. Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of this Bond Resolution, may be amended or modified at any time in any respect by ordinance or resolution of the Issuer 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 Issuer 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 Bond Resolution.

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

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to

grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more precisely identify the Improvements, to reallocate proceeds of the Bonds among Improvements, to provide for Substitute Improvements, to conform this Bond Resolution to the Code or future applicable federal law concerning tax-exempt obligations, 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 Bond Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution or ordinance adopted by the Governing Body amending or supplementing the provisions of this Bond Resolution and shall be deemed to be a part of this Bond Resolution. A certified copy of every such amendatory or supplemental ordinance or resolution, if any, and a certified copy of this Bond 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 Bond Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental ordinance or resolution or of this Bond Resolution will be sent by the Clerk to any such Owner or prospective Owner.

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 ordinance or resolution of the Issuer 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 Issuer shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Bond Resolution which affects the duties or obligations of the Paying Agent under this Bond Resolution.

Section 1003. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Bond Resolution, and shall be conclusive in favor of the Issuer 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 take acknowledgments 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 Bond Resolution, Bonds owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Bond 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 right so to act with respect to such Bonds and that the pledgee is not the Issuer.

Section 1004. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Bond Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

Section 1005. Electronic Transactions. The issuance of the Bonds and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

Section 1006. Further Authority. The officers and officials of the Issuer, including the Mayor, Director of Administrative and Financial Services 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 Bond 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 1007. Severability. If any section or other part of this Bond Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Bond Resolution.

Section 1008. Governing Law. This Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1009. Effective Date. This Bond Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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ADOPTED by the Governing Body on August 13, 2019.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Bond Resolution of the Issuer adopted by the Governing Body on August 13, 2019, as the same appears of record in my office.

DATED: August 13, 2019.

Clerk

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EXHIBIT A

(FORM OF [SERIES 2019-A][SERIES 2019-B] BONDS)

**REGISTERED
NUMBER** __

**REGISTERED
\$**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation ("DTC"), 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 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 HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as 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 2019-A][SERIES 2019-B (ZOO PROJECTS)]**

**Interest
Rate:**

**Maturity
Date:**

**Dated
Date: September 10, 2019**

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Topeka, in the County of Shawnee, State of Kansas (the "Issuer"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, unless called for redemption prior to the Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable semiannually on February 15 and August 15 of each year, commencing February 15, 2020 (the "Interest Payment Dates"), until the Principal Amount has been paid.

Method and Place of Payment. The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Bond Registrar"). The interest payable on this Bond on any Interest Payment Date shall be paid to the person in whose name this Bond is registered on the registration books maintained by the Bond Registrar at the close of business on

the Record Date(s) for such interest, which shall be the 1st day (whether or not a business day) of the calendar month next preceding the Interest Payment Date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or 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 Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Bond Resolution.

Definitions. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Bond Resolution.

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

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Bond Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IT IS HEREBY DECLARED AND CERTIFIED 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 the Issuer, including this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, and its seal to be affixed hereto or imprinted hereon.

CITY OF TOPEKA, KANSAS

(Facsimile Seal)

By: _____ (facsimile)
Mayor

ATTEST:

By: _____ (facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation [Refunding and Improvement] Bonds, [Series 2019-A][Series 2019-B (Zoo Projects)], of the City of Topeka, Kansas, described in the within-mentioned Bond Resolution.

Registration Date: _____

Office of the State Treasurer,
Topeka, Kansas,
as Bond Registrar and Paying Agent

By _____

Registration Number: _____

(FORM OF REVERSE SIDE OF BOND)

ADDITIONAL PROVISIONS

Authorization of Bonds. This Bond is one of an authorized series of Bonds of the Issuer designated "General Obligation [Refunding and Improvement] Bonds, [Series 2019-A][Series 2019-B (Zoo Projects)]," aggregating the principal amount of \$[_____] * [\$ _____ *] (the "Bonds") issued for the purposes set forth in the Ordinance of the Issuer authorizing the issuance of the Bonds and the Resolution of the Issuer prescribing the form and details of the Bonds (collectively, the "Bond Resolution"). The Bonds 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. 10-101 *et seq.*, K.S.A. 10-620 *et seq.*, [K.S.A. 12-6a01 *et seq.*,] [K.S.A. 12-110c *et seq.*,] Charter Ordinance No. 89 of the Issuer, and Article 12 Section 5 of the Constitution of the State of Kansas,[and K.S.A. 10-427 *et seq.*], as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

General Obligations. [The Bonds constitute general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of certain portions of the Improvements and certain improvements financed by the Refunded Bonds, and if not so paid, 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 Issuer.] [The Bonds constitute general obligations of the Issuer 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 Issuer.] The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Redemption Prior to Maturity. The Bonds are subject to redemption prior to maturity as set forth in the Bond Resolution.

Book-Entry System. 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 Bond Resolution. 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 Issuer and the Bond Registrar will recognize the Securities Depository nominee, while the Registered Owner of this 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 Issuer and the Bond Registrar 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 Issuer, the Bond Registrar and the Securities Depository.

Transfer and Exchange. EXCEPT AS OTHERWISE PROVIDED IN THE BOND RESOLUTION, THIS GLOBAL BOND 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. This Bond may be transferred or exchanged, as provided in the Bond Resolution, only on the Bond Register kept for that purpose at the principal office of the Bond Registrar, upon surrender of this Bond, together with a written instrument of transfer or authorization for exchange satisfactory to the Bond Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Bond Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Bonds are issued in fully registered form in Authorized Denominations.

LEGAL OPINION

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Bonds:

GILMORE & BELL, P.C.

Attorneys at Law
100 N. Main Suite 800
Wichita, Kansas 67202

(PRINTED LEGAL OPINION)

BOND ASSIGNMENT

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

(Name and Address)

(Social Security or Taxpayer Identification 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 Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent 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 Identification No.

Signature (Sign here exactly as name(s)
appear on the face of Certificate)

Signature guarantee:

By _____

CERTIFICATE OF CLERK

STATE OF KANSAS)
) SS.
COUNTY OF SHAWNEE)

The undersigned, Clerk of the City of Topeka, Kansas, does hereby certify that the within Bond has been duly registered in my office according to law as of September 10, 2019.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Clerk

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

JAKE LATURNER, Treasurer of the State of Kansas, does hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in the office of the State Treasurer, and that this Bond was registered in such office according to law on _____.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Treasurer of the State of Kansas

LIST OF IMPROVEMENTS

GENERAL OBLIGATION [REFUNDING AND IMPROVEMENT] BONDS, SERIES 2019-A AND
GENERAL OBLIGATION BONDS, SERIES 2019-B (ZOO PROJECTS)

*Construction, acquisition and design cost only, and does not include necessary interest, costs of issuance, underwriting costs and rounding.



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Jessica Lamendola, DOCUMENT #:
Director of
Administrative and
Financial Services
SECOND PARTY/SUBJECT: Temp Notes 2019-A and PROJECT #:
2019-B
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Brent Trout authorizing and directing the issuance, sale and delivery of \$39,035,000 in the aggregate principal amount of General Obligation Temporary Renewal and Improvement Notes, Series 2019-A, and \$3,660,000 in the aggregate principal amount of Taxable General Obligation Temporary Renewal Notes, Series 2019-B, of the City of Topeka, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval would fund 15 utility projects.)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

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 15 utility projects.

BUDGETARY IMPACT:

The notes are not subject to optional redemption and will mature on October 1, 2020. 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**

Project List

Resolution

Project Number	Description	Temp Note	GO Bond	Revenue Bond
Special Assessments				
T-701027.00	St Imp SW 49th St Wenger Rd.		\$ 1,050,000	
Fire				
T-801014.00	Engines 1 & 11		\$ 1,345,500	
Neighborhoods				
T-241046.00	2019 Citywide Infill Sidewalks		\$ 600,000	
T-601094.00	2019 Neighborhood Infrastructure		\$ 1,400,000	
Traffic				
T-141024.00	2019 Traffic Signal Replacement		\$ 750,000	
T-601095.00	2019 Traffic Safety Project		\$ 220,000	
Facilities				
T-131036.00	Municipal Bldg Renov/Mech Sys		\$ 8,425,000	
Streets				
T-601096.00	2019 Complete Streets		\$ 100,000	
T-601097.00	2019 Citywide Infrastructure		\$ 225,000	
T-701014.00	SW Huntoon/I470/Arvonja PI		\$ 3,056,500	
Quality of Life				
T-301056.00	Zoo Storm Drainage,Parking, Group Ent		\$ 1,456,000	
Utilities				
T-281055.00	2MG West Elevated Tank	\$ 510,028		
T-281091.00	2.2 MGD Meriden Booster Station			\$ 788,826
T-281106.00	Soldier Township Improvements			
T-281122.00	2020 Water Main Replacement			\$ 3,000,000
T-281123.00	2020 Water Treatment Plant Rehab			\$ 1,000,000
T-281141.02	Citywide Water Meter Replacement - Year 2			\$ 2,000,000
T-281160.00	Water Treatment Modifications			\$ 2,213,250
T-281160.01	Water Treatment Modifications Ph II	\$ 2,000,000		
T-281161.00	Central Zone Improvements	\$ 1,000,000		
T-281194.00	Montara Water Tower	\$ 1,500,000		
T-281200.00	Soldier (Meriden PhII) BPS	\$ 400,000		
T-281201.00	2020 SCADA System Upgrades			\$ 775,000
T-501012.00	Levee Repairs Replacement	\$ 1,122,058		
T-501036.00	2019 Storm Convey Sys Rehab			\$ 1,400,000
T-502730.00	In-Situ Fairlawn 22nd Pk/28th St			\$ 1,800,000
T-291018.12	Solids Handling Ph II - Wastewater	\$ 6,630,346		\$ 1,500,000
T-291018.22	Solids Handling Ph II - Biogas	\$ 3,633,520		
T-291050.00	Eastside IS Relief CSO	\$ 4,080,213		
T-291056.00	Wanamaker Force Main Rehab	\$ 612,032		
T-291057.00	Ash St Force Main Replacement	\$ 8,160,425		
T-291058.00	Shunga Pump Station Rehab	\$ 1,122,058		
T-291059.00	WW PS VFD Replacement			\$ 625,000
T-291060.00	Oakland Aerator & Mixing Replace	\$ 6,120,319		
T-291061.00	Grant/Jefferson Pump Station	\$ 1,020,053		
T-291062.00	Ultraviolet Expansion Oakland	\$ 5,100,266		
T-291067.00	2018 San Swr Interceptor Rehab			\$ 1,500,000
T-291068.00	2018 Small WW PS Rehab			\$ 1,500,000
T-291072.00	2019 WW Replacement Program			\$ 3,000,000
T-291074.00	2019 WPC Facility Rehab Program			\$ 1,000,000
T-291097.00	2020 WPC SCADA System Upgrade			\$ 810,000
Total Projects		\$ 43,011,318	\$ 18,628,000	\$ 22,912,076

RESOLUTION NO. _____

OF

THE CITY OF TOPEKA, KANSAS

ADOPTED

AUGUST 13, 2019

**\$[_____]
GENERAL OBLIGATION TEMPORARY
RENEWAL AND IMPROVEMENT NOTES
SERIES 2019-A**

**\$[_____]
TAXABLE GENERAL OBLIGATION
TEMPORARY RENEWAL NOTES
SERIES 2019-B**

DATED SEPTEMBER 10, 2019

RESOLUTION

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RESOLUTION NO. _____

A RESOLUTION INTRODUCED BY CITY MANAGER BRENT TROUT AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$[_____] IN THE AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION TEMPORARY RENEWAL AND IMPROVEMENT NOTES, SERIES 2019-A, AND \$[_____] IN THE AGGREGATE PRINCIPAL AMOUNT OF TAXABLE GENERAL OBLIGATION TEMPORARY RENEWAL NOTES, SERIES 2019-B, OF THE CITY OF TOPEKA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

WHEREAS, the City of Topeka, Kansas (the “City” and the “Issuer”) is a city of the first class, duly created, organized and existing under the Constitution and laws of the State of Kansas (the “State”); and

WHEREAS, pursuant to the provisions of the laws of the State applicable thereto, as described in the definition of the “Act” herein, by proceedings duly had, the City Council (the “Governing Body”) of the Issuer has authorized, and does with this Resolution hereby authorize, certain capital improvements, as more fully listed and in the amounts shown on *Schedule I* hereto (collectively the “Improvements”), to be made; and

WHEREAS, the governing body of the Issuer is authorized by law to issue general obligation bonds to pay a portion of the costs of the Improvements; and

WHEREAS, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issuer pursuant to the Act; and

WHEREAS, the Issuer has heretofore issued the following temporary notes to temporarily finance a portion of the costs of the Improvements (collectively, the “Refunded Notes”):

<i>Series</i>	<i>Dated Date</i>	<i>Maturity Date</i>	<i>Original Amount</i>	<i>Outstanding Amount</i>
2018-A	September 4, 2018	10/01/2019	\$44,045,000	\$44,045,000
2018-B	September 4, 2018	10/01/2019	\$3,520,000	\$3,520,000

; and

WHEREAS, not all aspects of the Improvements will be completed prior to the maturity date of the Refunded Notes and it is necessary for the Issuer to provide cash funds to meet its obligations on a portion of the Refunded Notes by the issuance of additional temporary notes of the Issuer; and

WHEREAS, the Issuer proposes to issue its temporary notes to pay a portion of the costs of the Improvements and to retire a portion of the Refunded Notes; and

WHEREAS, the governing body of the Issuer has advertised the sale of its General Obligation Temporary Renewal and Improvement Notes, Series 2019-A and Taxable General Obligation Temporary Renewal Notes, Series 2019-B and at a meeting held in the City on this date, awarded the sale of such Notes to the best bidders; and

WHEREAS, the governing body of the Issuer hereby finds and determines that it is necessary for the Issuer to authorize the issuance and delivery of the General Obligation Temporary Renewal and Improvement Notes, Series 2019-A in the principal amount of \$[] to pay a portion of the costs of the Improvements and the costs to renew and redeem a portion of the Series 2018-A Notes; and

WHEREAS, the governing body of the Issuer hereby finds and determines that it is necessary for the Issuer to authorize the issuance and delivery of the Taxable General Obligation Temporary Renewal Notes, Series 2019-B in the principal amount of \$[] to pay a portion of the costs of the Improvements and the costs to renew and redeem the Series 2018-B Notes.

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 defined elsewhere herein, the following words and terms as used in this Note Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, specifically including K.S.A. 10-123, K.S.A. 10-620 *et seq.*, Charter Ordinance No. 89 of the City, and Article 12, Section 5 of the Constitution of the State of Kansas, all as amended and supplemented from time to time.

“Authorized Denomination” means \$5,000 or any integral multiples thereof.

“Beneficial Owner” of the Notes includes any Owner of the Notes and any other Person who, directly or indirectly has the investment power with respect to any of the Notes.

“Bond and Interest Fund” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“Bond Counsel” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“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 of DTC.

“City” means the City of Topeka, Kansas.

“Clerk” means the duly elected/appointed and acting Clerk of the Issuer, or in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations proposed or promulgated thereunder of the United States Department of the Treasury.

“Consulting Engineer” means an independent engineer or engineering firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by this Note Resolution.

“Costs of Issuance” means all costs of issuing the Notes, including but not limited to 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 all expenses incurred in connection with receiving ratings on the Notes.

“Costs of Issuance Account” means, jointly, the Costs of Issuance Account--Series 2019-A Notes and Costs of Issuance Account--Series 2019-B Notes.

“Costs of Issuance Account—Series 2019-A Notes” means the Costs of Issuance Account for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A, created pursuant to *Section 501* hereof.

“Costs of Issuance Account—Series 2019-B Notes” means the Costs of Issuance Account for Taxable General Obligation Temporary Renewal Notes, Series 2019-B, created pursuant to *Section 501* hereof.

“Dated Date” means September 10, 2019.

“Debt Service Account” means, jointly, the Debt Service Account--Series 2019-A Notes and Debt Service Account--Series 2019-B Notes.

“Debt Service Account—Series 2019-A Notes” means the Debt Service Account for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A, created within the Bond and Interest Fund pursuant to *Section 501* hereof.

“Debt Service Account—Series 2019-B Notes” means the Debt Service Account for Taxable General Obligation Temporary Renewal Notes, Series 2019-B, created within the Bond and Interest Fund pursuant to *Section 501* hereof.

“Debt Service Requirements” means the aggregate principal payments and interest payments on the Notes for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

“Defaulted Interest” means interest on any Note 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;

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

(6) such obligations are rated in a rating category by Moody's or Standard & Poor's that is no lower than the rating category then assigned by that Rating Agency to United States Government Obligations.

“Derivative” means any 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.

“Director of Administrative and Financial Services” means the duly appointed and acting Director of Administrative and Financial Services of the City or, in the Director of Administrative and Financial Services' absence, the duly appointed Deputy, Assistant or Acting Director of Administrative and Financial Services of the City.

“Disclosure Undertaking” means the Issuer's Continuing Disclosure Undertaking relating to the Notes, dated September 10, 2019, as may be amended and supplemented, relating to certain obligations contained in the SEC Rule.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

“DTC Representation Letter” means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

“Event of Default” means each of the following occurrences or events:

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

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

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Notes or in this Note Resolution (other than the covenants relating to continuing disclosure requirements) on the part of the Issuer to be performed, 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 Issuer by the Owner of any of the Notes then Outstanding.

“Federal Tax Certificate” means the Issuer's Federal Tax Certificate related to Series 2019-A Notes, dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the governing body of the Issuer to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

“Fiscal Year” means the twelve-month period ending on December 31.

“Fitch” means Fitch Ratings, a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Fitch” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

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

“Governing Body” means the City Council of the Issuer.

“Improvement Fund” means, jointly, the Improvement Fund—Series 2019-A Notes and Improvement Fund—Series 2019-B Notes.

“Improvement Fund—Series 2019-A Notes” means the Improvement Fund for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A created pursuant to *Section 501* hereof.

“Improvements” means the improvements described on *Schedule I* to this Note Resolution and any Substitute Improvements.

“Independent Accountant” means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Note Resolution.

“Interest Payment Date(s)” means the Maturity of the Notes.

“Issue Date” means the date when the Issuer delivers the Notes to the Purchaser in exchange for the Purchase Price.

“Issuer” means the City and any successors or assigns.

“Kroll” means Kroll Bond Rating Agency, Inc., a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Kroll” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

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

“Mayor” means the duly elected and acting Mayor, or in the Mayor's absence, the duly appointed and/or elected Deputy Mayor or Acting Mayor of the Issuer.

“Moody's” means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody's” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Note Payment Date” means any date on which principal of or interest on any Note is payable.

“Note Register” means the books for the registration, transfer and exchange of Notes kept at the office of the Note Registrar.

“Note Registrar” means the State Treasurer and its successors and assigns.

“Note Resolution” means this resolution relating to the Notes.

“Notes” means, jointly, the Series 2019-A Notes and Series 2019-B Notes, authorized and issued by the Issuer pursuant to this Note Resolution.

“Notice Address” means with respect to the following entities:

(a) To the Issuer at:

Department of Finance
215 SE 7th Street
Topeka, Kansas 66603-3914

Fax: (785) 368-3943

(b) To the Paying Agent at:

State Treasurer of the State of Kansas
Landon Office Building
900 Southwest Jackson, Suite 201
Topeka, Kansas 66612-1235
Fax: (785) 296-6976

(c) To the Purchaser:

Series 2019-A Notes:

Fax:

Series 2019-B Notes:

Fax:

(d) To the Rating Agency(ies):

Moody's Municipal Rating Desk
7 World Trade Center
250 Greenwich Street
23rd Floor
New York, New York 10007

S&P Global Ratings, a division of S&P Global Inc.
55 Water Street, 38th Floor
New York, New York 10004

Fitch Ratings
One State Street Plaza
New York, New York 10004

Kroll Bond Rating Agency
845 Third Avenue, 4th Floor
New York, New York 10022.

“Notice Representative” means:

- (a) With respect to the Issuer, the Director of Administrative and Financial Services.
- (b) With respect to the Note Registrar and Paying Agent, the Director of Bond Services.

- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

“Official Statement” means Issuer’s Official Statement relating to the Notes.

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

- (a) Notes theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Notes deemed to be paid in accordance with the provisions of *Article VII* hereof; and
- (c) Notes in exchange for or in lieu of which other Notes have been authenticated and delivered hereunder.

“Owner” when used with respect to any Note means the Person in whose name such Note is registered on the Note Register. Whenever consent of the Owners is required pursuant to the terms of this Note Resolution, and the Owner of the Notes, as set forth on the Note Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Notes.

“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.

“Permitted Investments” shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (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 Issuer's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements 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 or Standard & Poor's; (i) investments and 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 State 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), all as may be further restricted or modified by amendments to applicable State law.

“Person” means any natural person, 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 (a) with respect to the Series 2019-A Notes, the principal amount of the Notes plus accrued interest to the date of delivery[, plus a premium of \$_____] [, less an underwriting discount of \$_____] [, less an original issue discount of \$_____].and (b) with respect to the Series 2019-B Notes, the principal amount of the Notes plus accrued interest to the date of delivery[, plus a premium of \$_____] [, less an underwriting discount of \$_____] [, less an original issue discount of \$_____].

“Purchaser” means (a) with respect to the Series 2019-A Notes, _____, the original purchaser of the Series 2019-A Notes, and any successor and assigns; and (b) with respect to the Series 2019-B Notes, _____, the original purchaser of the Serie 2018-B Notes, and any successor and assigns.

“Rating Agency” means any company, agency or entity that provides financial ratings for the Notes.

“Record Dates” for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” when used with respect to any Note to be redeemed means the date fixed for the redemption of such Note pursuant to the terms of this Note Resolution.

“Redemption Fund” means the Refunded Notes Redemption Fund created pursuant to *Section 501* hereof.

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

“Refunded Notes” means, collectively, (a) that portion of the Series 2018-A Notes paid from the proceeds of the Series 2019-A Notes; and (b) the Series 2018-B Notes.

“Refunded Notes Paying Agent” means the respective paying agent for each series of the Refunded Notes as designated in the respective Refunded Notes Resolution, and any successor or successors at the time acting as paying agent for any of the Refunded Notes.

“Refunded Notes Resolution” means the resolution which authorized the Refunded Notes.

“Replacement Notes” means Notes issued to the Beneficial Owners of the Notes in accordance with *Article II* hereof.

“SEC Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

“Securities Depository” means, initially, DTC, and its successors and assigns.

“Series 2018-A Notes” means the Issuer's General Obligation Temporary Renewal and Improvement Notes, Series 2018-A, dated September 4, 2018.

“Series 2018-B Notes” means the Issuer's Taxable General Obligation Temporary Notes, Series 2018-B, dated September 4, 2018.

“Series 2019-A Notes” means the General Obligation Temporary Renewal and Improvement Notes, Series 2019-A, in the aggregate principal amount of \$[_____], authorized and issued by the Issuer pursuant to this Note Resolution.

“Series 2019-B Notes” means the Taxable General Obligation Temporary Renewal Notes, Series 2019-B, in the aggregate principal amount of \$[_____], authorized and issued by the Issuer pursuant to this Note Resolution.

“Special Record Date” means the date fixed by the Paying Agent pursuant to *Article II* hereof for the payment of Defaulted Interest.

“Standard & Poor's” means S&P Global Ratings, a division of S&P Global Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor's shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“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.

“Stated Maturity” when used with respect to any Note or any installment of interest thereon means the date specified in such Note and this Note Resolution as the fixed date on which the principal of such Note or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in *Article V* hereof.

“Treasurer” means the duly appointed and/or elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting 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 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), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

ARTICLE II

AUTHORIZATION AND DETAILS OF THE NOTES

Section 201. Authorization of the Notes. There shall be issued and hereby are authorized and directed to be issued the General Obligation Temporary Renewal and Improvement Notes, Series 2019-A, of the Issuer in the principal amount of \$[_____], for the purpose of providing funds to: (a) pay a portion of the costs of the Improvements; (b) renew and redeem a portion of the Series 2018-A Notes; and (c) pay Costs of Issuance. There shall be issued and hereby are authorized and directed to be issued the Taxable General Obligation Temporary Renewal Notes, Series 2019-B, of the Issuer in the principal amount of \$[_____], for the purpose of providing funds to: (a) renew and redeem the Series 2018-B Notes; and (b) pay Costs of Issuance.

Section 202. Description of the Notes. The Notes shall consist of fully registered notes in Authorized Denominations, and shall be numbered in such manner as the Note Registrar shall determine. All of the Notes shall be dated as of the Dated Date, shall become due in the amounts on the Stated Maturity, without option of prior redemption and payment, and shall bear interest at the rates per annum as follows:

SERIES 2019-A NOTES

Stated Maturity <u>October 1</u> 2020	Principal <u>Amount</u> \$[_____]	Annual Rate <u>of Interest</u> _____%
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SERIES 2019-B NOTES

Stated Maturity <u>October 1</u> 2020	Principal <u>Amount</u> \$[_____]	Annual Rate <u>of Interest</u> _____%
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The Notes 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 on the Interest Payment Dates in the manner set forth in **Section 204** hereof.

Each of the Notes, as originally issued or issued upon transfer, exchange or substitution, shall be 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 Note Registrar. The State Treasurer is hereby designated as the Paying Agent for the payment of principal of and interest on the Note and Note Registrar with respect to the registration, transfer and exchange of Notes. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Note Registrar and Paying Agent for the Notes.

The Issuer will at all times maintain a Paying Agent and Note Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Note Registrar by (a) filing with the Paying Agent or Note Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Note Registrar and appointing a successor, and (b) causing notice of appointment of the

successor Paying Agent and Note Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Note Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Note Registrar.

Every Paying Agent or Note 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 Notes. The principal of, or Redemption Price, if any, and interest on the Notes 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 and interest on each Note shall be paid at Maturity to the Person in whose name such Note is registered on the Note Register at the Maturity thereof, upon presentation and surrender of such Note at the principal office of the Paying Agent. Such amounts shall be paid to the Owner of such Note as shown on the Note 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 Note Register or at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of a payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Notes, by electronic transfer to such Owner upon written notice given to the Note 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, 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 Note shall cease to be payable to the Owner of such Note on the relevant Record Date and shall be payable to the Owner in whose name such Note 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 Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Note and the date of the proposed payment (which date shall be at least 45 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 Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, by first class mail, postage prepaid, to each Owner of a Note entitled to such notice at the address of such Owner as it appears on the Note 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 Notes and at least annually shall forward a copy or summary of such records to the Issuer.

Section 205. Payments Due on Saturdays, Sundays and Holidays. In any case where a Note Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Note Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Note Payment Date, and no interest shall accrue for the period after such Note Payment Date.

Section 206. Registration, Transfer and Exchange of Notes. The Issuer covenants that, as long as any of the Notes remain Outstanding, it will cause the Note Register to be kept at the office of the Note Registrar as herein provided. Each Note when issued shall be registered in the name of the Owner thereof on the Note Register.

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

Notes 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 Note 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 Notes is exercised, the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of this Note Resolution. The Issuer shall pay the fees and expenses of the Note Registrar for the registration, transfer and exchange of Notes provided for by this Note Resolution and the cost of printing a reasonable supply of registered note blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Note Registrar, are the responsibility of the Owners of the Notes. 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 Notes.

The Issuer and the Note Registrar shall not be required (a) to register the transfer or exchange of any Note that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to *Article III* 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 Note during a period beginning at the opening of business on the day after receiving written notice from the Issuer 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 this *Article II*.

The Issuer and the Paying Agent may deem and treat the Person in whose name any Note is registered on the Note Register as the absolute Owner of such Note, whether such Note 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 Note 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 Note to the extent of the sum or sums so paid, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

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

Section 207. Execution, Registration, Authentication and Delivery of Notes. Each of the Notes, including any Notes issued in exchange or as substitutions for the Notes initially delivered, shall be executed for and on behalf of the Issuer by the manual or facsimile signature of the Mayor, attested by

the manual or facsimile signature of the Clerk and the seal of the Issuer shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Notes in the manner herein specified, and to cause the Notes 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 Issuer affixed thereto or imprinted thereon. The Notes 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. The Notes shall be countersigned by the manual or facsimile signature of the Clerk and the seal of the Issuer shall be affixed or imprinted adjacent thereto following registration of the Notes by the Treasurer of the State of Kansas. In case any officer whose signature appears on any Notes ceases to be such officer before the delivery of such Notes, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Note may be signed by such persons who at the actual time of the execution of such Note are the proper officers to sign such Note although at the date of such Note such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Notes as herein specified, and when duly executed, to deliver the Notes to the Note Registrar for authentication.

The Notes 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 Note Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Notes that may be issued hereunder at any one time. No Note shall be entitled to any security or benefit under this Note Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Note Registrar. Such executed certificate of authentication upon any Note shall be conclusive evidence that such Note has been duly authenticated and delivered under this Note Resolution. Upon authentication, the Note Registrar shall deliver the Notes to the Purchaser upon instructions of the Issuer or its representative.

Section 208. Mutilated, Lost, Stolen or Destroyed Notes. If (a) any mutilated Note is surrendered to the Note Registrar or the Note Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Note, and (b) there is delivered to the Issuer and the Note Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Note Registrar that such Note has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Note Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Note, a new Note of the same Stated Maturity and of like tenor and principal amount.

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

Upon the issuance of any new Note under this Section, the Issuer 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 Paying Agent) connected therewith.

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

Section 209. Cancellation and Destruction of Notes Upon Payment. All Notes 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 Notes so cancelled and destroyed and shall file an executed counterpart of such certificate with the Issuer.

Section 210. Book-Entry Notes; Securities Depository. The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Notes shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Notes, except in the event the Note Registrar issues Replacement Notes as provided in this Section. It is anticipated that during the term of the Notes, 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 Notes to the Participants until and unless the Note Registrar authenticates and delivers Replacement Notes to the Beneficial Owners as described in the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) 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 (3) that the continuation of a book-entry system to the exclusion of any Notes being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Notes; or

(b) if the Note Registrar receives written notice from Participants having interests in not less than 50% of the Notes 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 Notes being issued to any 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 Owners of such determination or such notice and of the availability of certificates to 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 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 (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Note Registrar, may select a successor securities depository in accordance with the following paragraph 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 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 Issuer, the Note Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, then the Note Registrar shall authenticate and cause delivery of Replacement Notes to Owners, 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 Issuer.

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 Issuer may appoint a successor Securities Depository provided the Note Registrar receives written evidence satisfactory to the Note Registrar 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 a Note or Notes for cancellation shall cause the delivery of Notes to the successor Securities Depository in appropriate denominations and form as provided herein.

Section 211. Nonpresentment of Notes. If any Note is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Note have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Note 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 Note, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Note Resolution or on, or with respect to, said Note. If any Note is not presented for payment within four (4) years following the date when such Note becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Note, and such Note shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

Section 212. Preliminary and Final Official Statement. For the purpose of enabling the Purchaser to comply with the requirements of Section (b)(1) of the SEC Rule, the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be “final” as of its date, except for the omission of such information as is permitted by Section (b)(1) of the SEC Rule, and the appropriate officers of the Issuer are hereby authorized, if requested, to provide the 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 Purchaser to comply with the requirement of the SEC Rule.

The 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 and Director of Administrative and Financial Services are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Notes is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of the Notes sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of the SEC Rule and Rule G-32 of the Municipal Securities Rulemaking Board.

Section 213. Sale of the Notes. The sale of the Notes to the Purchasers is hereby ratified and confirmed. The Mayor and Clerk are hereby authorized to execute the official bid forms submitted by the Purchasers. Delivery of the Notes shall be made to the Purchaser on the Issue Date (which shall be as soon as practicable after the adoption of this Note Resolution), upon payment of the Purchase Price.

ARTICLE III

REDEMPTION OF NOTES

Section 301. No Redemption of Notes. The Notes shall not be subject to optional redemption and payment prior to their Stated Maturity.

ARTICLE IV

SECURITY FOR NOTES

Section 401. Security for the Notes. The Notes shall be general obligations of the Issuer payable as to both principal and interest from general obligation bonds of the Issuer, and if not so paid, 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 Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Notes as the same become due.

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

The taxes referred to above shall be extended upon the tax rolls and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be deposited in the Debt Service Account and shall be used solely for the payment of the principal of and interest on the Notes as and when the same become due, and the fees and expenses of the Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Notes when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer 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 NOTE PROCEEDS

Section 501. Creation of Funds and Accounts. Simultaneously with the issuance of the Notes, there shall be created within the Treasury of the Issuer the following funds and accounts:

(a) Improvement Fund for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A.

(b) Refunded Notes Redemption Fund.

(c) Debt Service Account for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A.

(d) Debt Service Account for Taxable General Obligation Temporary Renewal Notes, Series 2019-B.

(e) Costs of Issuance Account for General Obligation Temporary Renewal and Improvement Notes, Series 2019-A.

(f) Costs of Issuance Account for Taxable General Obligation Temporary Renewal Notes, Series 2019-B.

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

Section 502. Deposit of Note Proceeds. (a) The net proceeds received from the sale of the Series 2019-A Notes shall be deposited simultaneously with the delivery of the Series 2019-A Notes as follows:

(1) All accrued interest and excess proceeds, if any, received from the sale of the Series 2019-A Notes shall be deposited in the Debt Service Account—Series 2019-A Notes.

(2) The sum of \$_____ shall be deposited in the Costs of Issuance Account—Series 2019-A Notes.

(3) Series 2019-A Note proceeds in the amount of \$_____ shall be deposited in the Redemption Fund, [along with \$_____ of unspent proceeds of the Series 2018-A Notes allocable to the Improvements].

(4) The remaining balance of the proceeds derived from the sale of the Series 2019-A Notes (\$_____) shall be deposited into the Improvement Fund—Series 2019-A Notes.

(b) The net proceeds received from the sale of the Series 2019-B Notes shall be deposited simultaneously with the delivery of the Series 2019-B Notes as follows:

(1) All accrued interest and excess proceeds, if any, received from the sale of the Series 2019-B Notes shall be deposited in the Debt Service Account—Series 2019-B Notes.

(2) The sum of \$_____ shall be deposited in the Costs of Issuance Account—Series 2019-B Notes.

(3) The remaining balance of the proceeds derived from the sale of the Series 2019-B Notes (\$_____) shall be deposited into the Redemption Fund.

Section 503. Application of Moneys in the Improvement Fund. Moneys in the Improvement Fund—Series 2019-A Notes shall be used for the sole purpose of: (a) paying the costs of the Improvements, in accordance with the plans and specifications therefor prepared by the Consulting Engineer heretofore approved by the Governing Body and on file in the office of the Clerk, including any alterations in or amendments to said plans and specifications deemed advisable by the Consulting

Engineer and approved by the Governing Body; and (b) paying any amount necessary to satisfy the Rebate Amount (as defined in the Federal Tax Certificate).

Withdrawals from the Improvement Fund shall be made only when authorized by the Governing Body. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Director of Administrative and Financial Services (or designate) stating that such payment is being made for a purpose within the scope of this Note Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Director of Administrative and Financial Services (or designate) stating that such payment is being made for a purpose within the scope of this Note Resolution. Upon completion of the Improvements, any surplus remaining in the Improvement Fund—Series 2019-A Notes shall be deposited in the Debt Service Account—Series 2019-A Notes.

Section 504. Substitution of Improvements; Reallocation of Proceeds.

(a) The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Notes provided the following conditions are met: (1) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the governing body of the Issuer in accordance with the laws of the State; (2) a resolution or ordinance authorizing the use of the proceeds of the Notes to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the governing body of the Issuer pursuant to this Section, (3) the Attorney General of the State has approved the amendment made by such resolution or ordinance to the transcript of proceedings for the Notes to include the Substitute Improvements; and (4) the use of the proceeds of the Notes to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Notes under State or federal law.

(b) The Issuer may reallocate expenditure of Note proceeds among all Improvements financed by the Notes; provided the following conditions are met: (1) the reallocation is approved by the governing body of the Issuer; (2) the reallocation shall not cause the proceeds of the Notes allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (3) the reallocation will not adversely affect the tax-exempt status of the Notes under State or federal law.

Section 505. Application of Moneys in the Redemption Fund. Moneys in the Redemption Fund shall be paid and transferred to the Refunded Notes Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Notes on October 1, 2019. Any moneys remaining in the Redemption Fund not needed to retire the Refunded Notes shall be transferred to the respective Debt Service Accounts in amounts corresponding to the Series 2019-A Note and Series 2019-B Note proceeds deposited in the Redemption Fund.

Section 506. Application of Moneys in Debt Service Account. (a) All amounts paid and credited to the Debt Service Account—Series 2019-A Notes shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Series 2019-A Notes as and when the same become due and the usual and customary fees and expenses of the Note Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account—Series 2019-A Notes sums sufficient to pay both principal or Redemption Price of and interest on the Series 2019-A Notes and the fees and expenses of the Note Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent, if other than the Issuer, 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, interest and fees of the Note Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Series 2019-A Notes are no longer entitled to enforce payment of the Series 2019-A Notes or the interest thereon, the Paying Agent shall return said funds to the Issuer. 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 Note Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Series 2019-A Notes entitled to payment from such moneys.

(b) All amounts paid and credited to the Debt Service Account—Series 2019-B Notes shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Series 2019-B Notes as and when the same become due and the usual and customary fees and expenses of the Note Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account—Series 2019-B Notes sums sufficient to pay both principal or Redemption Price of and interest on the Series 2019-B Notes and the fees and expenses of the Note Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent, if other than the Issuer, 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, interest and fees of the Note Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Series 2019-B Notes are no longer entitled to enforce payment of the Series 2019-B Notes or the interest thereon, the Paying Agent shall return said funds to the Issuer. 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 Note Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Series 2019-B Notes entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the indebtedness for which the Notes were issued shall be transferred and paid into the Bond and Interest Fund.

Section 507. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer; or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured 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 Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account other than the Redemption Fund may be invested in accordance with this Note Resolution and the Federal Tax Certificate in Permitted Investments; 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 was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account; provided that, during the period of construction of the Improvements, earnings on the investment of such funds may be credited to the Debt Service Account.

Section 508. Application of Moneys in the Costs of Issuance Account. Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance. Any funds remaining in the Costs of Issuance Account—Series 2019-A Notes, after payment of all Costs of Issuance, but not later than the later of 90 days after the issuance of the Notes, shall be transferred to the Improvement Fund—

Series 2019-A Notes until completion of the Improvements and thereafter to the Debt Service Account—Series 2019-A Notes. Any funds remaining in the Costs of Issuance Account—Series 2019-B Notes, after payment of all Costs of Issuance, but not later than the later of 90 days after the issuance of the Notes, shall be transferred to the Debt Service Account—Series 2019-B Notes.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Note Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Notes. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Notes at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Notes 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 Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Note 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 Issuer, 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 Notes.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the Issuer contained herein and in the Notes shall be for the equal benefit, protection, and security of the Owners of any or all of the Notes, all of which Notes shall be of equal rank and without preference or priority of one Note over any other Note in the application of the funds herein pledged to the payment of the principal of and the interest on the Notes, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Note Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their 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 Outstanding Notes.

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 Note 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 Notes by this Note 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 Issuer and the Owners of the Notes 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 Notes, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Note Resolution and the pledge of the Issuer's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Notes or scheduled interest payments thereon so paid and discharged. Notes, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Note 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 Notes 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 or Redemption Price of said Notes 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. 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 Issuer, for the purpose of paying and discharging any of the Notes, 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 Notes, 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 Note Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants. The Issuer covenants and agrees that: it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Series 2019-A Notes; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor and Clerk are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer 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 Series 2019-A Notes will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

Section 802. Survival of Covenants. The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Series 2019-A Notes pursuant to *Article VII* hereof or any other provision of this Note Resolution until such time as is set forth in the Federal Tax Certificate.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The Issuer hereby covenants with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking, the provisions of which are incorporated herein by reference. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the Issuer fails to comply in a timely manner with its covenants contained in the preceding section, the Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any 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 Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Annual Audit. Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any of the Notes, 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 shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Note Resolution, the Issuer shall promptly cure such deficiency.

Section 1002. Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Notes or of this Note Resolution, may be amended or modified at any time in any respect by resolution or ordinance of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Notes 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 Note;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal of or interest on any Note;
- (c) permit preference or priority of any Note over any other Note; or

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

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

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Note Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more precisely identify the Improvements, to reallocate proceeds of the Notes among Improvements, to provide for Substitute Improvements, to conform this Note Resolution to the Code or future applicable federal law concerning tax-exempt obligations, 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 Notes or of this Note Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution or ordinance adopted by the governing body of the Issuer amending or supplementing the provisions of this Note Resolution and shall be deemed to be a part of this Note Resolution. A certified copy of every such amendatory or supplemental resolution or ordinance, if any, and a certified copy of this Note 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 Note or a prospective purchaser or owner of any Note authorized by this Note Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental resolution or ordinance or of this Note Resolution will be sent by the Clerk to any such Owner or prospective Owner.

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 or ordinance of the Issuer hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Notes then Outstanding. It shall not be necessary to note on any of the Outstanding Notes any reference to such amendment or modification.

The Issuer shall furnish to the Paying Agent a copy of any amendment to the Notes or this Note Resolution which affects the duties or obligations of the Paying Agent under this Note Resolution.

Section 1003. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Notes, if made in the following manner, shall be sufficient for any of the purposes of this Note Resolution, and shall be conclusive in favor of the Issuer 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 take acknowledgments 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 Notes, the amount or amounts, numbers and other identification of Notes, and the date of holding the same shall be proved by the Note Register.

In determining whether the Owners of the requisite principal amount of Notes Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Note Resolution, Notes owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Note 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 Notes which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Notes 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 right so to act with respect to such Notes and that the pledgee is not the Issuer.

Section 1004. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Note Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

Section 1005. Electronic Transactions. The issuance of the Notes and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

Section 1006. Further Authority. The officers and officials of the Issuer, 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 Note 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 1007. Severability. If any section or other part of this Note Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Note Resolution.

Section 1008. Governing Law. This Note Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1009. Effective Date. This Note Resolution shall take effect and be in full force from and after its adoption by the governing body of the Issuer.

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ADOPTED by the Governing Body on August 13, 2019.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Note Resolution of the Issuer adopted by the governing body on August 13, 2019, as the same appears of record in my office.

DATED: August 13, 2019.

Clerk

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EXHIBIT A
(FORM OF [SERIES 2019-A][SERIES 2019-B] NOTES)

**REGISTERED
NUMBER _____**

**REGISTERED
\$ _____**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation ("DTC"), 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 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 HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SHAWNEE
CITY OF TOPEKA
[TAXABLE] GENERAL OBLIGATION TEMPORARY RENEWAL [AND IMPROVEMENT]
NOTE
[SERIES 2019-A][SERIES 2019-B]**

**Interest
Rate:**

**Maturity
Date:**

**Dated
Date: September 10, 2019**

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Topeka, in the County of Shawnee, State of Kansas (the "Issuer"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable at maturity until the Principal Amount has been paid.

Method and Place of Payment. The principal or redemption price and interest thereon of this Note shall be paid at maturity or upon earlier redemption to the person in whose name this Note is registered at the maturity or redemption date thereof, upon presentation and surrender of this Note at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Note Registrar"). Such amounts shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Note Register or at such other address as is furnished to

the Paying Agent in writing by such Registered Owner; or (b) in the case of a payment to Cede & Co. by electronic transfer to such Owner upon written notice given to the Note Registrar by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Notes shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Note Resolution.

Definitions. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Note Resolution.

ADDITIONAL 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.

Authentication. This Note shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Note Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Note Registrar.

IT IS HEREBY DECLARED AND CERTIFIED 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, and that the total indebtedness of the Issuer, including this series of notes, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Issuer has caused this Note to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, and its seal to be affixed hereto or imprinted hereon.

CITY OF TOPEKA, KANSAS

(Facsimile Seal)

By: _____
(manual or facsimile)
Mayor

ATTEST:

By: _____
(manual or facsimile)
Clerk

This [Taxable] General Obligation Temporary Renewal [and Improvement] Note shall not be negotiable unless and until countersigned below following registration by the Treasurer of the State of Kansas.

(Facsimile Seal)

By: _____
(manual or facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Note is one of a series of [Taxable] General Obligation Temporary Renewal [and Improvement] Notes, [Series 2019-A][Series 2019-B], of the City of Topeka, Kansas, described in the within-mentioned Note Resolution.

Registration Date: _____

Office of the State Treasurer,
Topeka, Kansas,
as Note Registrar and Paying Agent

By: _____

Registration Number: _____

(FORM OF REVERSE SIDE OF NOTE)

ADDITIONAL PROVISIONS

Authorization of Notes. This Note is one of an authorized series of Notes of the Issuer designated “[Taxable] General Obligation Temporary Renewal [and Improvement] Notes, [Series 2019-A][Series 2019-B],” aggregating the principal amount of [\$_____][\$_____]] (the “Notes”) issued for the purposes set forth in the Resolution of the Issuer authorizing the issuance of the Notes (the “Note Resolution”). The Notes 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. 10-123, Charter Ordinance No. 89 of the Issuer, and Article 12 Section 5 of the Constitution of the State of Kansas, as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

General Obligations. The Notes constitute general obligations of the Issuer payable as to both principal and interest from the proceeds of general obligation bonds of the Issuer, and if not so paid, 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 Issuer. The full faith, credit and resources of the Issuer 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.

No Redemption Prior to Maturity. The Notes shall not be subject to optional redemption and payment prior to their Stated Maturity.

Book-Entry System. The Notes are being issued by means of a book-entry system with no physical distribution of note certificates to be made except as provided in the Note Resolution. One Note certificate with respect to each date on which the Notes are stated to mature or with respect to each form of Notes, 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 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 rules and procedures established by the Securities Depository and its participants. The Issuer and the Note Registrar 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 redemption premium, if any, and interest on, this Note, (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 Notes by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer and the Note Registrar 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 Note, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Note shall be made in accordance with existing arrangements among the Issuer, the Note Registrar and the Securities Depository.

Transfer and Exchange. EXCEPT AS OTHERWISE PROVIDED IN THE NOTE RESOLUTION, THIS GLOBAL 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. This Note may be transferred or exchanged, as provided in the Note Resolution, only on the Note Register kept for that purpose at the principal office of the Note Registrar, upon surrender of this Note together with a written instrument of transfer or authorization for exchange satisfactory to the Note Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Note or Notes in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Note Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Notes and the cost of a reasonable supply of note blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Note is registered on the Note Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Notes are issued in fully registered form in Authorized Denominations.

LEGAL OPINION

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Notes:

GILMORE & BELL, P.C.

Attorneys at Law

100 N. Main Suite 800
Wichita, Kansas 67202

(PRINTED LEGAL OPINION)

NOTE ASSIGNMENT

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

(Name and Address)

(Social Security or Taxpayer Identification No.)

the Note to which this assignment is affixed in the outstanding principal amount of \$_____, standing in the name of the undersigned on the books of the Note Registrar. The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Note on the books of said Note Registrar with full power of substitution in the premises.

Dated _____

Name

Social Security or
Taxpayer Identification No.

Signature (Sign here exactly as name(s)
appear on the face of Certificate)

Signature guarantee:

By _____

CERTIFICATE OF CLERK

STATE OF KANSAS)
) SS.
COUNTY OF SHAWNEE)

The undersigned, Clerk of the City of Topeka, Kansas, does hereby certify that the within Note has been duly registered in my office according to law as of September 10, 2019.

WITNESS my hand and official seal.

(Facsimile Seal)

(facsimile)
Clerk

CERTIFICATE OF STATE TREASURER

OFFICE OF THE TREASURER, STATE OF KANSAS

JAKE LATURNER, Treasurer of the State of Kansas, does hereby certify that a transcript of the proceedings leading up to the issuance of this Note has been filed in the office of the State Treasurer, and that this Note was registered in such office according to law on _____.

WITNESS my hand and official seal.

(Facsimile Seal)

By: _____ (facsimile)
Treasurer of the State of Kansas



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE:	August 13, 2019	
CONTACT PERSON:	Sasha Haehn, Neighborhood Relations Director	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	010 Grants / 004 HUD	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

PUBLIC HEARING to obtain citizen input on the City of Topeka's draft FY 2020 Consolidated Action Plan. (*Published June 15, 2019.*)

APPROVAL of the 2020 Consolidated Annual Action Plan.

Voting Requirement: At least six (6) votes of the Governing Body is required.

(Approval will entitle the City to secure federal funding from the Department of Housing & Urban Development)

VOTING REQUIREMENTS:

At least six (6) votes of the Governing Body is required.

POLICY ISSUE:

The Department of Neighborhood Relations, Division of Housing Services receives the majority of its funding from the U.S. Department of Housing and Urban Development (HUD). HUD requires the City to submit an Annual Action Plan that outlines the detailed programming and projects for the upcoming year. Submission of this plan to HUD will help secure approximately \$6.6 million dollars in federal grant funding and General Fund and Capital Improvement Budget funds for housing and neighborhood improvements and economic development, as well as social services in the community.

STAFF RECOMMENDATION:

Staff is recommending the Governing Body conduct the public hearing and approve the 2020 Consolidated Annual Action Plan as presented.

BACKGROUND:

The City of Topeka's five year Consolidated Action Plan is the strategic planning document required by the U.S. Department of Housing and Urban Development (HUD) for eligibility to receive certain federal grants. The current Consolidated Action Plan spans the years of 2016-2020. The update to the five year comprehensive plan will kickoff in early 2020.

Each year, the City creates and submits the following year's 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 funded through the various federal grant programs. The Annual Action 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 and Community Housing Development and Redevelopment partnerships - Cornerstone and Habitat for Humanity

Community and Economic Development

- Empowerment Public Facility Grants
- Stages of Resource Targeting (SORT) Grants
- Neighborhood Support Funds Anti-blight Activities Homeless/Social Services
- Social Service Grants
- Shelter Plus Care Program
- Contracted Services - Housing and Financial Counseling Emergency Shelter
- Homeless Management Information System (HMIS)
- Rapid Rehousing Homeless Prevention
- Homeless Prevention

BUDGETARY IMPACT:

The 2020 Annual Action Plan includes program plans for approximately \$6.6 million dollars in HUD grant funding and General Fund (GF) and Capital Improvement Budget (CIB) funds.

The City's combined 2018 and 2019 funding announcements from HUD included increases of \$211,103 in CDBG funds, an increase of \$112,356 in HOME Investment Partnership, an increase of \$232,497 in Continuum of Care/Shelter Plus Care funds, and an increase of \$5,576 in Emergency Services grant. These increased funds will be utilized to provide additional services and projects within the community.

HUD Grant Funds

- CDBG - \$1,846,476
- HOME - \$552,627
- ESG - \$155,147
- S+C - \$1,735,581

General Fund and CIB

- SORT program - \$1,700,000 (CIB)

- Social Service Programs - \$424,566(GF) Social Service Grants and Housing and Financial Counseling contract with HCCI
- HOME and Shelter Plus Care required match - \$120,000 (GF)

SOURCE OF FUNDING:

Community Development Block Grant, Emergency Solutions Grant, HOME Investment Partnerships, Continuum of Care Grant (Shelter+Care), General Fund and Capital Improvement Budget.

ATTACHMENTS:

Description

2020 Notice of Public Hearing Publication

2020 Draft Consolidated Annual Action Plan

2020 Draft Budget Pre-HUD Allocations

2020 Consolidated Action Plan Presentation

City of Topeka
Department of Neighborhood Relations
620 SE Madison Street
Topeka, KS 66607

MEMORANDUM

TO: Topeka Metro News
ATTN: Shirley

Contact: Corrie Wright
Telephone: (785) 368-3711

Date: July 2, 2019
Payment: PO# 46141

Note: Please publish the following ad as a Legal Notice. We would like the ad to run on **Monday, July 15, 2019**. Please send the invoice and affidavit to the contact at the above address. If you have any questions, please give me a call. Thank You!

PUBLIC HEARING NOTICE

The City of Topeka will hold a **final public hearing** for the City of Topeka's draft **FY2020 Consolidated Annual Action Plan** on **Tuesday, August 13, 2019 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 2020 Consolidated Annual Action Plan. Written comments may be submitted, through Monday, August 12, 2019, 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.

###

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, 2020 through December 31, 2020.

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 assessment, the housing market analysis or the strategic plan.

Objective: Leveraging Federal Resources

Measure: Home required match provided; CIP neighborhood infrastructure; Debt capital investment generated; Additional Financial opportunities obtained; 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 regards 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 monitored by the City's Purchasing Department and its contract compliance officers to ensure compliance with Davis Bacon and all other purchasing requirements.

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.

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 Neighborhood 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; and 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:

- NIA information should be dispersed when working on homes. They should be encouraged to attend NIA meetings
- Remove money from demo, exterior and major rehab and move it into emergency and accessibility programs
- Do a survey with SORT grant for better customer service
- Utilize the CIRCLES group to help people get out of poverty
- Don't change what you are currently doing
- Eliminate \$2,800 from Exterior Rehab
- Reallocate \$33,500 from Exterior Rehab to Emergency
- Reallocate \$35,000 from NIA support; \$15,000 to KDOC and \$22,800 to accessibility
- Improve requirements on newsletters for NIA support
- Focus accessibility program more on tenants (interior use)
- Add Major rehab \$15,000
- Add Emergency Rehab \$10,000
- Add accessibility Rehab \$10,000
- Remove \$20,000 from Empowerment
- Remove \$15,000 from NIA support
- Reduce demolition by \$15,000
- Reduce Major Rehab by \$10,000 and move to homeownership counseling
- Accessibility available more to rentals
- Teach NIA to use social media instead of newsletters]
- Increase social service budget
- Redirect anti-blight funds to local neighborhoods
- Increase funds for accessibility
- Decrease NIA support by \$22,500; utilize other ways instead of sending newsletters
- Move one inmate crew from KDOC to anti-blight
- Increase money for demolition while decreasing or eliminating exterior rehab
- Create program to assist with bedbugs
- Increase accessibility
- Remove \$6,522 from the demolition program
- Add funding to assist with utilities in the amount of \$5,522
- Create program to help citizens get ID's and birth certificates \$1,000
- Create a weatherization program for rentals

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

All comments were reviewed and some comments were rejected as they were outside the parameters for the CDBG and HOME program specifications and some comments were rejected as there were no funds available to increase grants or general fund resources for social services.

7. Summary

The City of Topeka's 1 year Action Plan for 2020 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)

Consolidated Plan Public Contact Information

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, Stormont Vail, Grace Med 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 Department of Children and Families (DCF) and Kansas Children's Service League; they provide runaway youth programs and collaborate with the CoC in efforts 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.

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

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	Housing PHA Services - Housing Services-Children Services-Elderly Persons
	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	Housing Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services - Victims
	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 persons experiencing domestic violence and strategies to help woman and children.A research-based program utilizing comprehensive education to empower young people to make healthy responsible decisions to reduce risky adolescent sexual behavior that can result in pregnancy and sexually transmitted infections.Purpose of the Center for Safety and Empowerment Shelter expenses.Provide a confidential emergency shelter, a 24-hour hotline and services to victims of domestic violence. There is also response to after-hours referrals received from law enforcement and hospitals.
3	Agency/Group/Organization	Citizen's Advisory Council
	Agency/Group/Organization Type	Business and 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 Citizen's Advisory Council is an integral part of the consolidated plan and provide essential input for the completion of the plan.

4	Agency/Group/Organization	Housing and Credit Counseling, Inc.
	Agency/Group/Organization Type	Housing Services-Education Service-Fair Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis Anti-poverty Strategy
	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. Provide home ownership training for Topeka Opportunity to Own (TOTO) project clients. Provide services to council clients on their rights and responsibilities under the KS Residential Landlord and Tenant Act, City of Topeka Housing Code and Fair Housing Law. Also to utilize community social service resources to retain housing and avoid homelessness and to help resolve tenant landlord issues.
5	Agency/Group/Organization	CORNERSTONE OF TOPEKA, INC.
	Agency/Group/Organization Type	Housing Services - Housing Services-Persons with Disabilities Services-homeless

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Cornerstone of Topeka is crucial for the development of the Con Plan. They are the affordable housing provider in Topeka that focuses on low/moderate income individuals and families. They provide low rents to make the homes affordable. Their work with the Con Plan is important as it relates to affordable housing strategies.
6	Agency/Group/Organization	Valeo Behavioral Health Care
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Services - Victims Publicly Funded Institution/System of Care

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Valeo Behavioral Health Care is the community mental health center. They work with the Con Plan to improve coordination for the homeless in the community. Their input assisted with the development of social service funds being provided in the community. Social Detoxification Program, Valeo provides a safe, non-medical, therapeutic environment for clients with acute withdrawal from substance abuse.
8	Agency/Group/Organization	Homeless Task Force
	Agency/Group/Organization Type	Services-Education Planning organization Business Leaders Civic Leaders
	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 Homelessness Strategy Market Analysis Anti-poverty Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Homeless Task Force is the governing body of the CoC. The CoC and its members are important to the Con Plan process to help the City address homelessness in the community.
9	Agency/Group/Organization	Stormont Vail Health Care
	Agency/Group/Organization Type	Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services - Victims Publicly Funded Institution/System of Care Business Leaders
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Stormont Vail Health Care was consulted about the Con Plan to bring in health care aspects of low-income individuals. The Con Plan addresses these issues with social service funds and other anti-poverty strategies.
10	Agency/Group/Organization	Shawnee County Department of Corrections
	Agency/Group/Organization Type	Housing Publicly Funded Institution/System of Care Other government - State Regional organization

	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Shawnee County Department of Corrections was consulted to assess the re-entry process. This is ongoing communication since they currently are releasing into homelessness. Ongoing communication will ensure better coordination of people being released from corrections.
12	Agency/Group/Organization	Catholic Charities Of NEKS
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless Service-Fair Housing Publicly Funded Institution/System of Care
	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 Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Rapid Re-Housing (primarily for rental and or utility deposits and or first months rent. Provide rental and utility assistance to establish housing or keep from becoming homeless.

13	Agency/Group/Organization	COMMUNITY ACTION
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services-Education Child Welfare Agency Publicly Funded Institution/System of Care
	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 Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provide a youth development program that uses an evidence based curriculum, based within the game of gold to instill life and character building skills to children ages 7 through 18.Homeless Prevention (primarily for rental arrears, utility disconnects and staff salaries)Rapid Re-Housing (primarily for rental deposit and or first months rent).

14	Agency/Group/Organization	DOORSTEP INC
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless Services-Health Services - Victims Health Agency Child Welfare Agency Publicly Funded Institution/System of Care
	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 Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provide prescription/dental assistance and transportation costs for families or individuals in need. Provide rent and utility assistance for families or individuals facing eviction or disconnection of utility services; Rental arrears and rental deposit and/or first month's rent.

16	Agency/Group/Organization	Jayhawk Area on Aging
	Agency/Group/Organization Type	Services-Elderly Persons Services-Health Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provide unbiased education and assistance to new Medicare recipients informing them of the variety of supplemental insurance policies available to them.
17	Agency/Group/Organization	LET'S HELP INC.
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-homeless Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment 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?	Provide rental and utility assistance to establish housing or keep from becoming homeless. Homeless Prevention (primarily for rental arrears, utility disconnects). Rapid Re-Housing (primarily for rental deposit and or first months rent).
18	Agency/Group/Organization	THE SALVATION ARMY
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment 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?	Provide rental and utility assistance to establish housing or keep from becoming homeless.
19	Agency/Group/Organization	Shawnee County District Court
	Agency/Group/Organization Type	Services-Health Other government - County
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A program that combines problem-solving court sessions, community supervision and treatment into a public health approach towards helping substance-using offenders.
20	Agency/Group/Organization	Shawnee Medical Society
	Agency/Group/Organization Type	Services - Housing Services-Health Other government - County
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Provides for assistance for low-income uninsured residents of Shawnee County in finding medical homes/preventative primary care with access to donated specialty care, hospital services and medication.
21	Agency/Group/Organization	Shawnee Regional Prevention & Recovery
	Agency/Group/Organization Type	Services-Health Services-Education Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Conduct activities to prevent crime and substance use through citizen empowerment and mobilization by educating and empowering the community through presentations, trainings and meetings.

22	Agency/Group/Organization	City of Topeka Development Services
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Development Services Department for the City of Topeka is instrumental in providing data on housing needs, numbers of people affected, and strategies to alleviate the problem.

23	Agency/Group/Organization	Department of Children and Families
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Child Welfare Agency Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	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.

24	Agency/Group/Organization	Strengthening Equipping Neighborhoods Together
	Agency/Group/Organization Type	Services-Children Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	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.
25	Agency/Group/Organization	USD 501
	Agency/Group/Organization Type	Services-Children Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	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.

27	Agency/Group/Organization	City of Topeka Planning Department
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Planning Department for the City of Topeka is instrumental in providing data on housing needs, numbers of people affected, and strategies to alleviate the problem.

28	Agency/Group/Organization	Habitat for Humanity
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Habitat for Humanity helps in the development of the Con Plan. They are the affordable housing provider in Topeka that focuses on low/moderate income individuals and families. They provide low rents to make the homes affordable. Their work with the Con Plan is important as it relates to affordable housing strategies.

29	Agency/Group/Organization	City of Topeka Emergency Management
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Other government - Local
	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 Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Emergency Management Department for the City of Topeka is instrumental in providing data on housing needs, numbers of people affected, and strategies to alleviate the problem.
31	Agency/Group/Organization	Shawnee County Parks and Rec
	Agency/Group/Organization Type	Housing Services - Housing Publicly Funded Institution/System of Care

	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	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.
32	Agency/Group/Organization	City of Topeka Utilities
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Utilities Department for the City of Topeka is instrumental in providing data on housing needs, numbers of people affected, and strategies to alleviate the problem.

35	Agency/Group/Organization	Shawnee County Community Developmental Disability Organization
	Agency/Group/Organization Type	Services-Persons with Disabilities Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	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.

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

The City of Topeka holds public meetings and public hearings to encourage citizen participation. Newspaper ads are created to announce meetings, hearings and public comment periods. In addition, E-mails are sent to Neighborhood leaders in the community as well as to NIA's.

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	Citizens Advisory Council	Non-targeted/broad community	Con Plan presented at Citizen's Advisory Council held on April 3, 2019.	Increase funding for SORT areas, increase funding for NIA support, increase demolition	Without more federal funds many of the funding changes were not possible.	

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)
2	Public Meeting	Non-targeted/broad community	Public Meetings held on April 25th, May 2nd, May 8th 2019	Eliminate NIA support and get rid of newsletters, Increase funding for emergency and accessibility. Use citizens to help with housing improvements instead of inmates. More money for major rehab, eliminate exterior rehab.	Without more federal funds many of the funding changes were not possible.	
3	Homeless Task Force Meeting	Non-targeted/broad community	Con Plan presented at Homeless Task Force Meeting held on April 10, 2019	Increase funds for social services	Without more federal funds many of the funding changes were not possible.	

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)
4	Email Blast	Non-targeted/broad community	Emails sent to neighborhood leaders in the community.	Increase the number of SORT areas and increase SORT funding.	After discussion with others in the community the department received equal number of requests to increase funds with no way to do so. If the money is available we will increase funding in these areas.	

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: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,846,476	0	0	1,846,476	1,846,476	CDBG funds will be used for administration, housing activities, public improvements, and public services.

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: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	552,627	0	0	552,627	552,627	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	155,147	0	0	155,147	155,147	ESG will be used for rapid re-housing, homeless prevention and shelter activity.

Competitive McKinney-Vento Homeless Assistance Act	public - federal	Housing TBRA						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's large percentage of low income individuals.
			1,735,581	0	0	1,735,581	1,735,581	
General Fund	public - local	Economic Development	2,358,288	0	0	2,358,288	2,358,288	Capital Improvement program dollars for infrastructure,

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: \$		
		Public Improvements						rehabilitation and replacement in LMI neighborhoods. General Fund for Social Services. 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 \$330,000 in federal housing funds to acquire \$1.7 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 \$1.7 million of in-kind match for Shelter Plus Care program. The City also provides \$100,000 of HOME fund matching funds for the HOME HUD grant. The City has been awarded \$750,000 from FHL Bank and will use this money in combination with their current Rehab programs to address fixing existing Code Violations.

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 in 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 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: \$20,000 HOME: \$30,000	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: \$80,000 HOME: \$110,000 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: \$78,000 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: \$260,000	Homeowner Housing Rehabilitated: 70 Household Housing Unit

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: \$100,000	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: \$85,000	Buildings Demolished: 4 Buildings
7	Homeownership	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: \$31,000 HOME: \$180,000	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: \$43,000 General Fund: \$33,000	Other: 220 Other
9	CHDO Housing Deveopment	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Increase Homeownership and Rental Housing	CDBG: \$100,000 HOME: \$90,248	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: \$66,527	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: \$120,500	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: \$300,000	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: \$65,000	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: \$67,000 General Fund: \$558,288	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: \$155,147	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: \$1,615,608	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: \$299,086	Other: 1 Other
21	HOME Administration	2016	2020	Affordable Housing	Intensive Care Areas At-Risk Areas	Enhance Quality of Targeted Neighborhoods	HOME: \$55,262	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: \$1,700,000	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	Competitive McKinney-Vento Homeless Assistance Act: \$119,973	Other: 1 Other

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Infill Housing
	Goal Description	The CDBG and HOME Grants provide infill housing opportunities in both at-risk and intensive care areas. These funds will be used to increase homeownership and rental housing in these areas for low-moderate income individuals in the community.
2	Goal Name	Major Rehabilitation
	Goal Description	The CDBG, HOME Grants and City of Topeka's General Fund provide opportunities for Major Rehabilitation of existing homes in both at-risk and intensive care areas. These funds will be used for Major Rehabilitation projects for low-moderate income individuals in the community. Major Rehabilitation provides up to \$30,000 in grant funding for home rehabilitation for owner occupied housing. After 7 years living in the home, 50% of the loan is forgiven.

3	Goal Name	Exterior Rehabilitation
	Goal Description	The CDBG Grant and The City of Topeka's General Funds provide opportunities for Exterior Rehabilitation of existing rental units and homes in both at-risk and intensive care areas. These funds will be used for Exterior Rehabilitation projects for low-moderate income individuals in the community. Exterior Rehab provides up to \$15,000 in grant funding to rehabilitate rental units occupied by low-income individuals and families. A 10% match is required. After 7 years living in the home, 60% of the loan is forgiven.
4	Goal Name	Emergency Rehabilitation
	Goal Description	The CDBG Grant provides opportunities for Emergency Rehabilitation of existing homes in both at-risk and intensive care areas. These funds will be used for Emergency Rehabilitation projects for low-moderate income individuals in the community. Emergency Rehabilitation provides repair for major life-safety concerns, like repairs and replacements for the roof, furnace and sewer and water lines, in low-income, owner-occupied housing.
5	Goal Name	Accessibility Modifications
	Goal Description	The CDBG Grant provides opportunities for Accessibility Modifications of existing rental units and homes in both at-risk and intensive care areas. These funds will be used for Accessibility projects for low-moderate income individuals in the community. The Accessibility Program funds modifications, like installing ramps and widening doors, to homes and rental units occupied by low-income individuals.
6	Goal Name	Voluntary Demolition
	Goal Description	The CDBG Grant provides opportunities for Voluntary Demolition of blighted structures as part of the voluntary demolition program. These funds will be used for Demolition of existing buildings within the At-risk and Intensive Care Areas.

7	Goal Name	Homeownership
	Goal Description	The Topeka Opportunity to Own (TOTO) Homeownership Program is intended to help first time homebuyers purchase a home of up to the value of \$65,000. The homeowner will pay a \$500 down payment and receive homebuyer counseling from Housing and Credit Counseling, prior to purchasing their home. The homeowner finds the home they want to purchase and then the City inspects the home with the intention to make improvements to bring the appraisal value of the home up at closing. With the rehabilitation, that will be completed after closing, the home is appraised at a higher value and the home is then affordable to the homeowner. The rehabilitation is done after closing but the after rehab value is used to make the home affordable to the homeowner. The closing of the home is done simultaneously with the bank, whom the City works closely. Topeka Opportunity to Own (TOTO) Home Ownership Program provides up to \$30,000 for low-income home buyers for rehabilitation of their newly acquired property. After 7 years of living in the home, 50% of the loan is forgiven.
8	Goal Name	Homeownership Counseling
	Goal Description	The CDBG Grant and the City of Topeka's General Fund provides the opportunity for The City of Topeka to partner with Housing and Credit Counseling to provide homeownership and credit counseling to low-income buyers in the TOTO program, and to provide fair housing information and statistics on people experiencing difficulties with their landlord or renter; provide home ownership training for Topeka Opportunity to Own (TOTO) project clients and to provide services to council clients on their rights and responsibilities under the KS Residential Landlord and Tenant Act, City of Topeka Housing Code and Fair Housing Law. These funds also utilize community social service resources to retain housing and avoid homelessness and to help resolve tenant landlord issues.
9	Goal Name	CHDO Housing Development
	Goal Description	The HOME grant allows the City of Topeka to partner with Community Housing Development Organizations like Cornerstone and Habitat for Humanity to purchase and rehabilitate housing to make it more affordable and to develop new rental units. They are the affordable housing providers in Topeka that focus on low/moderate income individuals and families. They provide low rents to make homes affordable in the At Risk and Intensive Care areas.

10	Goal Name	CHDO Operating Subsidy
	Goal Description	The HOME Grant funds the CHDO Operating Subsidy to increase home ownership and rental housing through Community Housing Development Organizations. The City of Topeka has partnered with Cornerstone and Habitat for Humanity for this purpose.
11	Goal Name	Tenant Based Rental Assistance
	Goal Description	The HOME grant provides funds for the Tenant Based Rental Assistance Program for deposit assistance for low income households.
12	Goal Name	Inmate Program
	Goal Description	The Inmate Program utilizes CDBG funds to provide approximately 8,000 hours of service by two inmate crews. The Inmate Program also utilizes the City of Topeka's General Funds to fund five inmate crews, Neighborhood Action Team A & B, Concrete, Affordable Housing and Code inmate crews, as well as the Neighborhood Relations Inmate Coordinator. These five crews provide approximately 29,194 hours of services.
13	Goal Name	Program Delivery
	Goal Description	CDBG Grant funds are utilized for program delivery for all CDBG programs, Infill, Major Rehab, Exterior Rehab, Emergency Repair, Accessibility, Voluntary Demolition, Homeownership and Homeownership Counseling, KDOC Affordable Housing, NIA Support, Empowerment Activities, and Anti-blight Activities.
14	Goal Name	Empowerment Projects
	Goal Description	The CDBG grant funds the Empowerment Grant program. This program will improve public facilities (primarily sidewalks and parks) in approximately 12 Neighborhood Improvement Associations.
15	Goal Name	NIA Support
	Goal Description	NIA – Neighborhood Improvement Association – entities created by the City and tied to our HUD funding and Consolidated Action Plan – must be formed by residents in areas with at least 51% low-moderate income residents (based on census data). The CDBG Grant funds Neighborhood Improvement Associations (NIA) support. NIA support will provide assistance to 21 NIAs in the form of newsletters and operational support.

16	Goal Name	Anti-Blight Activities
	Goal Description	The CDBG Grant funds the Anti-Blight Program. Anti-Blight will assist the clean-ups of the 21 NIAs and remove approximately 15,000 bags of trash and debris.
17	Goal Name	Social Service Grants
	Goal Description	The City of Topeka utilizes their general funds and some CDBG funds for social service grants to fund agencies to provide contractual services to assist an estimated 25,000 individuals. Social Service programs are provided by YWCA, Valeo Behavioral Health Care, CASA, Catholic Charities, Community Action, Doorstep, East Topeka Council on Aging, Jayhawk Area on Aging, Let's Help, the Salvation Army, Shawnee County District Court, Shawnee County Medical Society and Shawnee County Regional Prevention and Recovery.
18	Goal Name	Emergency Solutions Grant
	Goal Description	The ESG Grant provides shelter and essential services to households who are or may be at-risk of homelessness. In addition, the ESG Grant provides rental deposit assistance and supportive services to low income households.
19	Goal Name	Shelter Plus Care
	Goal Description	Continuum of Care: Dedicated to rent assistance for low income individuals who have been diagnosed with chronic mental illness or substance abuse. The City of Topeka serves as the lead agency for the Continuum of Care to provide affordable housing through the Shelter Plus Care Program. The Shelter Plus Care Program offers rental and utility assistance to Extremely low income households. 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 Childrens League, Veterans Administration, Valeo Behavioral Health Care, Topeka Rescue Mission, etc. These agencies also address persons at risk to help alleviate future homelessness.
20	Goal Name	Administration for CDBG
	Goal Description	The CDBG Grant funds Administration costs for personnel salary, benefits and expenses to administer all CDBG programs.

21	Goal Name	HOME Administration
	Goal Description	The HOME Grant funds Administration costs for personnel salary, benefits and expenses to administer all HOME programs.
22	Goal Name	SORT Infrastructure
	Goal Description	The City of Topeka's General Funds provide Capital Improvement program dollars for infrastructure, rehabilitation and replacement in LMI neighborhoods. Stages of Resource Targeting (SORT): Provides housing rehabilitation funds over two years in targeted neighborhoods.
23	Goal Name	Administration for Shelter Plus Care
	Goal Description	The Shelter Plus Care Grant funds Administration costs for personnel salary, benefits and expenses to administer the Shelter Plus Care program.

Projects

AP-35 Projects – 91.220(d)

Introduction

2020 Projects

Projects

#	Project Name
1	2020 In-Fill Housing & Development
2	2020 Major Rehabilitation Program
3	2020 Exterior Rehabilitation
4	2020 Emergency Rehabilitation
5	2020 Accessibility Modifications
6	2020 Voluntary Demolition
7	2020 Homeownership
8	2020 Homeownership Counseling
9	2020 CHDO Non-Project Set-Aside and Rental Rehabilitation
10	2020 CHDO Operating Subsidy
11	2020 Tenant-Based Rental Assistance
12	2020 KDOC Affordable Housing
13	2020 Rehabilitation Program Delivery
14	2020 Empowerment Project
15	2020 NIA Support
16	2020 Anti-Blight Activities
17	2020 Social Services
18	2020 HESG
19	2020 Shelter Plus Care
20	2020 Home Administration
21	2020 CDBG Administration
22	2020 SORT Infrastructure
23	2020 Shelter Plus Care Administration

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	2020 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: \$20,000 HOME: \$30,000
	Description	Construction of new housing
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	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	2020 Major Rehabilitation Program
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Major Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$80,000 HOME: \$110,000 General Fund: \$33,500
	Description	Rehabilitation on homes that are owner-occupied in target areas.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Owner-occupied homes will be rehabbed in target areas.
	Project Name	2020 Exterior Rehabilitation

3	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Exterior Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$78,000 General Fund: \$33,500
	Description	Rental properties will be rehabbed in target areas.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Rental properties will be rehabbed in target areas.
4	Project Name	2020 Emergency Rehabilitation
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Emergency Rehabilitation
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$260,000
	Description	Owner-occupied homes will be rehabbed that have concerns of immediate health and safety.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
5	Project Name	2020 Accessibility Modifications
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Accessibility Modifications
	Needs Addressed	Enhance Quality of Targeted Neighborhoods

	Funding	CDBG: \$100,000
	Description	Homes will be rehabbed to help families gain access to their home or modifications to their bathroom.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
6	Project Name	2020 Voluntary Demolition
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Voluntary Demolition
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$85,000
	Description	Blighted structures will be demolished.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Homes will be demolished to remove blight from the neighborhoods.
7	Project Name	2020 Homeownership
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Homeownership
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	CDBG: \$31,000 HOME: \$180,000
	Description	Low income families will be assisted with rehabilitation on their newly purchased home.
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
8	Project Name	2020 Homeownership Counseling
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Homeownership Counseling
	Needs Addressed	Increase Homeownership and Rental Housing
	Funding	CDBG: \$43,000 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	
	Location Description	
	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	2020 CHDO Non-Project Set-Aside and Rental Rehabilitation
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	CHDO Housing Development
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$100,000 HOME: \$90,248
	Description	Project provides funds for the CHDO.
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
10	Project Name	2020 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	
	Location Description	
	Planned Activities	Project will assist the CHDO with operational costs.
11	Project Name	2020 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: \$66,527
	Description	Deposit assistance to LMI families.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
	Project Name	2020 KDOC Affordable Housing

12	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Inmate Program
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$120,500
	Description	Provide funds to support Inmate Crews to rehab homes.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Project will provide two crews minimum security women prisoners for the rehabilitation of affordable housing units and rehab sidewalks.
13	Project Name	2020 Rehabilitation Program Delivery
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Program Delivery
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$300,000
	Description	Provide funds for administering the CDBG programs.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
14	Project Name	2020 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	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Public facility grants will be issued to neighborhoods to do small infrastructure projects.
15	Project Name	2020 NIA Support
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	NIA Support
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$65,000
	Description	Support for neighborhood groups to improve capacity.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	This fund will assist in the operations of NIA's for newsletter mailings and other qualified activities.
16	Project Name	2020 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	

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	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	2020 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: \$558,288
	Description	Project will fund agencies to help with youth, seniors, mentally ill, victims of domestic violence and other social services.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Social Service grants will be issued to agencies to help LMI families with supportive services based on their needs.
18	Project Name	2020 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: \$155,147
	Description	Project will help agencies provide emergency services.
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	LMI families will be assisted with rent and/or deposit assistance to prevent homelessness.
19	Project Name	2020 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: \$1,615,608
	Description	Rent subsidy to homeless individuals.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Rent and utility assistance is provided to homeless families who have a disability.
20	Project Name	2020 Home Administration
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	HOME Administration
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	HOME: \$55,262
	Description	HOME Administration to administer all HOME projects.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	

	Planned Activities	
21	Project Name	2020 CDBG Administration
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	Administration for CDBG
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	CDBG: \$299,086
	Description	Assist with Administration for all CDBG Projects.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Administration will assist with all CDBG projects.
22	Project Name	2020 SORT Infrastructure
	Target Area	Intensive Care Areas At-Risk Areas
	Goals Supported	SORT Infrastructure
	Needs Addressed	Enhance Quality of Targeted Neighborhoods
	Funding	General Fund: \$1,700,000
	Description	CIP Infrastructure
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
23	Project Name	2020 Shelter Plus Care Administration
	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	Competitive McKinney-Vento Homeless Assistance Act: \$119,973
	Description	Administration to support SPC Grant.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	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 2020 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

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

The City of Topeka develops annual goals for rehabilitating homes through major rehab, exterior rehab, emergency repair and accessibility modifications, demolishing blighted structures as part of the voluntary demolition program and assisting first-time homebuyers through Topeka's homebuyer program and providing homebuyer counseling. Rental Assistance goals include deposit assistance, providing shelter and essential services to households who are or may be at-risk of homelessness, providing rental assistance and supportive services, providing contractual services to three organizations through Community Development Block Grant (CDBG), and providing contractual services to 24 organizations through City general funds. In addition, approximately 8,000 hours of services are provided by two inmate crews.

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 shelters 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 completed 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, in 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 \$430,000 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 issues 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. 18.3% of household are living in poverty.

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 an 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 and has taken on the administration of HMIS from the CRC. 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. The City of Topeka will continue to maintain existing, ongoing efforts to meet the underserved needs of the community

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, and Cornerstone. 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. Additionally, the City contributes general fund money to support the social service agencies to meet the needs of the community.

Discussion:

The City of Topeka will continue to coordinate with social service partners and consultant agencies and organizations to better serve client constituents.

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%

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.

The recapture provision happens if the housing does not continue to be the principle residence of the buyer for the duration of the HOME period of affordability then the HOME investment amount shall be recaptured on a prorated basis for the time the homeowner has owned and occupied the housing, following project completion, measured against the required affordability period. 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:

*This Second Mortgage shall be partially forgiven by **Five thousand No/100 dollars (\$5,000.00)**, upon the conclusion of the first year of ownership, This Second Mortgage, less the amount from A. above, shall also 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. The annual reduction on a percentage basis shall be implemented as 7% per year up until 50% has been forgiven.*

If all or any part of the property or interest is sold or transferred by Borrower, payment shall be made in the original amount of the note less a credit for the forgivable portion of the loan as indicated above. The amount subject to recapture is the direct subsidy received by the homebuyer. Funds will only be recaptured from net proceeds available from the sale of the property.

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 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 City of Topeka, Department of Neighborhood Relations. DNR uses ESG funds for administration to enter services into the system. The City of Topeka has policies and procedures for use of the system that each agency must adhere to. The City of Topeka 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 members vote 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 City of Topeka has a designated staff person to make sure the Department of Neighborhood Relations is following all the federal and local regulations.

Attachments

Citizen Participation Comments

Comments received from citizens included:

- Remove money from demo, exterior and major rehab and move it into emergency and accessibility programs
- Don't change what you are currently doing
- Eliminate Exterior Rehab
- Reallocate money from Exterior Rehab to Emergency
- Quit paying for newsletters and encourage social media
- Create a weatherization program for rentals
- Increase funding for SORT
- Increase funding for NIA Support
- Increase funding for emergency and accessibility
- More money to CHDO's
- Build more homes

Final 2020 Consolidated Action Plan (Pre-HUD Allocations)

*Target Area Funds

Description	CDBG	HOME	ESG	S + C	CIP/GF	SUBTOTAL	TOTALS
HOUSING DEVELOPMENT							\$1,814,865
In-Fill Housing Development	\$20,000	\$30,000.00				\$50,000	
Existing Housing Rehabilitation	-	-					
Major Rehabilitation	\$80,000	\$110,000			\$33,500	\$223,500	
Exterior Rehabilitation	\$78,000	-			\$33,500	\$111,500	
Emergency Rehabilitation	\$260,000	-			-	\$260,000	
Accessibility Modifications	\$100,000	-				\$100,000	
Voluntary Demolition	\$85,000	-				\$85,000	
Homeownership	-	-					
Homeownership -TOTO -(50%*)	\$31,000	\$180,000			-	\$211,000	
Homeownership Counseling (50%*)	\$43,000	-			\$33,000	\$76,000	
CHDO - Non Profit Set Aside	-	-					
Housing Development (15%)	\$100,000	\$90,248				\$190,248	
Operating Subsidy	-	\$20,590				\$20,590	
Tenant-Based Rental Assistance-TBRA	-	\$66,527				\$66,527	
KDOC Affordable Housing	\$120,500	-				\$120,500	
Rehabilitation Program Delivery (60%)	\$300,000	-				\$300,000	
COMMUNITY DEVELOPMENT	-	-					\$137,890
Empowerment - Public Facility Grants	\$137,890	-				\$137,890	
NEIGHBORHOOD SERVICES	-	-					\$125,000
NIA Support	\$65,000	-				\$65,000	
Anti-Blight Activities (50%*)	\$60,000	-				\$60,000	
HOMELESS/SOCIAL SERVICES	-	-					\$2,384,407
Social Services	\$67,000	-			\$367,047	\$434,047	
Contracted Social Services - HND					\$51,293	\$51,293	
Contracted Social Services - PD					\$139,948	\$139,948	
Emergency Solutions Grant	-	-	\$143,511			\$143,511	
Shelter + Care-RENT	-	-		\$1,615,608		\$1,615,608	
ADMINISTRATION	\$299,086	\$55,262	\$11,636	\$119,973		\$485,957	\$485,957
CIP Neighborhood Infrastructure [*]					\$1,700,000	\$1,700,000	\$1,700,000
						-	
TOTALS	\$1,846,476	\$552,627	\$155,147	\$1,735,581	\$2,358,288	\$6,648,119	\$6,648,119
Sources of Funds							
Regular Programs (subject to Appropriations)	\$1,846,476	\$552,627	\$155,147	\$1,735,581	\$2,358,288	\$6,648,119	
Program Income		-				\$0	
Reprogrammed/Rolled Forward Funds - Prior Year						\$0	
TOTAL	\$1,846,476	\$552,627	\$155,147	\$1,735,581	\$2,358,288	\$6,648,119	\$6,648,119

Targeted Program Funds		\$2,644,000
Non-targeted Program Funds		\$1,619,712
<i>Note: 1) City Y&SS funds based on proposed City Manager's budget. 2)CIP \$20,000 Administration of Shelter Plus Care Program.</i>		
Homeless/Youth & Social Services	<i>These services are directed toward individual needs and are not part of the SORT targeting.</i>	\$2,384,407

**City of Topeka
Neighborhood Relations
2020 Consolidated Annual Action Plan**



Objectives

HUD Objectives

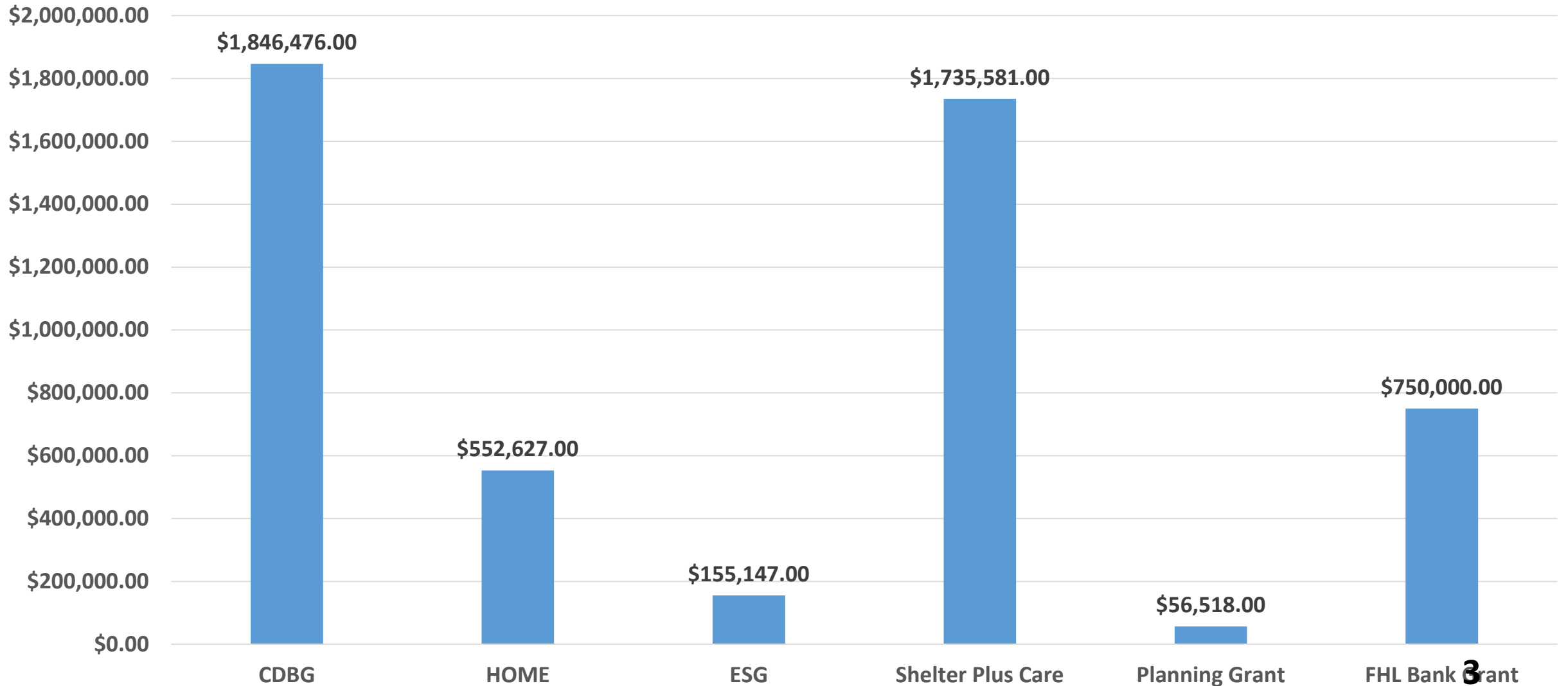
- Suitable Living Environment – Availability and Accessibility
- Decent Affordable Housing – Affordability
- Creating Economic Opportunities - Sustainability

Neighborhood Relations Objectives

- Enhance the quality of neighborhoods
- Increase Home Ownership
- Enhance Housing with Support Services
- Leverage other resources

Which Grant Funds are Included?

Estimated 2020 Grant Amounts



SORT Target Area Rehabilitation Program

Owner Occupant

- ❖ First \$5,000 is a grant for repairs without repayment.
- ❖ \$5,000 additional grant for lead if house built prior to 1978 and determined required through Lead Risk Assessment.
- ❖ \$30,000 max for repairs with 50% forgiveness after 7 years of occupancy and 50% permanent lien only paid when house is sold.

Eligibility

- ❖ Must be owner of home and occupied for 90 days prior to applying.
- ❖ Must be within the Targeted Area.
- ❖ All work must be approved by Neighborhood Relations and is subject to availability of funds.
- ❖ Must qualify as low income eligible (At or below 80% of Median Annual Family Income for Topeka).
- ❖ Some examples:
 - ❖ Replacement of single pane windows with Energy Star
 - ❖ Replacement of low efficiency furnace with 90 percent efficient furnace.



Rental Occupant

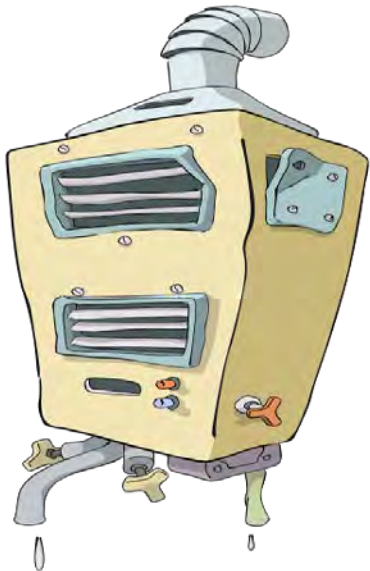
- ❖ Rental owner must provide 10% match for all funding paid first.
- ❖ \$15,000 max for repairs with 60% forgiveness if landlord does not sell, transfer, or refinance property for 7 years and 40% permanent lien only paid when property is sold.

Eligibility

- ❖ Rental unit must be residential with affordable rent.
- ❖ All Eligibility Requirements of Owner Occupant.
- ❖ Exterior work only except for HVAC.

Emergency Repair

- ✓ Minimum of \$300 and Maximum of \$15,000 for work.
- ✓ First \$1,500 is grant with no repayment for first occurrence.
- ✓ Must not exceed 60% of the current HUD median household income.
- ✓ Must reside in property more than one year prior to application.
- ✓ 50% forgiveness after 7 years of occupancy, 50% permanent lien only paid when house is sold.



Examples of Emergency Repairs

- Sewer lines
- Water heater
- Furnace
- Electrical
- Lead Paint
- Roof
- Air conditioning with Physician's Order

Accessibility Program

Owner Occupied

- Maximum of \$6,000 exterior and \$4,500 interior and only \$1,500 for mobile homes.
- Household income must not exceed 80% of the current HUD Median household income.
- Assistance is provided as a one-time grant with no repayment.
- Limited to one “visitable” access into a home, into the bathroom and to one bedroom and fixtures, grab bars, high rise toilet, etc.

Rental

- Maximum of \$4,000 for exterior only.
- All requirements for Owner Occupied.



Voluntary Demolition

Owners with income below 80% of median

Re-Use Activity	Re-payment % of Lien
Property re-used for non-residential	50%
Property re-used for residential rental	0%
Property re-used for owner-occupied	0%

- If the property is donated to a non-profit the lien 0%.
- Property must be vacant for minimum of 6 months prior to application.
- If a nonprofit owns the property, the City may choose whether or not to place a lien on the property depending on the use of the property.



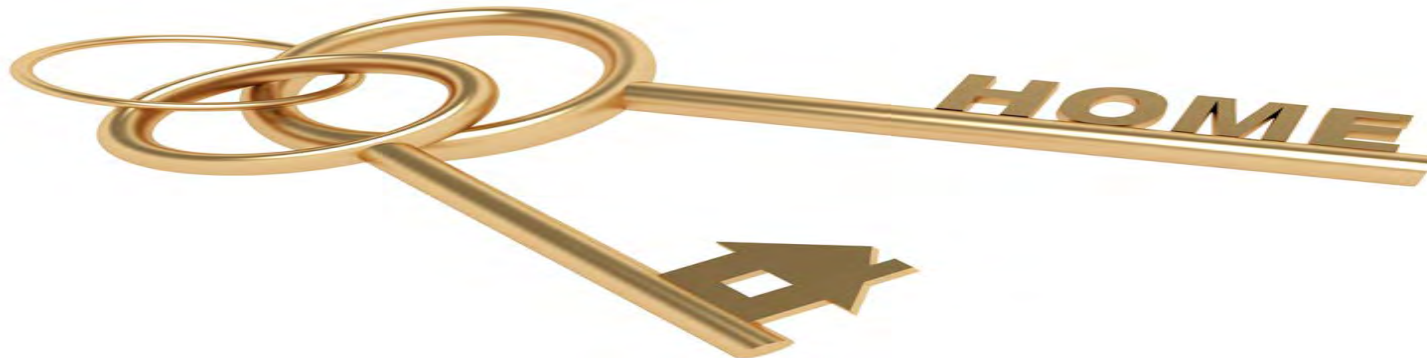
Owners with income above 80% of median

When property is sold or leased or when improvements are made:

Re-Use Activity	Re-payment % of Lien
Property re-used for non-residential	75%
Property re-used for residential rental	50%
Property re-used for owner-occupied	25%

Topeka Opportunity to Own (TOTO)

- ❖ Home Ownership Program provides up to \$30,000 for low-income home buyers for rehabilitation of their newly acquired property.
- ❖ 50% forgiveness after 7 years of occupancy, 50% permanent lien only paid when house is sold.
- ❖ Homebuyer must go through Credit Counseling with Housing and Credit Counseling, Inc (HCCI).
- ❖ Newly acquired home purchase price cannot be over \$75,000.
- ❖ Household income must not exceed 80% of the current HUD Median household income.



Community Housing Development Organization (CHDO)

A CHDO is a private nonprofit, community-based service organization that has or intends to obtain staff with the capacity to develop affordable housing for the community it serves.

- ❖ Partnerships with Cornerstone to provide funding for Rehabilitation of Rental Units for Low Income residents.
- ❖ Partnerships with Cornerstone and Topeka Habitat for Humanity to provide new Infill Housing for Low Income residents.
- ❖ Household income must not exceed 80% of the current HUD Median household income.
- ❖ 15% of HOME funds are set aside for CHDO.
- ❖ Landlords agree to an affordability period applied to Rental Rehab



CHDO Homes



CHDO Homes



Emergency Solutions Grant

The ESG program provides funding to engage homeless individuals and families living on the street; improve the number and quality of emergency shelters; and rapidly rehouse the homeless.

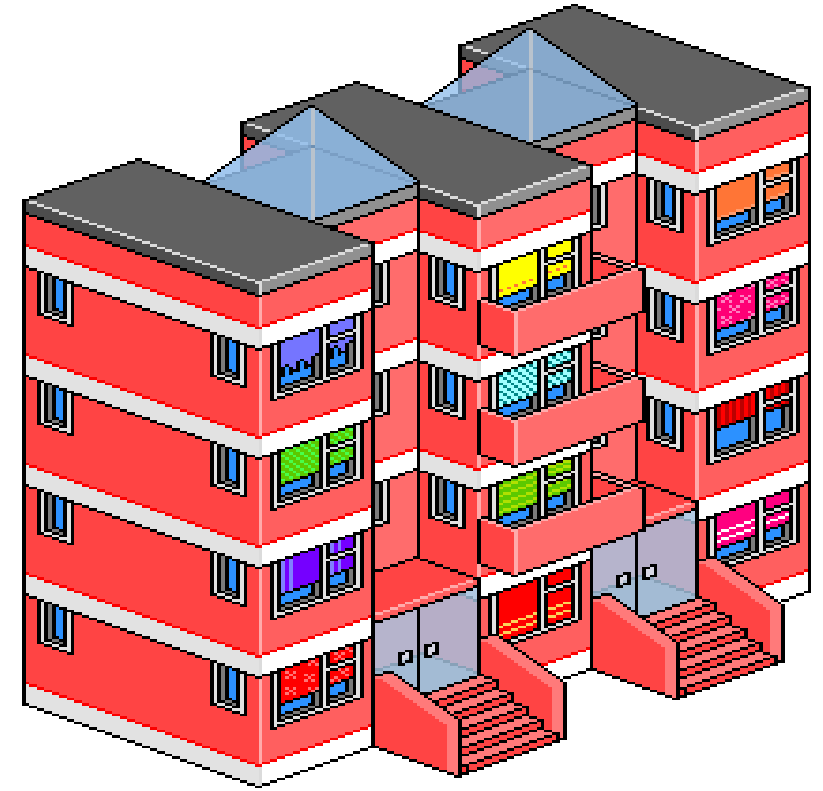
- ❖ Rapid Rehousing
- ❖ Emergency Shelter
- ❖ Homeless Prevention
- ❖ Homeless Management Information System (HMIS)
 - ❖ Database used by all Organizations to track services & statistics.
 - ❖ The City of Topeka began managing the HMIS system in 2018.



Continuum of Care - Shelter Plus Care

Rental Assistance program to homeless persons with disabilities, primarily those with severe and persistent mental illness, chronic problems with alcohol and/or drugs, or diagnosed with AIDs or related disease.

- ❖ 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.
- ❖ Individuals and families pay approximately 30% of their monthly-adjusted income toward the rent.
- ❖ Participants must meet the criteria for the program and agree to participation.
- ❖ Participant must meet with their primary service provider at least once per month.
- ❖ Applications are only accepted from the following agencies:
 - ❖ Mirror
 - ❖ Positive Connections
 - ❖ Valeo Recovery Center
 - ❖ Veterans Administration
 - ❖ Valeo Behavioral Health Care
 - ❖ New Dawn Recovery and Wellness
 - ❖ Prairie Band Pottawatomie
 - ❖ Second Chance Services (Housing First)



Federal Home Loan Bank Grant

Grant will be used to assist homeowners with repairs to their home that have been cited by the Property Maintenance Division of Neighborhood Relations.

Eligibility

- ☐ All names on the Deed must be living in the home.
- ☐ Must not exceed 50% of the current median household income as determined by FHLB.
- ☐ 20% of applicants must reside in the Neighborhood Revitalization Area.
- ☐ Must have resided in the property for more than 1 year.
- ☐ Minimum of \$2,500 and Maximum of \$20,000.
- ☐ No duplication of services from other programs.
- ☐ TOTO properties not eligible for services.

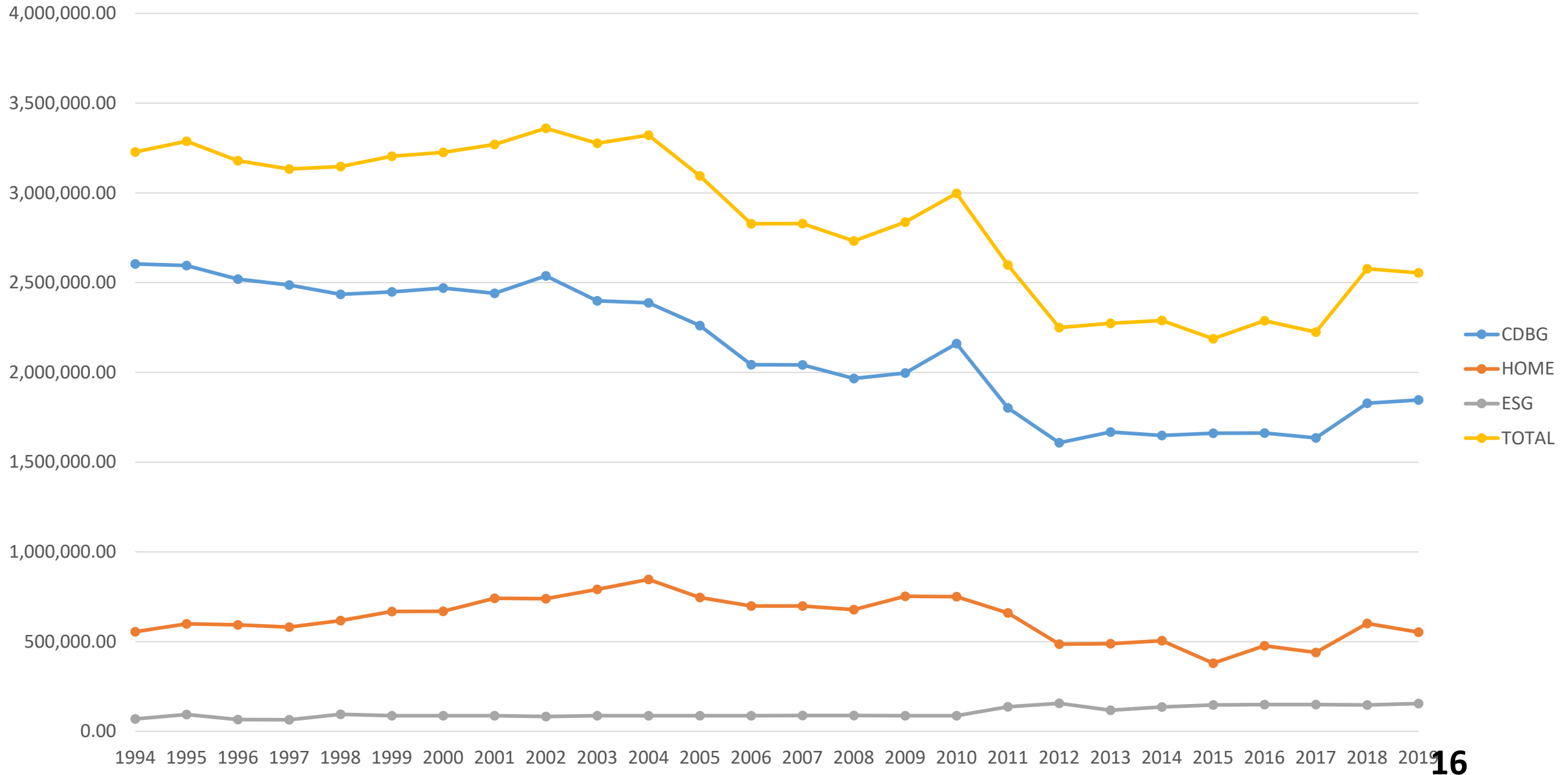


2018 by the Numbers

- **109** Housing & Rehabilitation Projects
 - **20** Major Rehab Projects
 - **4** Exterior Rehab Projects
 - **35** Owner occupied Emergency Repair Projects
 - **29** Accessibility Projects
 - **7** Voluntary Demolitions
 - **12** First Time Home Buyers – TOTO
 - **2** Infill Housing Projects
- **212** Individuals received Home Buyer Counseling
- **60** Renters provided Deposit Assistance
- **530** Households at risk of Homelessness received Shelter Rental Assistance and supportive services
- **135** Households at risk of Homelessness were provided Emergency Solutions shelter and essential services
- Social Services Grants assisted an estimated **21,000** individuals
 - **23** agencies funded with General Funds & CDBG funds
 - **4** contracted agencies through Neighborhood Relations & TPD
- Services for **21** NIA's in the form of newsletters, operational support, capacity & community building, community engagement and clean-ups assisted approximately **17,000** individuals



Funding Levels Over Time



Citizen & Community Involvement

Homeless Task Force Presentation

When: Wednesday, May 8, 2019 at 1:00 p.m. to 2:00 p.m.

Where: 455 SE Golf Park

Public Meetings – 2

When: Thursday, April 25, 2019 at 5:30 p.m. to 6:30 p.m.

Where: 620 SE Madison, 1st Floor

When: Thursday, May 2, 2019 at 2:00 p.m. to 3:00 p.m.

Where: 620 SE Madison, 1st Floor

Citizen's Advisory Council Presentation and Discussion

When: Wednesday, April 3, 2019 at 6:00 p.m. to 7:30 p.m.

Where: 620 SE Madison, 1st Floor

Public Comment Period – 30 Days

- ✓ During Meetings
- ✓ E-Mail
- ✓ Hand Delivered
- ✓ Via U.S. Mail

When: June 3rd through July 5th

Where: Deliver comments to 620 SE Madison, 1st Floor

Draft Consolidated Plan may be examined at:

Department of Neighborhood Relations and City Clerk's Office, 1st Floor City Hall

Final Public Hearing – Held at the City Council Meeting

City Council Meeting

When: Tuesday, August 13, 2019 at 6:00 p.m.

Where: City Council Chambers

Questions?

Sasha Haehn

Department of Neighborhood Relations

785/368-3711



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE:	August 13, 2019	
CONTACT PERSON:	Nick Hawkins	DOCUMENT #:
SECOND PARTY/SUBJECT:	2020 City Operating Budget	PROJECT #:
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 005 Miscellaneous	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

PUBLIC HEARING to obtain public input and answer questions and objections from taxpayers regarding the proposed 2020 City of Topeka Operating Budget. *(Published August 1, 2019)*

APPROPRIATION ORDINANCE introduced by City Manager Brent Trout, approving and adopting the operating budget for calendar year 2020 and appropriating the amounts for the purpose set forth therein.

Voting Requirement: At least six (6) votes of the Governing Body are required.

(Approval would adopt the City's 2020 Operating Budget.)

VOTING REQUIREMENTS:

At least six (6) votes of the governing body.

POLICY ISSUE:

K.S.A. 79-2929 requires a public hearing to hear taxpayer objections. The hearing is a prerequisite to adopting the budget. After the public hearing is conducted, the Governing Body will determine appropriation of funding amounts for the 2020 City of Topeka annual budget and impose the requisite property tax.

STAFF RECOMMENDATION:

Staff recommends the Governing Body conduct the public hearing and adopt the ordinance.

BACKGROUND:

State law requires that a public hearing be held before a budget can be adopted. The proposed 2020 budget expenditures and amount of 2019 ad valorem tax establish the maximum limits of the 2019 budget. Estimated

tax rate is subject to change depending on the final assessed valuation.

K.S.A. 79-2933 requires adoption of an annual budget after a public hearing has been conducted to consider taxpayer input.

The 2020 Proposed Budget was formulated with citizen input and feedback from the Governing Body during budget sessions. The Governing Body's role in the 2020 budget process formally began with the Governing Body's adoption of budget priorities in April 2019.

The Governing Body reviewed the 2020 Proposed Budget at the June 18, June 19, June 25, July 9, and July 23, 2019 special and regular Governing Body meetings.

On July 23, the Governing Body set the maximum taxes levied and approved the Public Hearing date of August 13, 2019. The proposed 2020 budget was officially published at \$324,394,786, including all funds. The total taxes levied for the General Fund, Debt Service Fund and Special Liability Fund totals \$45,465,595. The total estimated mill levy of 39.73 remains unchanged from the 2019 budget, subject to the County Clerk's finalization of the assessed valuation and the certification of the mill levies later this year.

BUDGETARY IMPACT:

Budgetary impact will be based on the adopted 2020 City of Topeka Operating Budget.

SOURCE OF FUNDING:

All budgeted funds as outlined in the budget document.

ATTACHMENTS:

Description

Notice of Public Hearing

2020 Budget Ordinance

2020 State Forms

Affidavit of Publication

2020

NOTICE OF BUDGET HEARING

The governing body of
City of Topeka
will meet on August 13, 2019 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 2020 Expenditures and Amount of Current Year Estimate for 2019 Ad Valorem Tax establish the maximum limits of the 2020 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2018		Current Year Estimate for 2019		Proposed Budget for 2020		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	Estimate Tax Rate*
General	91,453,642	24.730	94,500,970	24.612	118,726,907	28,806,482	25.172
Debt Service	19,675,179	14.410	21,529,910	14.341	30,224,960	15,999,329	13.981
Library							
Special Liability	503,829	0.780	1,202,957	0.777	2,557,261	659,785	0.577
Special Highway	5,913,246		7,578,445		6,802,358		
Special Alcohol & Drug	542,966		570,000		626,000		
Alcohol & Drug Safety	34,024		66,926		416,425		
Law Enforcement	451,326		690,921		690,921		
Transient Guest Tax	2,802,334		3,129,984		2,854,458		
Retirement Reserve	1,630,556		2,524,235		3,128,292		
KP&F Rate Equalization	5,418		29,380		393,483		
Neighborhood Revitalization	2,100		130,000		270,000		
Historical Asset Tourism	9,050		31,156		366		
Half Cent Sales Tax (JEDO)	17,600,819		17,901,153		22,135,873		
Half Cent Sales Tax (Street)	12,797,718		15,441,476		23,154,305		
Tax Increment Financing	207,950		750,000		1,250,000		
Court Technology	10,789		60,000		328,810		
Downtown Improvement	172,560		283,295		302,130		
Community Development	338,589		760,000		860,000		
Tourism Improvement	419,586		500,000		500,000		
Combined Utilities	67,517,786		72,443,501		76,862,397		
Public Parking	2,765,942		3,651,955		3,623,473		
Facilities	1,832,176		1,857,635		1,855,658		
Fleet	1,779,749		2,078,014		3,170,661		
IT	3,938,857		4,017,289		4,039,413		
Risk Funds	12,845,834		19,549,625		19,620,634		
Totals	245,252,026	39.920	271,278,827	39.730	324,394,786	45,465,595	39.730
Less: Transfers	4,181,776		3,883,684		6,489,270		
Net Expenditure	241,070,250		267,395,143		317,905,516		
Total Tax Levied	42,663,840		48,293,028		xxxxxxxxxxxxxxxxxx		
Assessed Valuation	1,068,583,794		1,132,344,584		1,144,377,532		

Outstanding Indebtedness,

	<u>2017</u>	<u>2018</u>	<u>2019</u>
January 1,			
G.O. Bonds	199,475,000	207,935,000	211,025,000
Revenue Bonds	147,380,000	159,950,000	199,720,000
Other	46,909,050	40,931,608	34,176,327
Lease Purchase Principal	3,526,552	3,691,113	2,741,449
Total	397,290,602	412,507,721	447,662,776

*Tax rates are expressed in mills

	Prior Year Actual for 2018		Current Year Estimate for 2019		Proposed Budget for 2020		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	Estimate Tax Rate*
Topeka Metropolitan Transit Authority	4,886,980	4.200	5,261,231	4.200	5,330,843	4,806,555	4.200

Brenda Younger

City Official Title: City Clerk

1 (Published in the Topeka Metro News _____.)

2
3 ORDINANCE NO. _____

4
5 AN APPROPRIATION ORDINANCE introduced by City Manager Brent Trout, approving
6 and adopting the operating budget for the City of
7 Topeka, for the year 2020, and appropriating the
8 amounts for the purpose as set forth therein.
9

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

11
12 Section 1. *Budget incorporated by reference as a part of this Ordinance.* The
13 operating budget for the City of Topeka, Kansas, for the year 2020 as set forth in a 202
14 page document in the format prescribed by the Director of Accounts and Reports of the
15 Kansas Department of Administration, as required by law, which has been published in a
16 summary format together with a notice of public hearing, is hereby incorporated by
17 reference as a part of this Ordinance with the same force and effect as if it were set forth
18 herein in its entirety.

19 Section 2. *Budget approved and adopted.* The operating budget as described
20 and incorporated by reference in Section 1 above is hereby approved and adopted as the
21 operating budget for the year 2020.

22 Section 3. *Funds appropriated by budget.* The budget as approved and adopted
23 herein shall constitute and shall be declared to be appropriations for the funds and
24 departments as set forth therein, and the appropriations thus made shall not be used for
25 any other purpose. No money in any fund or fund type shall be used to pay for any
26 indebtedness created in excess of the amount appropriated for such fund or fund type, or
27 for the departments of such fund or fund type as referred to in the operating budget. The
28 appropriations made herein are for the year 2020 and no expenditures shall be incurred as
29 being authorized by such appropriations prior to January 1, 2020 or subsequent to
30 December 31, 2020.

Section 4. *Budget amendments.* Any amendment to the operating budget must be approved by the Governing Body and enacted in accordance with the provisions of K.S.A. § 79-2929a.

Section 5. *As used in this ordinance "fund" is defined as follows:*

Fund. A fiscal and accounting entity with a self balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.

Section 6. *The following fund types are authorized:*

Governmental (or statutory) Fund Type: including General Fund, Special Revenue Funds, Debt Service Funds, and Capital Projects Funds; Proprietary Fund Type: including Enterprise Funds and Internal Service Funds (fixed or flexible); and, Fiduciary Fund Type: including Trust and Agency Funds. This Ordinance applies to all funds as listed on the budget certificate and fund summary adopted and submitted to the county and state.

Section 7. This Ordinance shall take effect and be in force upon passage.

PASSED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Michelle De La Isla, Mayor

ATTEST:

Brenda Younger, City Clerk

Input Sheet for City Budget Workbook

Enter city name ("City of ____"):

City of Topeka

Enter county name followed by "County":

Shawnee County

Enter year being budgeted (YYYY):

2020

CPI Percentage - 5 Year Average

1.50%

CPI Percentage - Preceding Year

2.50%

Enter the following information from the sources shown. This information will flow throughout the budget worksheets to the appropriate locations.

Note: All amounts are to be entered as whole numbers only.

The input for the following comes directly from the 2019 Budget, Certificate Page:
If amended, then use the amended figures.

Fund Names:	Statute	2019	2018
		Expenditures	Ad Valorem Tax
General	12-101a	105,872,571	27,826,202
Debt Service	10-113	28,592,801	16,213,957
Library	12-1220		
Fund name for all funds with a tax levy:			
Special Liability	75-6110	2,096,434	877,655
Topeka Metropolitan Transit Authority	Charter Ord. 118	5,261,231	4,872,298
Total Ad Valorem Tax Levy Funds for 2019 Budgeted Year			49,790,112

Other (non-tax levy) fund names:

Special Highway	7,578,445
Special Alcohol & Drug	570,000
Alcohol & Drug Safety	401,800
Law Enforcement	690,921
Transient Guest Tax	3,190,017
Retirement Reserve	3,129,954
KP&F Rate Equilization	29,380
Neighborhood Revitalization	287,531
Historical Asset Tourism	31,156
Half Cent Sales Tax (JEDO)	28,796,211
Half Cent Sales Tax (Street)	21,090,466
Tax Increment Financing	750,000
Court Technology	313,810
Downtown Improvement	283,296
Community Development	760,000
Tourism Improvement	500,000

Single No Tax Levy Fund:

Combined Utilities	72,443,501
Public Parking	3,651,955
Facilities	1,857,635
Fleet	2,978,015
IT	4,017,289

Total Expenditures for 2019 Budgeted Year

295,174,419

Non-budgeted funds:

1 Risk Funds	19,549,625
--------------	------------

The input for the following comes directly from the 2019 Budget, Budget Summary Page

	2017 Tax Rate (2018 Column)
General	24.730
Debt Service	14.410
Library	
Special Liability	0.780
Topeka Metropolitan Transit Authority	4.200
Total	44.120

Total Tax Levied (2018 budget column)	42,663,840
Assessed Valuation (2018 budget column)	1,068,583,794

Note: All amounts are to be entered as whole numbers only.

From the County Clerk's Budget Information	
Total Assessed Valuation for 2019	1,144,377,532
New Improvements, Remodeling and Renovations for 2019	13,431,783
Personal Property for 2019	21,349,614
Territory Added: (Current Year Only)	
Real Estate	
State Assessed	
New Improvements	
Property that has changed in use for 2019	3,744,330
Personal Property - 2018	22,611,873
Expiration of Property Tax Abatements	
Gross earnings (intangible) tax estimate for 2020	
Neighborhood Revitalization	24,421,655

Actual Tax Rates for the 2019 Budget:

Fund	Rate
General	24.612
Debt Service	14.341
Library	
Special Liability	0.777
Topeka Metropolitan Transit Authority	4.200
Total	43.930

Final Assessed Valuation from the November 1, 2018 Abstract 1,132,344,584

From the County Treasurer's Budget Information - Budget Year Estimates	
Motor Vehicle Tax Estimate	4,346,704
Recreational Vehicle Tax Estimate	22,946
16/20 M Vehicle Tax Estimate	8,461
Commercial Vehicle Tax Estimate	172,641
Watercraft Tax Estimate	12,938
LAVTR	
City and County Revenue Sharing	

Computation of Delinquency

Actual Delinquency for 2017 Tax - (e.g. rate .01213 = 1.213%; key in 1.2)

Delinquency % used in this budget will be shown on all fund pages with a tax levy** 1.5%

****Note:** The delinquency rate can be up to 5% more than the actual delinquency rate from the previous year.

From the League of Municipalities' Budget Tips (Special City and County Highway Fund)	
2020 State Distribution for Kansas Gas Tax	1,786,547
2020 County Transfers for Gas***	
Adjusted 2019 State Distribution for Kansas Gas Tax	
Adjusted 2019 County Transfers for Gas***	

*****Note:** Only used when a portion of the County monies are distributed to the Cities under the

K.S.A. 79-3425c

From the 2018 Budget Certificate Page	
Funds	2018 Expenditure Amounts Budget Authority
General	104,951,039
Debt Service	26,950,281
Library	
Special Liability	1,873,297
Topeka Metropolitan	4,909,685
Special Highway	7,334,675
Special Alcohol & Dr	641,970
Alcohol & Drug Safe	111,220
Law Enforcement	690,921
Transient Guest Tax	3,427,789
Retirement Reserve	3,567,577
KP&F Rate Equilizat	392,693
Neighborhood Revita	391,002
Historical Asset Tour	24,513
Half Cent Sales Tax (	28,610,110
Half Cent Sales Tax (	28,432,827
Tax Increment Financ	750,000
Court Technology	66,642
Downtown Improvem	232,555
Community Develop	645,000
Tourism Improvemen	488,250
Combined Utilities	69,668,726
Public Parking	3,456,048
Facilities	1,845,241
Fleet	3,002,938
IT	4,270,995
Risk Funds	18,361,175

Note: If the 2018 budget was amended, then the expenditure amounts should reflect the amended expenditure amounts.

This tab will put the date and time and location of the budget hearing on the Budget Summary page. Also, provide the location where as the budget can be reveiwed. Please input information in the green areas.

Official Name:

Official Title:

Date:

Must be at least 10 days between date published and hearing held.
Latest date for notice to be published in your newspaper: August 3, 2019

Time:

Location:

Available at:

Examples

Official Title: City Clerk, City Treasurer, Mayor

Date: August 12, 2010

Time: 7:00 PM or 7:00 AM

Location: City Hall

Available at: City Hall

2020

CERTIFICATE

To the Clerk of Shawnee County, State of Kansas

We, the undersigned, officers of

City of Topeka

- certify that: (1) the hearing mentioned in the attached publication was held;
 (2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditure for the various funds for the year 2020; and
 (3) the Amount(s) of 2019 Ad Valorem Tax are within statutory limitations.

			2020 Adopted Budget		
			Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	County Clerk's Use Only
Table of Contents:					
Computation to Determine Limit 2020					
Allocation of MVT, RVT, and 16/20M Veh Tax					
Schedule of Transfers					
Statement of Indebtedness					
Statement of Lease-Purchases					
Fund	K.S.A.	Page No.			
General	12-101a	7	118,726,907	28,806,482	
Debt Service	10-113	8	30,224,960	15,999,329	
Library	12-1220	8			
Special Liability	75-6110	9	2,557,261	659,785	
Special Highway	12-1, 119	10	6,802,358		
Special Alcohol & Drug	79-41A04	10	626,000		
Alcohol & Drug Safety	Administrative	11	416,425		
Law Enforcement	City Code 2-334	11	690,921		
Transient Guest Tax	Charter Ord 69	12	2,854,458		
Retirement Reserve	Administrative	12	3,128,292		
KP&F Rate Equilization	Administrative	13	393,483		
Neighborhood Revitalization	12-17, 114	13	270,000		
Historical Asset Tourism	City Code 2-331	14	366		
Half Cent Sales Tax (JEDO)	Administrative	14	22,135,873		
Half Cent Sales Tax (Street)	Admin; Code Sec. 138-36	15	23,154,305		
Tax Increment Financing	12-1775 (b)(2)	15	1,250,000		
Court Technology	City Code 3.25.176	16	328,810		
Downtown Improvement	12-1792	16	302,130		
Community Development	Administrative	17	860,000		
Tourism Improvement	12-1792	17	500,000		
Combined Utilities	Code Chpt. 146, Art 1	18	76,862,397		
Public Parking	13-1379	19	3,623,473		
Facilities	Administrative	20	1,855,658		
Fleet	Ord. 15665	21	3,170,661		
IT	City Code Sec. 2-144	22	4,039,413		
Risk Funds		23	19,620,634		
Totals		xxxxxx	324,394,786	45,465,595	
Budget Summary		24			County Clerk's Use Only
Neighborhood Revitalization					
Tax Lid Limit (from Computation Tab)			47,480,269		Nov 1, 2019 Total Assessed Valuation
Does the City Need to Hold an Election?			NO		

Topeka Metropolitan Transit Authority	Charter Ord. 118	9	5,330,843	4,806,555	
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Assisted by: _____

Address: _____

Email: _____

Date Attested: _____ 2019

County Clerk

Governing Body

City of Topeka

2020

Computation to Determine Limit for 2020

	Amount of Levy
1. Total tax levy amount in 2019 budget	+ \$ <u>49,790,112</u>
2. Library levy in 2019 budget	- \$ <u> </u>
Other tax entity levy in 2019 budget	- \$ <u>4,872,298</u>
3. Net tax levy	\$ <u>44,917,814</u>

2020 Budget Percentage Adjustments

4. New improvements, remodeling and renovations for 2019 :	+ <u>13,431,783</u>	
5. Increase in personal property for 2019 :		
5a. Personal property 2019	+ <u>21,349,614</u>	
5b. Personal property 2018	- <u>22,611,873</u>	
5c. Increase in personal property (5a minus 5b)	+ <u>0</u>	
		(Use Only if > 0)
6. Valuation of annexed territory for 2019 :		
6a. Real estate	+ <u>0</u>	
6b. State assessed	+ <u>0</u>	
6c. New improvements	+ <u>0</u>	
6d. Total adjustment (sum of 6a, 6b, and 6c)	+ <u>0</u>	
7. Valuation of property that has changed in use during 2019 :	+ <u>3,744,330</u>	
8. Expiration of property tax abatements	+ <u>0</u>	
9. Expiration of TIF, Rural Housing, and NR Districts (Incremental assessed value over base)	+ <u> </u>	
10. Total valuation adjustment (sum of 4, 5c, 6d, 7, 8 & 9)	<u>17,176,113</u>	
11. Total estimated valuation July 1, 2019	<u>1,144,377,532</u>	
12. Percentage adjustment factor - Line 10 / (Line 11 - Line 10))	<u>0.0152</u>	
13. Percentage adjustment increase (12 times 3)	+ \$ <u>684,450</u>	
14. Consumer Price Index for all urban consumers for calendar year 2018 (5 year average)	<u>1.50%</u>	
15. Consumer Price Index adjustment (Line 3 times Line 14)	\$ <u>673,767</u>	
16. Total Percentage Adjustments	\$ <u>1,358,217</u>	

2020 Revenue Adjustments

17. Property tax revenues for debt service in 2020 budget:			+	<u>15,762,886</u>
Property tax revenues for debt service in 2019 budget:			-	<u>16,213,957</u>
Increase property tax revenues spent on debt service				<u>0</u>
18. Property tax revenues spent for public building commission and lease payments in the 2020 budget:			+	<u> </u>
(Obligations must have been incurred prior to July 1, 2016)				
(Do not include amounts already reported in debt service levy)				
Property tax revenues spent for public building commission and lease payments in the 2018 budget:			-	<u> </u>
Increase property tax revenues spent on public building commission and lease payments				<u>0</u>
19. Property tax revenues spent on special assessments in the 2020 budget:			+	<u>0</u>
(Do not include amounts already reported in debt service levy)				
20. Property tax revenues spent on court judgments or settlements and associated legal costs in the 2020 budg			+	<u>650,034</u>
21. Property tax revenues spent on Federal or State mandates (effective after June 30, 2015)				
and loss of funding from Federal sources after January 1, 2017 in the 2020 budget:			+	<u> </u>
22. Property tax revenues spent on expenses realted to disaster or Federal Emergency in the 2020 budget:			+	<u> </u>
23. Law enforcement expenses - 2020 budget:			+	<u>40,949,962</u>
Law enforcement expenses - 2019 budget:			-	<u>40,191,541</u>
CPI adjustment	1.50%			<u>602,873</u>
Increased law enforcement expenses in 2020 budget:			+	<u>155,548</u>
(Do not include building construction or remodeling costs)				
24. Fire protection expenses - 2020 budget:			+	<u>28,511,667</u>
Fire protection expenses - 2019 budget:			-	<u>27,697,548</u>
CPI adjustment	1.50%			<u>415,463</u>
Increased fire protection expense in 2020 budget:			+	<u>398,656</u>
(Do not include building construction or remodeling costs)				
25. Emergency medical expenses - 2020 budget:			+	<u>240,504</u>
Emergency medical expenses - 2019 budget:			-	<u>331,869</u>
CPI adjustment	1.50%			<u>4,978</u>
Increased emergency medical expenses in 2020 budget:			+	<u>0</u>
(Do not include building construction or remodeling costs)				
26. Total Revenue Adjustments				<u>1,204,238</u>

Levies on Behalf of Another Political or Governmental Subdivision

27. Library levy - 2020 budget:	+	_____
Other tax entity levy - 2020 budget:	+	_____
Other tax entity levy - 2020 budget:	+	_____
28. Total Levies on Behalf of Another Political or Governmental Subdivision	+	_____ 0
29. Levy for Dissolved Taxing Entity (Only Use the First Year After Dissolved)	+	_____
30. Total Computed Tax Levy		<u>47,480,269</u>

Other Tests - Property Tax Decline

Note - In order to use the test, there must be a decline in tax revenues in at least one of the years listed below.

2016 Tax Levy (Less Levy for other Governmental Units)	None
2017 Tax Levy (Less Levy for other Governmental Units)	None
2018 Tax Levy (Less Levy for other Governmental Units)	None
2019 Tax Levy (Less Levy for other Governmental Units)	None

Average Tax Levy (last three years)	#DIV/0!
CPI Adjustment of 0.025	#DIV/0!
Average Tax Levy Adjusted by CPI	#DIV/0!

2020 Total Tax Levy (Less Levy for Other Governmental Units)

Exemption from Election Requirement **#DIV/0!**

"

Other Tests - Lost Valuation Test

Assessed Valuation Loss

2020 Tax Levy (Less Levy for other Governmental Units)	
2019 Tax Levy (Less Levy for other Governmental Units)	
Change in Levy	0

CPI Adjustment	673,767
2020 Mill Rate (Less Mills for other Governmental Units)	

Loss of Assessed Valuation Multiplied by 2020 Mill Rate	_____ 0
Total Adjustment for Loss of Assessed Valuation	<u>673,767</u>

Exemption from Election Requirement **Yes**

City of Topeka

Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

Budgeted Funds for 2019	Ad Valorem Levy Tax Year 2018	Allocation for Proposed Year 2020				
		MVT	RVT	16/20M Veh	Comm Veh	Watercraft
General	27,826,202	2,429,243	12,825	4,729	96,484	8,497
Debt Service	16,213,957	1,415,487	7,472	2,755	56,220	4,213
Library						
Special Liability	877,655	76,620	404	149	3,043	228
Topeka Metropolitan Tr	4,872,298	425,354	2,245	828	16,894	0
TOTAL	49,790,112	4,346,704	22,946	8,461	172,641	12,938

County Treas Motor Vehicle Estimate 4,346,704

County Treas Recreational Vehicle Estimate 22,946

County Treas 16/20M Vehicle Estimate 8,461

County Treas Commercial Vehicle Tax Estimate 172,641

County Treas Watercraft Tax Estimate 12,938

Motor Vehicle Factor 0.08730

Recreational Vehicle Factor 0.00046

16/20 Vehicle Factor 0.00017

Commercial Vehicle Factor 0.00347

Watercraft Factor 0.00026

City of Topeka

2020

Schedule of Transfers

Expenditure Fund Transferred From:	Receipt Fund Transferred To:	Actual Amount for 2018	Current Amount for 2019	Proposed Amount for 2020	Transfers Authorized by Statute
TIF College Hill	Bonds & Interest	213,604	250,000	250,000	12-1774
Transient Guest Tax	General Fund	191,320	193,757	195,694	12-1698
Retirement Reserve	Bonds & Interest	250,000	-	-	12-101
Debt Service	Capital Projects	-	450,000	450,000	12-1, 118
Transient Guest Tax Sunflower Socce	Capital Projects	-	364,927	368,576	12-1, 118
Streets & Trafficways	Bonds & Interest	186,544	-	-	12-1, 118
Bridges Capital Projects	Bonds & Interest	87,194	-	-	12-1, 118
Capital Projects Water Mains	Bonds & Interest	3,114	-	-	12-1, 118
Water Utility	Capital Projects	500,000	500,000	1,000,000	12-1, 118
Stormwater Utility	Capital Projects	1,950,000	750,000	1,050,000	12-1, 118
Wastewater Utility	Capital Projects	800,000	1,375,000	3,175,000	12-1, 118
Totals		4,181,776	3,883,684	6,489,270	
Adjustments*					
Adjusted Totals		4,181,776	3,883,684	6,489,270	

*Note: Adjustments are required only if the transfer is being made in 2019 and/or 2020 from a non-budgeted fund

City of Topeka

2020

STATEMENT OF INDEBTEDNESS

Type of Debt	Date of Issue	Date of Retirement	Interest Rate %	Amount Issued	Beginning Amt Outstanding Jan 1,2019	Date Due		Amount Due 2019		Amount Due 2020	
						Interest	Principal	Interest	Principal	Interest	Principal
General Obligation:											
2010C	9/29/2010		2.050 - 4.850	4,570,000	3,660,000	2/15 & 8/15	8/15	156,248	245,000	148,285	255,000
2011B	9/29/2011		2.000 - 4.000	3,430,000	2,525,000	2/15 & 8/15	8/15	88,025	160,000	84,025	165,000
2013A	6/4/2013		2.200 - 4.000	18,308,742	12,360,000	2/15 & 8/15	8/15	362,615	2,005,000	302,465	1,525,000
2013B	9/30/2013		3.000 - 4.500	9,790,000	8,200,000	2/15 & 8/15	8/15	314,500	425,000	301,750	440,000
2013C	9/30/2013		2.000 - 2.500	5,000,000	1,040,000	2/15 & 8/15	8/15	26,000	1,040,000	0	0
2014A	9/25/2014		2.000 - 3.250	5,590,000	4,680,000	2/15 & 8/15	8/15	133,175	240,000	125,975	245,000
2015A	9/15/2015		2.500 - 5.000	52,809,613	45,500,000	2/15 & 8/15	8/15	1,540,741	4,210,000	1,330,241	4,150,000
2016A	5/19/2016		2.500 - 5.000	19,187,018	17,885,000	2/15 & 8/15	8/15	550,750	1,580,000	471,750	1,655,000
2016B	9/13/2016		2.500 - 5.000	22,705,000	19,940,000	2/15 & 8/15	8/15	544,625	1,435,000	472,875	1,510,000
2017A	9/5/2017		2.250 - 5.000	28,490,000	25,745,000	2/15 & 8/15	8/15	850,038	1,895,000	755,288	1,985,000
2018A	9/4/2018		3.000 - 5.000	7,225,000	7,225,000	2/15 & 8/15	8/15	254,536	365,000	250,469	370,000
2018B	9/4/2018		3.000 - 3.250	5,285,000	5,285,000	2/15 & 8/15	8/15	151,727	220,000	153,581	300,000
2011 STAR	9/20/2011		2.000 - 3.250	9,855,000	5,875,000	2/15 & 8/15	8/15	156,950	850,000	139,950	865,000
2016 TIF	5/19/2016		2.000 - 2.000	4,430,000	3,540,000	2/15 & 8/15	8/15	70,800	455,000	61,700	475,000
2018A Temp Notes	9/4/2018		5.00	44,045,000	44,045,000	At Maturity	10/1				
2018B Temp Notes	9/4/2018		3.00	3,520,000	3,520,000	At Maturity	10/1				
Total G.O. Bonds					211,025,000			5,200,730	15,125,000	4,598,354	13,940,000
Revenue Bonds:											
2010A	9/22/2010		4.550 - 4.900	985,000	985,000	2/1 & 8/1	8/1	47,460	0	47,460	0
2010B	9/22/2010		5.100 - 5.250	9,155,000	9,155,000	2/1 & 8/1	8/1	476,835	0	476,835	0
2010C	9/22/2010	8/1/2020	3.75	85,000	85,000	2/1 & 8/1	8/1	3,188	0	3,188	85,000
2011A	9/29/2011		2.000 - 4.500	18,900,000	11,970,000	2/1 & 8/1	8/1	382,319	1,470,000	323,519	1,735,000
2012A	6/12/2012		3.000 - 3.500	22,045,000	20,360,000	2/1 & 8/1	8/1	657,919	65,000	655,969	70,000
2013A	5/21/2013		1.500 - 5.000	35,985,000	34,750,000	2/1 & 8/1	8/1	1,056,220	315,000	1,051,495	320,000
2014A	12/23/2014		3.125 - 5.000	45,510,000	33,825,000	2/1 & 8/1	8/1	1,261,213	3,220,000	1,100,213	3,395,000
2016A	9/6/2016		2.000 - 3.000	24,945,000	24,945,000	2/1 & 8/1	8/1	689,638	310,000	683,438	680,000
2016B	9/6/2016	8/1/2019	0.850 - 1.300	1,745,000	360,000	2/1 & 8/1	8/1	4,680	360,000	0	0
2017A	9/5/2017		2.250 - 5.000	17,975,000	17,590,000	2/1 & 8/1	8/1	603,595	345,000	586,345	360,000
2018A	9/11/2018		3.000 - 5.000	45,695,000	45,695,000	2/1 & 8/1	8/1	1,599,833	985,000	1,750,563	830,000
Total Revenue Bonds					199,720,000			6,782,898	7,070,000	6,679,023	7,475,000
Other:											
KDHE - KS Water Pollution Control SRF Loan	1/27/1993		2.25 - 2.87	110,215,967	24,878,681	12/1 & 6/1	12/1 & 6/1	654,063	4,460,379	528,290	4,409,241
KDHE - KS Public Water Supply SRF Loan	4/6/98		3.18 - 3.31	33,182,304	9,297,646	8/1/ & 2/1	8/1/ & 2/1	308,370	1,608,546	263,441	954,564
Total Other					34,176,327			962,433	6,068,925	791,732	5,363,805
Total Indebtedness					444,921,327			12,946,061	28,263,925	12,069,108	26,778,805

City of Topeka

2020

STATEMENT OF CONDITIONAL LEASE-PURCHASE AND CERTIFICATE OF PARTICIPATION*

Items Purchased	Contract Date	Term of Contract (Months)	Interest Rate %	Total Amount Financed (Beginning Principal)	Principal Balance As Beginning of 2019	Payments Due 2019	Payments Due 2020
Fire Trucks	6/25/210	120 Mo	2.47	2,899,123	661,860	328,336	333,524
Fire Trucks	9/6/2016	120 Mo	2.65	1,639,296	1,333,063	157,013	159,670
Self Contained Breathing Aparatus	7/21/2017	60 Mo	1.89	924,576	746,525	181,419	184,850
Totals					2,741,449	666,769	678,044

***If you are merely leasing/renting with no intent to purchase, do not list--such transactions are not lease-purchases.

City of Topeka

2020

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget General	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	20,880,186	22,013,007	22,231,362
Receipts:			
Ad Valorem Tax	25,525,889	26,989,527	xxxxxxxxxxxxxxxxxx
Delinquent Tax	382,827	550,000	380,000
Motor Vehicle Tax	2,863,158	2,156,346	2,429,243
Recreational Vehicle Tax		11,923	12,825
16/20M Vehicle Tax		6,149	4,729
Commercial Vehicle Tax		104,755	96,484
Watercraft Tax		8,166	8,497
Gross Earning (Intangible) Tax			0
LAVTR			0
City and County Revenue Sharing			0
Local Sales Tax	30,925,494	31,484,036	31,191,569
Licenses	349,660	471,584	411,511
Permits	978,171	1,221,651	1,310,981
Franchise Fees	14,400,099	14,287,491	14,689,541
Intergovernmental Revenue	1,202,250	1,139,901	1,253,897
Fees for Services	4,271,723	4,492,003	4,832,157
Municipal Court Fees & Fines	2,415,361	3,000,000	2,500,000
Service Assessments	223,520	285,000	285,000
Transfers	196,820	193,757	195,694
Sale of Property	48,343	17,000	25,000
PILOT	7,543,551	7,474,791	7,810,522
Rental Fees	1,536	70,121	70,171
Miscellaneous	1,258,061	755,124	1,187,909
Neighborhood Revitalization Rebate			-580,954
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	92,586,463	94,719,325	68,114,776
Resources Available:	113,466,649	116,732,332	90,346,138
Expenditures:			
City Council	368,009	378,493	376,485
Mayor	163,248	166,276	160,930
Executive	1,309,046	1,631,751	1,683,421
Finance	2,431,514	2,608,609	2,522,119
City Attorney	1,159,137	1,168,246	1,163,442
Human Resources	1,265,694	1,375,546	1,369,792
Municipal Court	1,840,532	1,763,365	1,732,491
Fire	27,955,211	28,029,417	28,752,171
Police	36,886,810	40,191,451	40,949,961
Public Works	6,827,437	8,407,725	8,098,018
Park and Recreation	601,125	569,951	626,948
Zoo	2,691,853	2,582,399	2,647,383
Planning	2,434,414	2,719,548	2,738,871
Cemeteries	218,605	220,000	220,000
Franchise Fee Program	104,515	104,600	104,600
Neighborhood Relations	2,666,858	2,320,263	2,725,412
Topeka Performing Arts Center	544,897	492,047	548,316
Prisoner Care	866,476	700,000	700,000
Non-Department	1,118,261	-928,718	-624,814
Cash Forward (2020 column)			22,231,362
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	91,453,642	94,500,970	118,726,907
Unencumbered Cash Balance Dec 31	22,013,007	22,231,362	xxxxxxxxxxxxxxxxxx
2018/2019/2020 Budget Authority Amount	104,951,039	105,872,571	118,726,907
Non-Appropriated Balance			
Total Expenditure/Non-Appr Balance			118,726,907
Tax Required			28,380,770
Delinquent Comp Rate:	1.5%		425,712
Amount of 2019 Ad Valorem Tax			28,806,482

CPA Summary

City of Topeka

2020

GENERAL FUND DETAIL PAGE

Adopted Budget Fund - Detail Expend	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Expenditures:			
City Council			
Salaries	330,125	350,719	351,236
Contractual	36,133	26,624	24,048
Commodities	1,751	1,150	1,200
Total	368,009	378,493	376,485
Mayor			
Salaries	111,801	127,581	120,379
Contractual	41,859	37,495	39,551
Commodities	9,588	1,200	1,000
Total	163,248	166,276	160,930
Executive			
Salaries	1,019,125	1,266,615	1,250,779
Contractual	263,045	279,485	337,040
Commodities	26,876	78,892	85,090
Capital Outlay		6,759	10,513
Total	1,309,046	1,631,751	1,683,421
Finance			
Salaries	1,964,928	2,143,458	2,113,011
Contractual	448,605	454,201	398,158
Commodities	18,265	10,950	10,950
Other	(284)		
Total	2,431,514	2,608,609	2,522,119
City Attorney			
Salaries	981,854	982,881	978,145
Contractual	161,148	167,918	166,297
Commodities	16,135	17,447	19,000
Total	1,159,137	1,168,246	1,163,442
Human Resources			
Salaries	892,235	956,417	965,268
Contractual	349,554	400,509	387,504
Commodities	23,905	18,620	17,020
Total	1,265,694	1,375,546	1,369,792
Municipal Court			
Salaries	1,361,193	1,266,655	1,289,177
Contractual	451,938	485,437	432,041
Commodities	13,468	11,273	11,273
Capital Outlay	13,933	0	0
Total	1,840,532	1,763,365	1,732,491
Fire			
Salaries	24,885,724	2,166,301	25,615,517
Contractual	2,032,088	23,811,010	2,134,480
Commodities	732,481	1,887,656	725,800
Capital Outlay	126,867	164,450	98,323
Debt Service	178,051	0	178,051
Total	27,955,211	28,029,417	28,752,171
Page Total	36,492,391	37,121,704	37,760,850

City of Topeka

2020

GENERAL FUND DETAIL PAGE

Adopted Budget Fund - Detail Expend	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Expenditures:			
Police			
Salaries	30,878,782	34,260,250	35,219,040
Contractual	4,009,704	4,205,615	4,117,364
Commodities	1,230,925	1,075,586	1,077,557
Capital Outlay	549,331	650,000	536,000
Debt Service	218,068	0	0
Total	36,886,810	40,191,451	40,949,961
Public Works			
Salaries	4,176,600	4,766,005	4,554,740
Contractual	3,590,330	4,614,462	4,516,013
Commodities	108,405	95,904	95,911
Capital Outlay	2,437	(1,068,646)	13,200
Other	(1,050,335)	0	(1,081,846)
Total	6,827,437	8,407,725	8,098,018
Parks and Recreation			
Contractual	601,125	569,951	626,948
Total	601,125	569,951	626,948
Zoo			
Salaries	1,455,929	1,525,821	1,599,121
Contractual	952,479	815,887	837,342
Commodities	277,477	235,691	210,920
Capital Outlay	5,968	5,000	0
Total	2,691,853	2,582,399	2,647,383
Planning			
Salaries	2,021,109	2,203,275	2,222,566
Contractual	361,316	458,858	470,613
Commodities	31,117	35,353	23,630
Capital Outlay	20,872	22,062	22,062
Total	2,434,414	2,719,548	2,738,871
Cemeteries			
Contractual	218,605	220,000	220,000
Total	218,605	220,000	220,000
Franchise Fee Program			
Contractual	104,515	104,600	104,600
Total	104,515	104,600	104,600
Neighborhood Relations			
Salaries	1,258,034	1,457,141	1,480,112
Contractual	1,325,414	823,061	643,939
Commodities	54,716	40,061	601,361
Capital Outlay	28,694	0	0
Total	2,666,858	2,320,263	2,725,412
Page Total	52,431,617	57,115,937	58,111,193

City of Topeka

2020

GENERAL FUND DETAIL PAGE

Adopted Budget Fund - Detail Expend	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Expenditures:			
Topeka Performing Arts Center			
Contractual	544,897	492,047	548,316
Total	544,897	492,047	548,316
Prisoner Care			
Contractual	866,476	700,000	700,000
Total	866,476	700,000	700,000
Non-Departmental			
Expenditures	1,118,261	(928,718)	(624,814)
Total	1,118,261	(928,718)	(624,814)
Page Total 3	2,529,634	263,329	623,502
Page Total 2	52,431,617	57,115,937	58,111,193
Page Total 1	36,492,391	37,121,704	37,760,850
Page Grand Total	91,453,642	94,500,970	96,495,545

City of Topeka

2020

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Debt Service			
Unencumbered Cash Balance Jan 1	7,106,122	8,580,089	8,663,453
Receipts:			
Ad Valorem Tax	14,873,552	15,726,437	xxxxxxxxxxxxxxx
Delinquent Tax	221,488	300,000	235,917
Motor Vehicle Tax	1,668,348	1,256,474	1,415,487
Recreational Vehicle Tax	0	6,947	7,472
16/20M Vehicle Tax	0	3,584	2,755
Commercial Vehicle Tax	0	61,039	56,220
Watercraft Tax	0	4,759	4,213
PILOT IRB	1,186	5,000	5,000
Sales Tax Heartland Park	71,494	82,310	83,133
State Heartland Park	127,458	240,000	270,000
Transfer from College Hill	213,605	216,351	216,351
Transfer from Capital Projects	276,852	0	0
Transfer from Retirement Reserve	250,000	0	0
Special Assessment	3,043,217	3,182,406	3,043,217
Refunding Bonds	0	397,891	397,891
Interest on Idle Funds	401,946	130,076	401,945
Neighborhood Revitalization Rebate			-340,980
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	21,149,146	21,613,274	5,798,621
Resources Available:	28,255,268	30,193,363	14,462,074
Expenditures:			
Principal Payments	14,048,270	15,138,900	15,786,539
Interest Payments	5,084,546	5,011,308	4,927,606
Cost of Issuance	1,000	0	1,000
Other Costs	218,134	929,702	716,362
Refunding Bonds			
Other Funding Costs			
Transfers	0	450,000	450,000
Lease	323,229	0	0
Contingency	0	0	8,343,453
Miscellaneous			
Does miscellaneous exceed 10% of Total Ex			
Total Expenditures	19,675,179	21,529,910	30,224,960
Unencumbered Cash Balance Dec 31	8,580,089	8,663,453	xxxxxxxxxxxxxxx
2018/2019/2020 Budget Authority Amount	26,950,281	28,592,801	30,224,960
	Non-Appropriated Balance		
	Total Expenditure/Non-Appr Balance		30,224,960
	Tax Required		15,762,886
Delinquent Comp Rate:	1.5%		236,443
Amount of 2019 Ad Valorem Tax			15,999,329

Adopted Budget	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Library			
Unencumbered Cash Balance Jan 1	0	0	0
Receipts:			
Ad Valorem Tax		0	xxxxxxxxxxxxxxx
Delinquent Tax			
Motor Vehicle Tax			
Recreational Vehicle Tax			
16/20M Vehicle Tax			
Commercial Vehicle Tax			
Watercraft Tax			
Interest on Idle Funds			
Neighborhood Revitalization Rebate			0
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	0	0	0
Resources Available:	0	0	0
Expenditures:			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	0	0	0
Unencumbered Cash Balance Dec 31	0	0	xxxxxxxxxxxxxxx
2018/2019/2020 Budget Authority Amount	0	0	0
	Non-Appropriated Balance		
	Total Expenditure/Non-Appr Balance		0
	Tax Required		0
Delinquent Comp Rate:	1.5%		0
Amount of 2019 Ad Valorem Tax			0

Qualifies for :

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget Special Liability	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	1,469,759	2,075,600	1,823,343
Receipts:			
Ad Valorem Tax	805,106	851,266	xxxxxxxxxxxxxxx
Delinquent Tax	11,967	25,377	25,377
Motor Vehicle Tax	90,170	67,930	76,620
Recreational Vehicle Tax	0	376	404
16/20M Vehicle Tax	0	194	149
Commercial Vehicle Tax	0	3,300	3,043
Watercraft Tax	0	257	228
IRB PILOT	64	2,000	2,000
Other	60	0	0
Interest on Idle Funds			
Neighborhood Revitalization Rebate			-23,937
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	907,367	950,700	83,884
Resources Available:	2,377,126	3,026,300	1,907,227
Expenditures:			
Personnel	308,800	449,671	459,632
Contractual	189,910	748,786	743,786
Commodities	5,119	4,500	4,500
Capital Outlay			
Other			
Cash Forward (2020 column)	0	0	1,349,343
Miscellaneous			
Does miscellaneous exceed 10% of Total Ex			
Total Expenditures	503,829	1,202,957	2,557,261
Unencumbered Cash Balance Dec 31	2,075,600	1,823,343	xxxxxxxxxxxxxxx
2018/2019/2020 Budget Authority Amount	1,873,297	2,096,434	2,557,261
Non-Appropriated Balance			
Total Expenditure/Non-Appr Balance			2,557,261
Tax Required			650,034
Delinquent Comp Rate: 1.5%			9,751
Amount of 2019 Ad Valorem Tax			659,785

Adopted Budget

Topeka Metropolitan Transit Authority	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	0	0	0
Receipts:			
Ad Valorem Tax	4,335,174	4,725,798	xxxxxxxxxxxxxxx
Delinquent Tax	65,254	146,500	150,000
Motor Vehicle Tax	486,206	366,675	425,354
Recreational Vehicle Tax		2,027	2,245
16/20M Vehicle Tax		1,044	828
Commercial Vehicle Tax		17,800	16,894
Watercraft Tax		1,387	0
IRB Payment	346	0	
Other		0	
Interest on Idle Funds			
Neighborhood Revitalization Rebate			0
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	4,886,980	5,261,231	595,321
Resources Available:	4,886,980	5,261,231	595,321
Expenditures:			
Payment to TMTA	4,886,980	5,261,231	5,330,843
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	4,886,980	5,261,231	5,330,843
Unencumbered Cash Balance Dec 31	0	0	xxxxxxxxxxxxxxx
2018/2019/2020 Budget Authority Amount	4,909,685	5,261,231	5,330,843
Non-Appropriated Balance			
Total Expenditure/Non-Appr Balance			5,330,843
Tax Required			4,735,522
Delinquent Comp Rate: 1.5%			71,033
Amount of 2019 Ad Valorem Tax			4,806,555

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City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Special Highway	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	3,736,753	3,860,909	2,261,384
Receipts:			
State of Kansas Gas Tax	3,447,240	3,424,179	3,424,179
County Transfers Gas	2,147,731	2,150,956	2,150,956
Link Maintenance			
Service Fees			
Sale of Property			
Inmate Program Income	358,008	369,785	369,785
Other	84,423	0	0
Interest on Idle Funds			
Miscellaneous	0	34,000	34,000
Does miscellaneous exceed 10% of Total R			
Total Receipts	6,037,402	5,978,920	5,978,920
Resources Available:	9,774,155	9,839,829	8,240,304
Expenditures:			
Personnel	3,106,018	3,641,880	3,841,142
Contractual	1,348,220	2,417,327	1,485,093
Commodities	604,553	810,068	785,587
Capital	491,632	339,385	301,738
Inmate Program	362,823	369,785	388,798
Other			
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	5,913,246	7,578,445	6,802,358
Unencumbered Cash Balance Dec 31	3,860,909	2,261,384	1,437,946
2018/2019/2020 Budget Authority Amount	7,334,675	7,578,445	6,802,358

Adopted Budget Special Alcohol & Drug	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	118,833	176,992	176,992
Receipts:			
Liquor Tax	601,125	570,000	626,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	601,125	570,000	626,000
Resources Available:	719,958	746,992	802,992
Expenditures:			
Grant to Outside Agency	542,966	570,000	626,000
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	542,966	570,000	626,000
Unencumbered Cash Balance Dec 31	176,992	176,992	176,992
2018/2019/2020 Budget Authority Amount	641,970	570,000	626,000

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City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget	Prior Year	Current Year	Proposed Budget
Alcohol & Drug Safety	Actual for 2018	Estimate for 2019	Year for 2020
Unencumbered Cash Balance Jan 1	330,613	333,751	341,625
Receipts:			
Court Fees	37,162	74,800	74,800
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	37,162	74,800	74,800
Resources Available:	367,775	408,551	416,425
Expenditures:			
Personnel	25,512	55,577	76,010
Contractual	1,729	6,304	9,927
Commodities	6,783	5,045	6,700
Other			323,788
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	34,024	66,926	416,425
Unencumbered Cash Balance Dec 31	333,751	341,625	0
2018/2019/2020 Budget Authority Amount	111,220	401,800	416,425

Adopted Budget	Prior Year	Current Year	Proposed Budget
Law Enforcement	Actual for 2018	Estimate for 2019	Year for 2020
Unencumbered Cash Balance Jan 1	1,852,634	1,926,970	1,458,549
Receipts:			
Revenue	525,662	222,500	219,500
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	525,662	222,500	219,500
Resources Available:	2,378,296	2,149,470	1,678,049
Expenditures:			
Personnel	0	0	0
Contractual	280,530	429,000	495,000
Commodities	95,868	121,000	55,000
Capital Outlay	74,928	0	0
Other	0	140,921	140,921
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	451,326	690,921	690,921
Unencumbered Cash Balance Dec 31	1,926,970	1,458,549	987,128
2018/2019/2020 Budget Authority Amount	690,921	690,921	690,921

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City of Topeka

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FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Transient Guest Tax	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	-127,025	513,507	105,382
Receipts:			
Transient Guest Tax	2,462,456	1,977,111	1,996,881
Transient Guest Tax- Sunflower Soccer	499,690	372,374	376,098
Transient Gues Tax- New 1% Allocation	480,720	372,374	376,098
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	3,442,866	2,721,859	2,749,077
Resources Available:	3,315,841	3,235,366	2,854,459
Expenditures:			
Visit Topeka	1,721,880	1,743,811	1,761,249
Grants Other Agencies	412,935	364,927	368,576
Transfer Capital Sunflower Soccer	421,536	364,927	368,576
Transfer to General Fund (Zoo)	191,320	193,757	195,694
Admin Fees	54,663	54,436	54,982
Contingency	0	408,126	105,381
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	2,802,334	3,129,984	2,854,458
Unencumbered Cash Balance Dec 31	513,507	105,382	1
2018/2019/2020 Budget Authority Amount	3,427,789	3,190,017	2,854,458

Adopted Budget Retirement Reserve	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	2,304,336	2,528,924	1,825,281
Receipts:			
Fees from Departments	1,827,706	1,820,592	1,887,547
Interest on Idle Funds	27,438	0	0
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	1,855,144	1,820,592	1,887,547
Resources Available:	4,159,480	4,349,516	3,712,828
Expenditures:			
Personnel	1,375,880	2,500,600	2,500,600
Contractual	4,676	23,635	21,973
Transfers from Debt	250,000	0	0
Contingency	0	0	605,719
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	1,630,556	2,524,235	3,128,292
Unencumbered Cash Balance Dec 31	2,528,924	1,825,281	584,536
2018/2019/2020 Budget Authority Amount	3,567,577	3,129,954	3,128,292

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City of Topeka

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FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget KP&F Rate Equilization	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	424,053	422,863	393,483
Receipts:			
Interest on Idle Funds	4,228	0	0
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	4,228	0	0
Resources Available:	428,281	422,863	393,483
Expenditures:			
Retirement Spike Payment	5,418	29,380	393,483
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	5,418	29,380	393,483
Unencumbered Cash Balance Dec 31	422,863	393,483	0
2018/2019/2020 Budget Authority Amount	392,693	29,380	393,483

Adopted Budget Neighborhood Revitalization	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	387,531	385,431	270,431
Receipts:			
NRA	0	15,000	0
Interest on Idle Funds			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	0	15,000	0
Resources Available:	387,531	400,431	270,431
Expenditures:			
Contractual Services	0	130,000	110,000
Other	2,100	0	160,000
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	2,100	130,000	270,000
Unencumbered Cash Balance Dec 31	385,431	270,431	431
2018/2019/2020 Budget Authority Amount	391,002	287,531	270,000

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FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Historical Asset Tourism	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	40,572	31,522	366
Receipts:			
Transfer from Transient Guest	0	0	0
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	0	0	0
Resources Available:	40,572	31,522	366
Expenditures:			
Grants			
Contractual	9,050	24,200	0
Other	0	6,956	366
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Expenditures	9,050	31,156	366
Unencumbered Cash Balance Dec 31	31,522	366	0
2018/2019/2020 Budget Authority Amount	24,513	31,156	366

Adopted Budget Half Cent Sales Tax (JEDO)	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	11,059,233	8,448,011	8,448,011
Receipts:			
Transfer from Sales Tax	14,989,597	17,901,153	17,940,815
Inter-Governmental			
Interest on Idle Funds			
Miscellaneous	0	0	895,058
Does miscellaneous exceed 10% of Total F			
Total Receipts	14,989,597	17,901,153	18,835,873
Resources Available:	26,048,830	26,349,164	27,283,884
Expenditures:			
Contractual Services	17,600,819	17,901,153	21,240,815
Other			
Cash Forward (2020 column)			
Miscellaneous	0	0	895,058
Does miscellaneous exceed 10% of Total F			
Total Expenditures	17,600,819	17,901,153	22,135,873
Unencumbered Cash Balance Dec 31	8,448,011	8,448,011	5,148,011
2018/2019/2020 Budget Authority Amount	28,610,110	28,796,211	22,135,873

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City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Half Cent Sales Tax (Street)	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	10,852,768	14,371,101	13,755,726
Receipts:			
Sales Tax	15,462,747	14,765,801	15,493,995
Private Contributions	688,656	30,000	30,000
Interest on Idle Funds	164,648		
Other		30,300	30,300
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	16,316,051	14,826,101	15,554,295
Resources Available:	27,168,819	29,197,202	29,310,021
Expenditures:			
Personnel	185,800	174,940	329,566
Contractual	11,945,489	13,650,536	13,650,582
Commodities	549,556	1,616,000	1,616,000
Capital Outlay	3,123	0	0
Other	113,750	0	7,558,157
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Expenditures	12,797,718	15,441,476	23,154,305
Unencumbered Cash Balance Dec 31	14,371,101	13,755,726	6,155,716
2018/2019/2020 Budget Authority Amount	28,432,827	21,090,466	23,154,305

Adopted Budget Tax Increment Financing	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	0	0	0
Receipts:			
College Hill	207,950	250,000	250,000
Wheatfield	0	500,000	500,000
Sherwood Crossing	0	0	500,000
General Property			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Receipts	207,950	750,000	1,250,000
Resources Available:	207,950	750,000	1,250,000
Expenditures:			
College Hill	207,950	250,000	250,000
Wheatfield	0	500,000	500,000
Sherwood Crossing	0	0	500,000
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total F			
Total Expenditures	207,950	750,000	1,250,000
Unencumbered Cash Balance Dec 31	0	0	0
2018/2019/2020 Budget Authority Amount	750,000	750,000	1,250,000

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FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Court Technology	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	274,883	308,931	301,716
Receipts:			
Municipal Court Fees	44,837	52,785	52,785
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total R			
Total Receipts	44,837	52,785	52,785
Resources Available:	319,720	361,716	354,501
Expenditures:			
Contractual Services	3,342	60,000	75,000
Commodities	7,447	0	0
Other			
Cash Forward (2020 column)			253,810
Miscellaneous			0
Does miscellaneous exceed 10% of Total E			
Total Expenditures	10,789	60,000	328,810
Unencumbered Cash Balance Dec 31	308,931	301,716	25,691
2018/2019/2020 Budget Authority Amount	66,642	313,810	328,810

Adopted Budget Downtown Improvement	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	66,773	93,130	39,637
Receipts:			
BID Assessments	213,486	208,050	209,000
Other	0	21,752	93,130
Miscellaneous	(14,569)	0	0
Does miscellaneous exceed 10% of Total R			
Total Receipts	198,917	229,802	302,130
Resources Available:	265,690	322,932	341,767
Expenditures:			
Transfer to Downtown Topeka	172,560	208,050	209,000
Other	0	75,245	0
Cash Forward (2020 column)	0	0	93,130
Miscellaneous			
Does miscellaneous exceed 10% of Total E			
Total Expenditures	172,560	283,295	302,130
Unencumbered Cash Balance Dec 31	93,130	39,637	39,637
2018/2019/2020 Budget Authority Amount	232,555	283,296	302,130

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FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Community Development	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	100,614	159,824	159,824
Receipts:			
Sales Tax	397,799	760,000	860,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% of Total Rec			
Total Receipts	397,799	760,000	860,000
Resources Available:	498,413	919,824	1,019,824
Expenditures:			
Payment to Developer	338,589	760,000	860,000
Other Funding Uses			
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% of Total Exp			
Total Expenditures	338,589	760,000	860,000
Unencumbered Cash Balance Dec 31	159,824	159,824	159,824
2018/2019/2020 Budget Authority Amount:	645,000	760,000	860,000

Adopted Budget Tourism Improvement	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	0	394	394
Receipts:			
Special Assessments	419,980	480,000	480,000
Interest on Idle Funds			
Other	0	20,000	20,000
Miscellaneous			
Does miscellaneous exceed 10% of Total Rec			
Total Receipts	419,980	500,000	500,000
Resources Available:	419,980	500,394	500,394
Expenditures:			
Contractual	419,586	480,000	480,000
Cash Forward (2020 column)			
Miscellaneous			
Other	0	20,000	20,000
Does miscellaneous exceed 10% of Total Exp			
Total Expenditures	419,586	500,000	500,000
Unencumbered Cash Balance Dec 31	394	394	394
2018/2019/2020 Budget Authority Amount:	488,250	500,000	500,000

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Combined Utilities	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	22,513,692	31,666,820	33,914,111
Receipts:			
Other	2,605,906	1,764,100	2,087,150
Service Fees	72,549,134	72,760,692	77,299,140
Licences/ Permits	111,854	126,000	126,000
Special Assessments	95,227	40,000	70,000
Interest on Idle Funds	1,308,793		
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	76,670,914	74,690,792	79,582,290
Resources Available:	99,184,606	106,357,612	113,496,401
Expenditures:			
Personnel	14,297,572	15,654,481	15,811,945
Contractual	23,126,740	23,376,934	23,701,943
Commodities	8,159,928	8,108,052	8,345,758
Capital Outlay	594,923	1,000,000	1,000,000
Debt	18,020,724	18,414,127	20,386,379
Transfers	3,250,000	2,625,000	5,225,000
Other	67,900	3,264,907	2,391,373
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	67,517,786	72,443,501	76,862,397
Unencumbered Cash Balance Dec 31	31,666,820	33,914,111	36,634,004
2018/2019/2020 Budget Authority Amount	69,668,726	72,443,501	76,862,397

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Public Parking	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	1,540,411	1,697,119	956,613
Receipts:			
User Fees	2,690,924	2,709,162	2,709,162
Fines	180,277	183,287	183,287
Interest on Idle Funds			
Miscellaneous			
Other	51,449	19,000	19,000
Does miscellaneous exceed 10% Total Rec			
Total Receipts	2,922,650	2,911,449	2,911,449
Resources Available:	4,463,061	4,608,568	3,868,062
Expenditures:			
Personnel	607,651	804,461	837,584
Contractual	1,322,245	1,575,871	1,579,967
Commodities	48,156	130,192	130,192
Capital Outlay		261,528	261,528
Debt Service	787,890	784,526	718,825
Depreciation / Bad debt			
Other		95,377	95,377
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	2,765,942	3,651,955	3,623,473
Unencumbered Cash Balance Dec 31	1,697,119	956,613	244,589
2018/2019/2020 Budget Authority Amount:	3,456,048	3,651,955	3,623,473

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Facilities	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	631,802	443,431	220,727
Receipts:			
Department Fees	1,648,019	1,634,931	1,634,931
Misc	(4,214)		
Other			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	1,643,805	1,634,931	1,634,931
Resources Available:	2,275,607	2,078,362	1,855,658
Expenditures:			
Personnel	1,172,090	1,081,133	1,084,987
Contractual	559,041	451,588	465,321
Commodities	134,689	107,500	64,700
Capital		44,710	44,710
Depreciation			
Other/Clearing	(33,644)	172,704	195,940
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	1,832,176	1,857,635	1,855,658
Unencumbered Cash Balance Dec 31	443,431	220,727	0
2018/2019/2020 Budget Authority Amount:	1,845,241	1,857,635	1,855,658

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Fleet	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	781,660	991,100	963,086
Receipts:			
Department Fees	1,980,801	2,050,000	2,050,000
Sale of Property			
Other	8,388		900,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	1,989,189	2,050,000	2,950,000
Resources Available:	2,770,849	3,041,100	3,913,086
Expenditures:			
Personnel	1,421,184	1,583,971	1,584,526
Contractual	285,721	317,828	327,875
Commodities	61,168	91,460	92,505
Capital	8,595	84,755	1,165,755
Other/Clearing	3,081		
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	1,779,749	2,078,014	3,170,661
Unencumbered Cash Balance Dec 31	991,100	963,086	742,425
2018/2019/2020 Budget Authority Amount:	3,002,938	2,978,015	3,170,661

CPA Summary

City of Topeka

2020

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget

IT

	Prior Year Actual for 2018	Current Year Estimate for 2019	Proposed Budget Year for 2020
Unencumbered Cash Balance Jan 1	1,127,975	1,144,344	1,068,330
Receipts:			
Department Fees	3,921,044	3,931,275	3,921,044
Franchise Fees	34,182	10,000	34,000
Other Funding Uses			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	3,955,226	3,941,275	3,955,044
Resources Available:	5,083,201	5,085,619	5,023,374
Expenditures:			
Personnel	1,631,202	1,701,836	1,641,040
Contractual	2,046,358	2,092,099	2,086,378
Commodities	193,752	123,354	161,995
Capital	67,569	100,000	150,000
Depreciation			
Other	(24)		
Transfers			
Cash Forward (2020 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	3,938,857	4,017,289	4,039,413
Unencumbered Cash Balance Dec 31	1,144,344	1,068,330	983,961
2018/2019/2020 Budget Authority Amount:	4,270,995	4,017,289	4,039,413

CPA Summary

City of Topeka

NON-BUDGETED FUNDS

2020

(Only the actual budget year for 2018 is to be shown)

Non-Budgeted Funds

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Workers Comp Self Ins		Property & Vehicle Ins		Group Health Ins		Risk Management Res		Unemployment		
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	1,647,218	Cash Balance Jan 1	522,326	Cash Balance Jan 1	5,586,703	Cash Balance Jan 1	370,546	Cash Balance Jan 1	149,211	8,276,005
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Fees for Services	2,465,193	Fees for Services	873,382	Fees for Services	11,540,787	Fees for Services		Fees for Services	70,327	
Interest	61,590	Interest		Interest		Interest		Interest		
Refunds & Recoveries		Refunds & Recoveries	6,201	Refunds & Recoveries		Refunds & Recoveries		Refunds & Recoveries		
Other		Other		Other	97,341	Other	4,913	Other		
Total Receipts	2,526,783	Total Receipts	879,583	Total Receipts	11,638,128	Total Receipts	4,913	Total Receipts	70,327	15,119,734
Resources Available:	4,174,001	Resources Available:	1,401,909	Resources Available:	17,224,832	Resources Available:	375,459	Resources Available:	219,538	23,395,739
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Wages & Benefits	99,337	Wages & Benefits		Wages & Benefits	25,859	Wages & Benefits		Wages & Benefits		
Contractual Services	953,136	Contractual Services	1,010,238	Contractual Services	10,714,560	Contractual Services	9	Contractual Services	40,823	
Commodities	1,622			Commodities	250					
Total Expenditures	1,054,096	Total Expenditures	1,010,238	Total Expenditures	10,740,669	Total Expenditures	9	Total Expenditures	40,823	12,845,834
Cash Balance Dec 31	3,119,906	Cash Balance Dec 31	391,671	Cash Balance Dec 31	6,484,163	Cash Balance Dec 31	375,450	Cash Balance Dec 31	178,714	10,549,905
										10,549,905

** Note: These two block figures should agree.

CPA Summary

2020

NOTICE OF BUDGET HEARING

The governing body of
City of Topeka
will meet on August 13, 2019 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 2020 Expenditures and Amount of Current Year Estimate for 2019 Ad Valorem Tax establish the maximum limits of the 2020 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2018		Current Year Estimate for 2019		Proposed Budget for 2020		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	Estimate Tax Rate*
General	91,453,642	24.730	94,500,970	24.612	118,726,907	28,806,482	25.172
Debt Service	19,675,179	14.410	21,529,910	14.341	30,224,960	15,999,329	13.981
Library							
Special Liability	503,829	0.780	1,202,957	0.777	2,557,261	659,785	0.577
Special Highway	5,913,246		7,578,445		6,802,358		
Special Alcohol & Drug	542,966		570,000		626,000		
Alcohol & Drug Safety	34,024		66,926		416,425		
Law Enforcement	451,326		690,921		690,921		
Transient Guest Tax	2,802,334		3,129,984		2,854,458		
Retirement Reserve	1,630,556		2,524,235		3,128,292		
KP&F Rate Equilization	5,418		29,380		393,483		
Neighborhood Revitalization	2,100		130,000		270,000		
Historical Asset Tourism	9,050		31,156		366		
Half Cent Sales Tax (JEDO)	17,600,819		17,901,153		22,135,873		
Half Cent Sales Tax (Street)	12,797,718		15,441,476		23,154,305		
Tax Increment Financing	207,950		750,000		1,250,000		
Court Technology	10,789		60,000		328,810		
Downtown Improvement	172,560		283,295		302,130		
Community Development	338,589		760,000		860,000		
Tourism Improvement	419,586		500,000		500,000		
Combined Utilities	67,517,786		72,443,501		76,862,397		
Public Parking	2,765,942		3,651,955		3,623,473		
Facilities	1,832,176		1,857,635		1,855,658		
Fleet	1,779,749		2,078,014		3,170,661		
IT	3,938,857		4,017,289		4,039,413		
Risk Funds	12,845,834		19,549,625		19,620,634		
Totals	245,252,026	39.920	271,278,827	39.730	324,394,786	45,465,595	39.730
Less: Transfers	4,181,776		3,883,684		6,489,270		
Net Expenditure	241,070,250		267,395,143		317,905,516		
Total Tax Levied	42,663,840		49,790,112		xxxxxxxxxxxxxxxxx		
Assessed Valuation	1,068,583,794		1,132,344,584		1,144,377,532		

Outstanding Indebtedness,

	2017	2018	2019
January 1,			
G.O. Bonds	199,475,000	207,935,000	211,025,000
Revenue Bonds	147,380,000	159,950,000	199,720,000
Other	46,909,050	40,931,608	34,176,327
Lease Purchase Principal	3,526,552	3,691,113	2,741,449
Total	397,290,602	412,507,721	447,662,776

*Tax rates are expressed in mills

	Prior Year Actual for 2018		Current Year Estimate for 2019		Proposed Budget for 2020		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	Estimate Tax Rate*
Topeka Metropolitan Transit Authority	4,886,980	4.200	5,261,231	4.200	5,330,843	4,806,555	4.200

Brenda Younger

City Official Title: City Clerk

THE TOPEKA CAPITAL-JOURNAL

cjonline.com

FIDAVIT OF PUBLICATION

STATE OF KANSAS, SHAWNEE COUNTY,

I, Karen Yost, being first duly sworn, deposes and says: That I am the Legal Clerk of the TOPEKA CAPITAL-JOURNAL, a daily newspaper printed in the State of Kansas, and published and of general circulation in SHAWNEE County, Kansas, with a general paid circulation on a monthly basis in SHAWNEE County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Topeka in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issues of said newspaper for one consecutive day, the first publication thereof being made as aforesaid on August 1, 2019 with subsequent days

Karen Yost

Subscribed and sworn before me this 1st day of

August 2019.

Dee A. Koenke
Notary Public

My commission expires: 9-30-19
Printer's Fee \$
Additional Copies: \$



NOTICE OF BUDGET HEARING

State of Kansas
2020

The governing body of
City of Topeka

will meet on August 13, 2019 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.

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Total Tax Levied	42,663,840		48,293,028		XXXXXXXXXXXXXXXXXX		
Assessed Valuation	1,068,583,794		1,132,344,584		1,144,377,532		

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Revenue Bonds	147,380,000	159,950,000	199,720,000
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Lease Purchase Principal	3,526,552	3,691,113	2,741,449
Total	397,290,602	412,507,721	447,662,776

*Tax rates are expressed in mills

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	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	Estimate Tax Rate*
Topeka Metropolitan Transit Authority	4,886,980	4.200	5,261,231	4.200	5,330,843	4,806,555	4.200

Brenda Younger
City Official Title: City Clerk

TP-000449



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE: August 13, 2019
CONTACT PERSON: Bill Fiander, Planning and Development Director
DOCUMENT #:
SECOND PARTY/SUBJECT: PROJECT #:
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

DISCUSSION of proposed amendments to Division 2, Title 18 of the Municipal Code regarding a comprehensive update of the Topeka Sign Code.

(Discuss a comprehensive update to Topeka's sign regulations.)

VOTING REQUIREMENTS:

Discussion item only.

POLICY ISSUE:

The Topeka sign code has not undergone a comprehensive update in many years. The standards for signs in the "C" Commercial and "I" Industrial districts have not changed since the 1960s.

At the beginning of the current process staff identified several issues and flaws in the current sign code. The current sign code:

- lacks clarity and is not user-friendly for sign companies, city staff, and the lay public;
- does not follow best practices to effectively address traffic safety and aesthetic quality;
- is not consistent with the U.S. Supreme Court rulings, in particular the Reed v. Town of Gilbert, AZ (2015) case and its mandate for content-neutrality;
- does not adequately address the full range of signs currently in use, such as feather signs and portable message center signs;

The current sign code does adequately address off-premise signs (billboards), electronic message centers, and signs in downtown districts D-1 and D-3 due to recent updates.

Momentum 2022 revealed the importance of aesthetic and visual quality for economic development purposes. The Momentum 2022 survey showed that only 15% of respondents rated Topeka's aesthetics and appearance "above average/excellent" compared to 45% who rated them "below average/poor". Thus, the primary intent of the sign code update is to:

- improve the visual appeal and aesthetic (aka pride) of the community;
- respond to Supreme Court direction to ensure code's regulations are content-neutral; and
- expand "Downtown" best practices city-wide.

STAFF RECOMMENDATION:

Discussion only. No action being requested at this time.

BACKGROUND:

The proposed Sign Code represents the final of three "visual code" updates the Department has brought forth including the city's first ever non-residential building design standards and enhanced landscape regulations.

The attached Sign Code is recommended to replace the current sign regulations in Chapters 18.10, 18.15, 18.20, and 18.25 in Title 11 of the Topeka Municipal Code. The attached staff memorandum summarizes the proposed sign code, and the attached *Sign Code Update Handbook* presents the proposed code in a digestible presentation format.

A variety of methods were used to gather input from stakeholders including but not limited to:

- a community-wide Visual Appeal Survey in January and February of 2018 that included 964 respondents and 384 written comments;
- the work of a Sign Code Committee of sign industry representatives and others which met nine times between December 2017 and April 2019; and
- two public meetings on February 26, 2019. The questions and comments from the meetings are attached.

Beginning in November 2017 the Planning Commission held briefings and discussions of the Sign Code Update at seven of its regular public meetings. Staff held a public work session with them on March 18, 2019. The Planning Commission recommended approval of the attached sign code at their May 20, 2019 public hearing by a unanimous vote (9-0). The key changes/recommendations to the code include:

- Maximum sign size would generally be proportional to the size of the building/property instead of a "one size fits all" approach.
- The number of signs in commercial areas would now be limited based on the size of the property instead of allowing an unlimited number of signs on any property.
- Commercial zoning districts would see reduced size and height limits except along highway intersections and at shopping/commerce centers.
- Churches, offices, and multi-family areas would see more relaxed standards.
- Pole signs would be prohibited in favor of monument style for freestanding signs.
- All temporary signs would be accommodated between 30 and 120 days depending on the zoning district instead on an undefined "event" period.
- Abandoned sign prohibitions would be phased in after 1 year.

- Portable message center signs would be phased out after 2 years but be more restricted until then instead of not having any time, place, or number restrictions.
- Once the code is adopted, only new signs would need to comply with the new standards. Existing signs made non-conforming because of the new code would be allowed to continue as is unless the size of the sign is altered voluntarily. All signs would have to comply with the new code after a 20-year amortization period.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Description

Presentation

Staff Memorandum July 16 2019

Handbook - Sign Code Update 2019

Draft Sign Code Recommended by Planning Commission

Sign Code Options & Planning Commission Recommendations

Planning Commission Meeting Minutes May 20 2019

Planning Commission Meeting Minutes March 18 2019

Stakeholder Comments & Responses

Visual Appeal Survey Takeaways



SIGN CODE UPDATE* 2019

City of Topeka
Planning & Development



*Title 18, TMC

CURRENT ISSUES

- **OUTDATED**

- No comprehensive update for at least 50 years (only “band aids”)
- Has not kept pace with best practices of other cities
- Is not user-friendly for sign companies, city staff, and the lay public
- Not consistent with the 2015 U.S. Supreme Court ruling (*Reed v. Town of Gilbert, AZ*) which mandating **content-neutrality** (i.e., time/place/manner)

- **AESTHETICS/COMMUNITY SURVEYS**

- Aesthetics drives community attachment (i.e., pride) leading to more local spending/investment (*Momentum 2022*)
- Only **15%** feel Topeka has “**above average/excellent**” appearance (*Momentum 2022*)
- A whopping **96%** feel signs are “**very important/somewhat important**” to the visual quality of the community (CoT Planning & Development Department’s *Visual Appeal Survey*)

PROCESS

VISUAL APPEAL SURVEY

- Early 2018
- ~~964~~ respondents + ~~386~~ written comments

SIGN CODE COMMITTEE

- Sign industry professionals + legal consultants
- Met 9 times
- Benchmark other cities

PUBLIC REVIEW

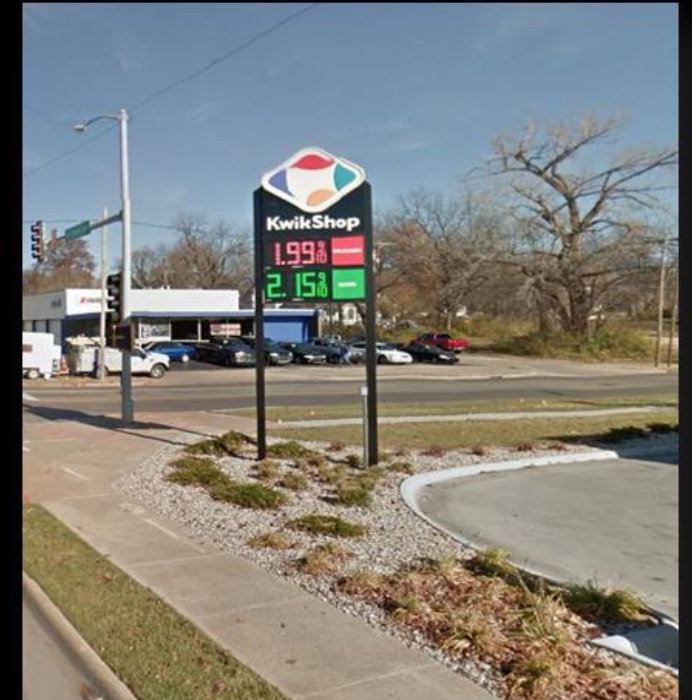
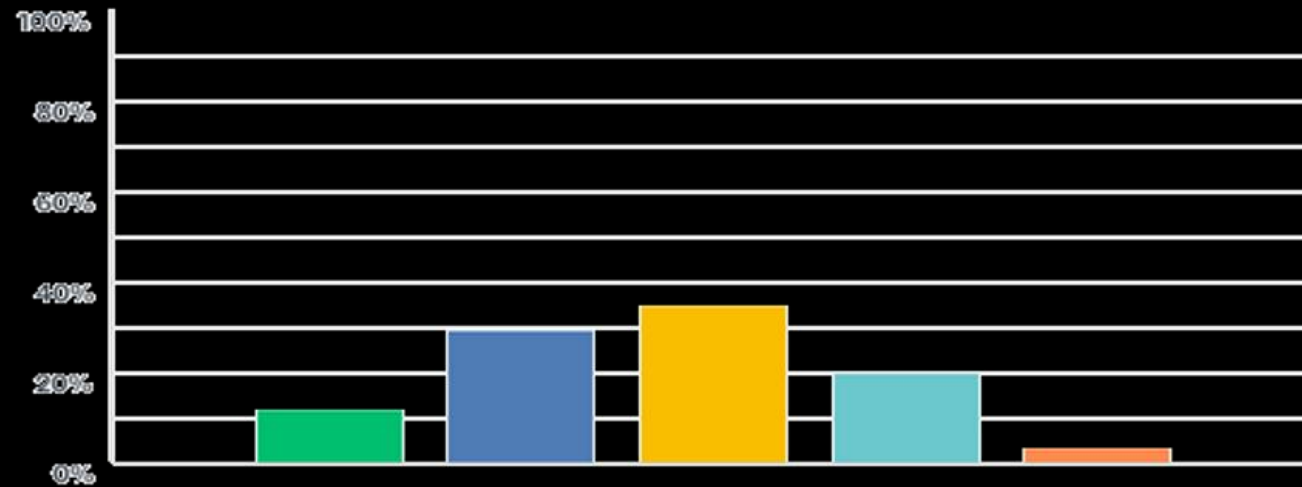
- 2 public meetings (Feb. 26, 2019)
- 10 Planning Commission meetings including public hearing May 20, 2019 (9-0 approval)
- Direct mailings/emails to impacted organizations and businesses

Answered: 964

VISUAL APPEAL SURVEY



VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
11.83%	29.46%	34.85%	20.12%	3.73%
114	284	336	194	36

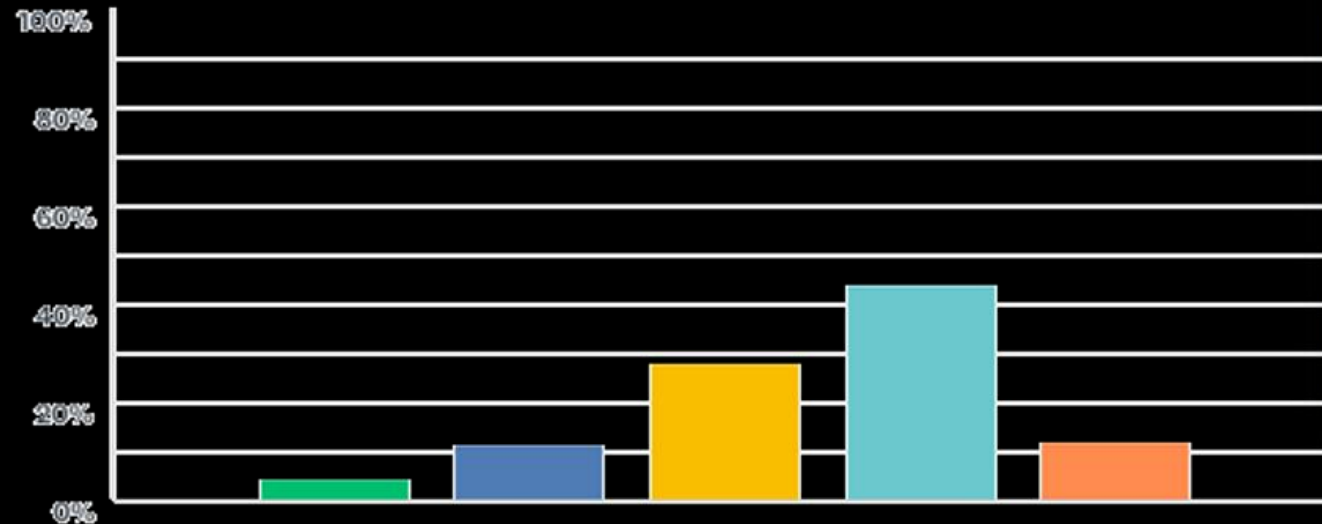


Answered: 964

VISUAL APPEAL SURVEY



VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
4.56%	11.31%	27.90%	43.98%	12.24%
44	109	269	424	118

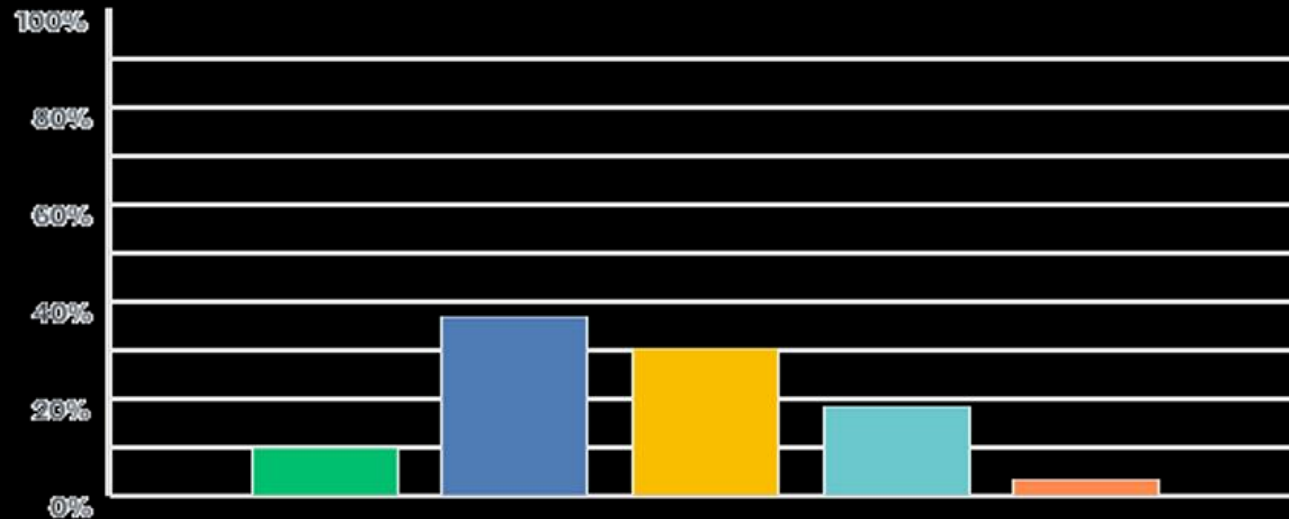


Answered: 964

VISUAL APPEAL SURVEY



VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
10.06%	37.14%	30.71%	18.36%	3.73%
97	358	296	177	36

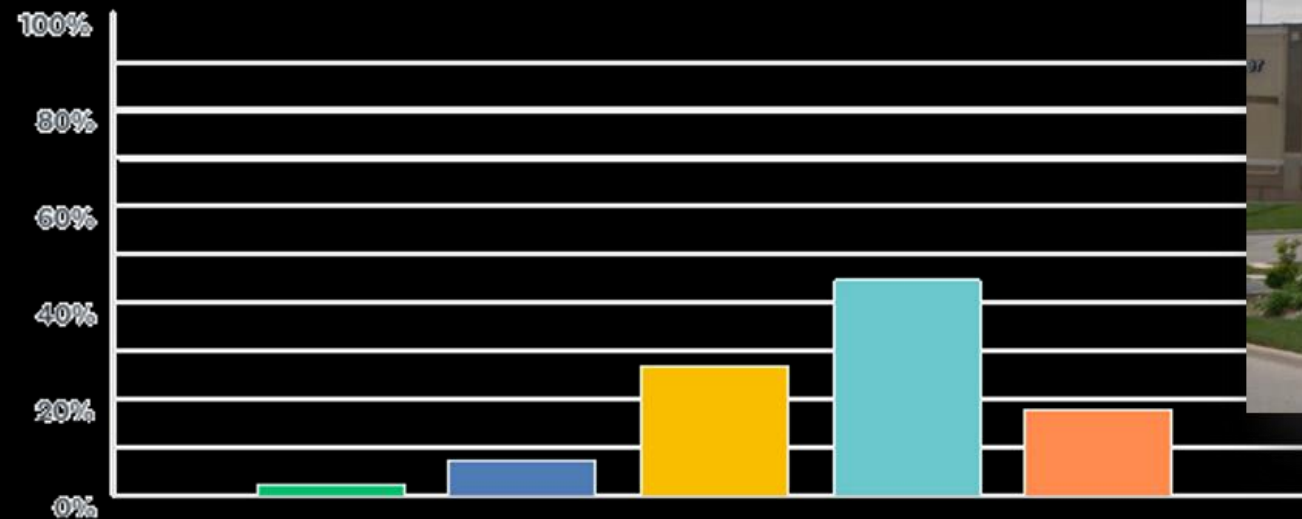


Answered: 964

VISUAL APPEAL SURVEY



VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
2.28%	7.68%	26.97%	44.92%	18.15%
22	74	260	433	175



RECOMMENDATIONS



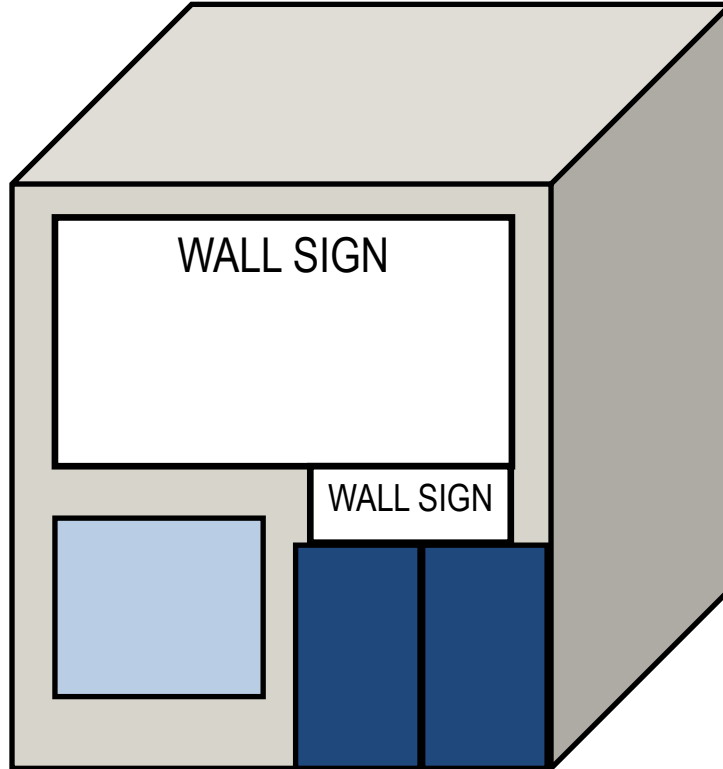
THE BIG RECOMMENDATIONS

- ❖ Size/number of signs will be proportional to size of building/property – not a “1 size fits all”
- ❖ Monument signs in; pole signs phased out
- ❖ More relaxed standards for office/institutional uses; more restrictive standards for commercial
- ❖ Phase out “abandoned signs” and “portable message center signs” (1-2 years)
- ❖ 20-year “grandfather” period for existing freestanding signs

WALL SIGNS

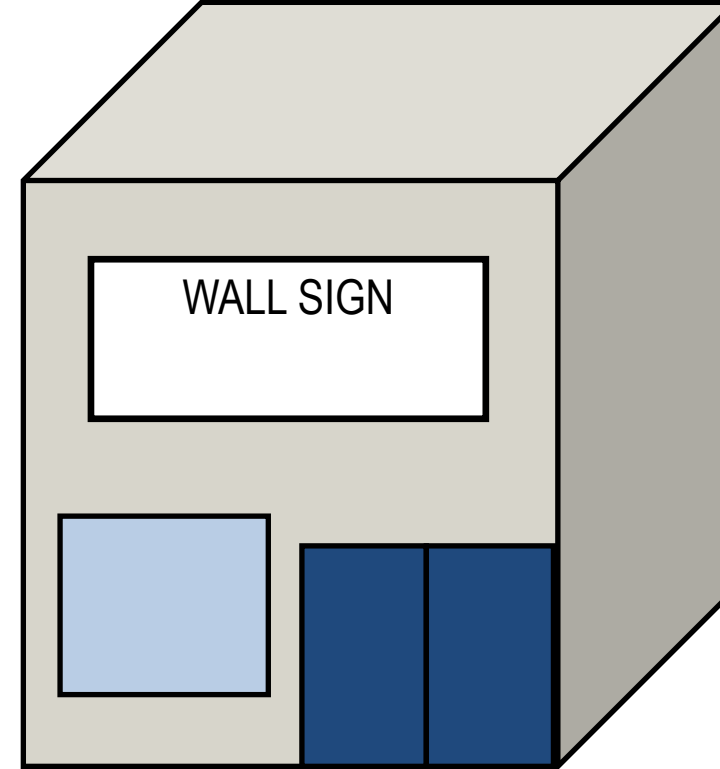
COMMERCIAL DISTRICTS

CURRENT



- Max size per sign is 300 sq ft
- No limit on quantity of signs

PROPOSED



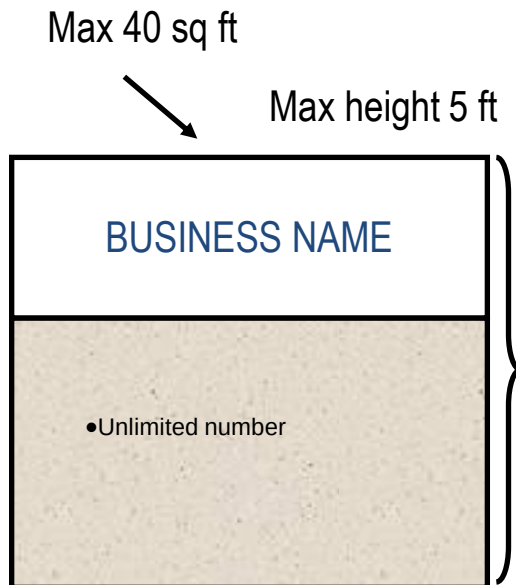
- Size and number based on building façade size
- Max 250 sf per single sign with exceptions based on distance from street

*C-3, C-4, I-1, I-2

FREE-STANDING SIGNS

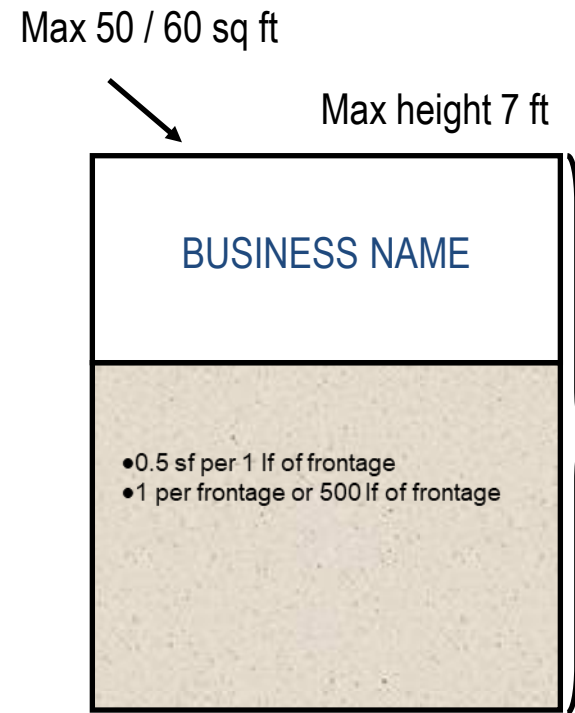
OFFICE & INSTITUTIONAL *

CURRENT



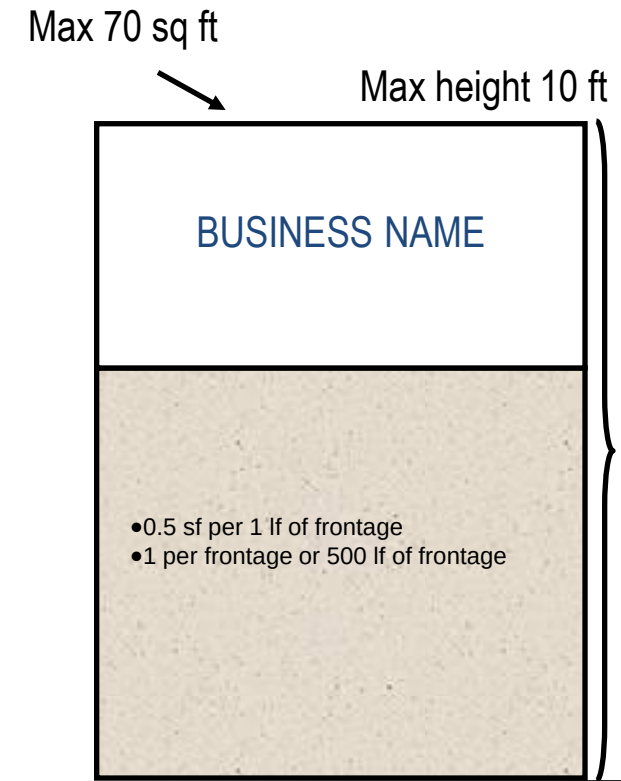
PROPOSED

Local / Collector Streets



PROPOSED

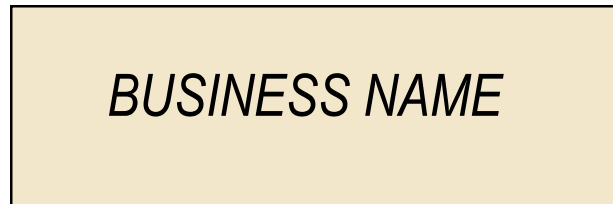
Arterial Streets



FREE-STANDING SIGNS

COMMERCIAL - General *

CURRENT



← 55' max. height

← 300 sf maximum area

Unlimited number

PROPOSED

- 1 per street frontage/500 lf of frontage
- 0.5 sf per linear foot street frontage
- max 120 sf (168 sf w/ setbacks)
- Monument style



Max height 25 ft
(30 ft w/ setback)

*C-3, C-4, I-1, I-2

EXCEPTIONS

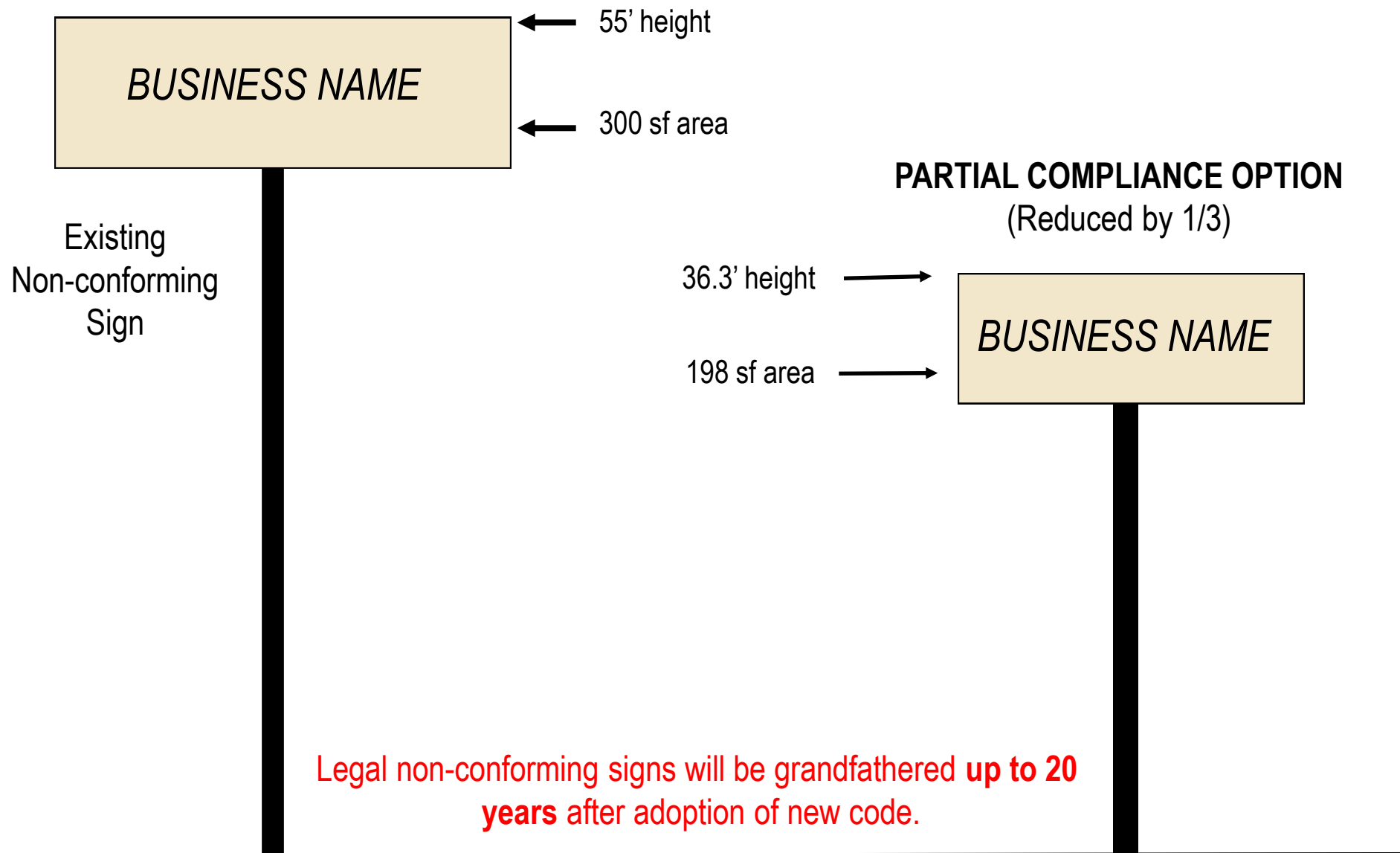


- Setback from street
- Corner Lots
- Historic Signs
- Highway Signs
- Shopping Center Signs



BUSINESS NAME

LEGAL NON-CONFORMING SIGNS



ABANDONED SIGNS

“any sign on a property for which the use to which it had applied has changed or the property containing the use has become vacant”



Current Code:

- Paint

Proposed Code:

- Remove any non-conforming signs immediately after building is demolished
- 1 year grace period

OTHER SIGNS

Temporary Signs

- Limited to four 30-day periods (2 periods for residential districts)
- Replaces vague time limit defined by “event”



YARD SIGNS

Incidental

- Of durable construction and secondary to primary sign
- Accommodated



FREE-STANDING BANNERS



FEATHER FLAGS



PORTABLE MESSAGE CENTER SIGNS



Currently:

- Requires an annual permit
- No limit on number or time allowed
- 79% rated it “Very Unappealing” in VAS



Proposed:

- Treat as a “temporary” sign...
 - Restrict to commercial areas, churches, and schools
 - Restrict time, location, and number
 - Require permit
- Phase out entirely after 24 months

NEW FORMAT

- ❖ Dimensional standards in user friendly tabular format by zoning district
- ❖ Each sign type on single page
- ❖ “Notes” for exceptions

Wall Signs

Definitions

Wall Sign

A sign (other than Projecting Sign, Roof Sign, or Window Sign) that uses a building wall as its primary source of support, and that:

1. Is placed directly on and contained totally within the dimensions of the outside wall;
2. Does not extend more than 18 inches from a building surface



Standards

Wall Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per 50 linear feet of building frontage <i>Note #1</i>	n/a	1	1	1	no limit	no limit	no limit	1	no limit	no limit	no limit	no limit
Sign Area Allocation square feet per linear foot of building frontage <i>Note #2</i>	n/a	1.5	1.5	2	3	3.2	3.2	1.5	3	3	3	2
Sign Area Allocation – All Attached Signs square feet per linear foot of building front	n/a	2	2	2.5	2.5	3	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign	n/a	100	100	100	200	250	250	100	200	200	200	100
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%

Notes/Exceptions:

1. Regardless of the width of the building façade, each single tenant building is allowed a minimum of 1 wall sign per façade, and each multi-tenant or multi-use building is allowed 1 sign per tenant or use per façade.
2. Wall signs on facades located 300 ft or more from the street ROW to which they face are permitted up to 200 sf in O&I, C-1, U-1, MS-1, and D-2 district, and up to 300 sf in all other zoning districts.
3. Wall signs shall not cover or obstruct any architectural features deemed integral to the historic appearance or character of the building. Such features shall include, but are not limited to, transom windows, detailed brick, tile, or shingles



? QUESTIONS ?





CITY OF TOPEKA

Planning & Development Department
620 SE Madison, Unit 11
Topeka, KS 66607

Bill Fiander, AICP, Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: Topeka Governing Body
From: Bill Fiander, AICP, Director
Date: July 16, 2019

RE: ACZR 18/02 Sign Code Update (Visual Code Update III)

Staff is presenting for your consideration the attached Sign Code which is recommended to replace the current sign regulations in Chapters 18.10, 18.15, 18.20, and 18.25 in Title 11 of the Topeka Municipal Code. Staff is scheduled to present this item to the Governing Body for discussion at their meeting on August 13, 2019 and action at a subsequent meeting.

The attached Sign Code was recommended for approval by the Topeka Planning Commission at their May 20, 2019 public hearing by a unanimous vote (9-0). Their minutes and recommendations are attached. Also attached is the Sign Code Update Handbook which reflects the new code in a more digestible presentation format.

The Sign Code represents the final of three “visual code” updates the Department has brought forth including establishing the city’s first ever non-residential building design standards and enhanced landscape regulations.

Purpose of the Sign Code

The current sign code does not include an explicit statement of its purpose. The purpose of sign regulation by cities and local government is typically to promote traffic safety by preventing visual obstruction and distractions, and to prevent visually unattractive signs that tend to proliferate in the absence of sign regulations. It is also generally understood that sign regulations must not infringe on the constitutional rights of free speech guaranteed by the First Amendment to the United States Constitution. The U.S. Supreme Court ruling regarding *Reed v. Gilbert* is an imperative for all local governments to examine their sign regulations with regard to content-neutrality. The expressed purpose of the proposed sign code is to:

- provide for effective communications by businesses, institutions, and others;
- preserve and enhance the visual appearance of the community;
- enhance traffic safety and prevent visual distractions;
- protect property values;
- accommodate the rights of individuals to free speech; and
- preserve and promote the public health, safety, and general welfare.

Current Issues and Intent of Update

The Topeka sign code has not undergone a comprehensive update in many years. The standards for signs in the “C” and “I” districts have not changed since the 1960s. At the beginning of the current process staff identified several issues and flaws in the current sign code. The current sign code:

- lacks clarity and is not user-friendly for sign companies, city staff, and the lay public;
- does not follow best practices to effectively address traffic safety and aesthetic quality;
- is not consistent with the U.S. Supreme Court rulings, in particular the *Reed v. Town of Gilbert, AZ* (2015) case and its mandate for content-neutrality;
- does not adequately address the full range of signs currently in use, such as feather signs and portable message center signs;
- does adequately address off-premise signs (billboards), electronic message centers, and signs in downtown districts D-1 and D-3 due to recent updates; new Downtown sign standards were adopted in 2017 to reflect best practices.

Momentum 2022 revealed the importance of aesthetic and visual quality for economic development purposes. It is one of three factors that influence community attachment. Citizens with strong community attachment, or pride, for the place they live are less likely to leave than residents without this emotional connection. Those with more pride also spend more on average locally. The *Momentum 2022* survey showed that only 15% of respondents rated Topeka’s aesthetics and appearance “above average/excellent” compared to 45% who rated them “below average/poor”. Thus, the primary intent of the sign code update is:

1. Improve the visual appeal and aesthetic (aka pride) of the community
2. Respond to Supreme Court direction to ensure code’s regulations are content-neutral
3. Expand “Downtown” best practices city-wide

Stakeholder Engagement

Visual Appeal Survey

To gather community feedback about sign aesthetics, the Planning & Development Department conducted a community-wide Visual Appeal Survey in January and February of 2018. The survey included building and signs. The survey asked respondents to rate 21 images of signs and to respond to two questions. Respondents were also provided the opportunity to write in comments. The level of response was high: 964 people took the sign survey and 386 written comments were received. A summary of the key takeaways is attached. All results of the survey are available here: <https://www.topeka.org/planning/visual-code-update/>

Sign Code Committee

A Sign Code Committee was formed by staff to guide formation of the new code and give technical input. They met nine times between December 2017 and April 2019. The Committee consisted of:

- Katrina Ringler, Topeka Planning Commission Chair
- Virginia Baumgartner, Luminous Neon (sign company)
- Cindy Proett, Luminous Neon (sign company)
- Rod Hart, Custom Neon (sign company)
- Steven Gee, Fast Signs (sign company)
- Johnny Ray Huffman, Guard Sales Co. (sign company)
- Becky Esopi, Zoning Inspector, City of Topeka

The staff and committee have also being assisted by legal consultants Mark White, White & Smith, LLC Planning and Law Group, and Deputy City Attorney Mary Feighny.

The emphasis of the work of the Sign Code Committee and the Planning Commission so far has been on dimensional standards for on-premise signs, temporary signs, portable message center signs, abandoned and nonconforming signs. The full sign code includes other sections that are necessary for the effectively administration of the sign code.

Working with the Sign Code Committee, staff utilized the results of the Visual Appeal Survey, our knowledge of best practices from other cities, and understanding conditions specific to Topeka to draft a new sign code. The draft sign code was presented to the public on February 26, 2019.

February 26th Public Meetings

Staff conducted two public meetings on February 26, 2019 at the Topeka-Shawnee County Library to inform stakeholders and solicit their input. The meetings were well publicized and many people and organizations received direct notification. The City's media relations director posted notice of the meetings on social media outlets Nextdoor, Twitter, Facebook, and Instagram and sent a news release to print and broadcast media. Planning Director Bill Fiander took part in three broadcast media interviews.

The Planning and Development Department notified over 600 individuals and organizations by email and regular mail, including design professionals, sign companies, schools, churches, and others. Approximately 30 people attended the meetings. (Staff notified meeting attendees and those on the department's email group list of the March 18, 2019 Planning Commission meeting.) Staff responded to questions and comments at the meeting and also collected comment cards. The questions and comments from the meetings are attached after the Planning Commission minutes.

In addition to the February 26th meetings information about the sign code update has been and will continue to be available on the Planning and Development Department Visual Code Update web page throughout the process at: <https://www.topeka.org/planning/visual-code-update/>

Planning Commission

Beginning in November 2017, the Planning Commission held briefings and discussions of the Sign Code Update at seven of its regular public meetings. Staff held a public work session with them on March 18, 2019 to present the draft code in depth. At the close of the work session the Commission directed staff to provide more information and options for the following:

- Highway Signs
- Signs for Construction Projects
- Non-conforming Signs
- Abandoned Signs
- Portable Message Center Signs

Options and ultimate recommendations for these issues are attached with the Planning Commission info. The remainder of the recommendations made by the Planning Commission are summarized below:

Permanent Signs

The proposed standards for permanent signs are mostly based on proportionality. In other words, for most zoning districts the size of the sign allowed is based on the size of the building and the property's street frontage. A one-size fits all approach whereby the maximum size permitted is the same for every property within the same zoning district does not serve Topeka well. Topeka has developed over a long period of time and with a variety of uses and diverse range of building and parcel sizes. Proportional standards help to ensure context-sensitive signage.

Some of the proposed regulations are less restrictive than those in the current sign code. Other proposed regulations are more restrictive. For Office & Institutional districts and institutional uses in residential districts the proposed standards for free-standing signs allow more height and area than the current sign code. For most of the commercial and industrial districts, tighter regulations are proposed for free-standing signs to promote best practices as informed by the Visual Appeal Survey.

Temporary Signs

The update to the temporary sign standards was driven mainly by the Reed v. Gilbert Supreme Court Case and its imperative for content-neutrality. To that end staff is recommending standards and definitions for more types of signs than described in the current sign code to distinguish signs by their manner of design and construction and not by their content.

All Recommendations

- Maximum sign size would generally be proportional to the size of the building/property instead of a "one size fits all" approach.
- The number of signs in commercial areas would now be limited based on the size of the property instead of allowing an unlimited number of signs on any property.
- Commercial zoning districts would see reduced size and height limits except along highway intersections and at shopping/commerce centers.
- Churches, offices, and multi-family areas would see more relaxed standards.
- Pole signs would be prohibited in favor of monument style for freestanding signs.
- All temporary signs would be accommodated between 30 and 120 days depending on the zoning district instead on an undefined "event" period.
- Abandoned sign prohibitions would be phased in after 1 year.
- Portable message center signs would be phased out after 2 years but be more restricted until then instead of not having any time, place, or number restrictions.
- Once the code is adopted, only new signs would need to comply with the new standards. Existing signs made non-conforming because of the new code would be allowed to continue as is unless the size of the sign is altered voluntarily. All signs would have to comply with the new code after a 20-year amortization period.



SIGN CODE UPDATE

2019

City of Topeka
Planning & Development



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INTRODUCTION

Topeka's sign code (Title 18, Topeka Municipal Code) regulates the design, dimensions, and placement of signs used by businesses, institutions, and other entities for their identification. The purpose of a sign code is to:

- provide effective communications for businesses, institutions, and others
- improve physical appearance of the community
- enhance traffic safety and prevent visual distractions
- protect property values
- accommodate the rights of individuals to free speech
- preserve & promote the public health, safety, & general welfare

CURRENT ISSUES

The City of Topeka sign code:

- Is outdated, highly permissive, and has not kept pace with best practices most other cities employ.
- Has not undergone a comprehensive update for at least 50 years with the exception of several key “band aids” related to billboards, electronic message centers (EMC), and Downtown.
- Lacks clarity and is not user-friendly for sign companies, city staff, and the lay public.
- Is not consistent with the 2015 U.S. Supreme Court ruling (*Reed v. Town of Gilbert, AZ*) which mandates **content-neutrality** (i.e., cannot read the sign to regulate it; only time/place/manner).

Community Surveys

- Aesthetics is one of three factors that drives community attachment (i.e., pride) which equates to more local spending/investment (*Momentum 2022*)
- Only **15%** feel Topeka has “**above average/excellent**” aesthetics/appearance (*Momentum 2022*)
- A whopping **96%** feel sign appearance is “**very important/somewhat important**” to the visual quality of the community (CoT Planning & Development Department’s *Visual Appeal Survey*)

INTENT

- ◇ *Improve visual/aesthetic appeal (aka pride) per Momentum 2022*
- ◇ *Respond to Supreme Court direction ➡ time/place/manner only...can't read sign to regulate*
- ◇ *Expand "Downtown standards" citywide*

PROCESS

VISUAL APPEAL SURVEY

- Early 2018
- Visual Codes: Building design, landscaping, signs
- Signs: 964 respondents + 386 written comments

SIGN CODE COMMITTEE

- Planning Commission Chair (Katrina Ringler) and Zoning Inspector (Becky Esopi)
- Sign industry professionals (Cindy Proett, Virginia Baumgartner, Rod Hart, Steven Gee, Johnny Huffman)
- Legal Advisors (White & Smith LLC, Legal Dept)
- Met 9 times
- Benchmarked other cities

PUBLIC REVIEW

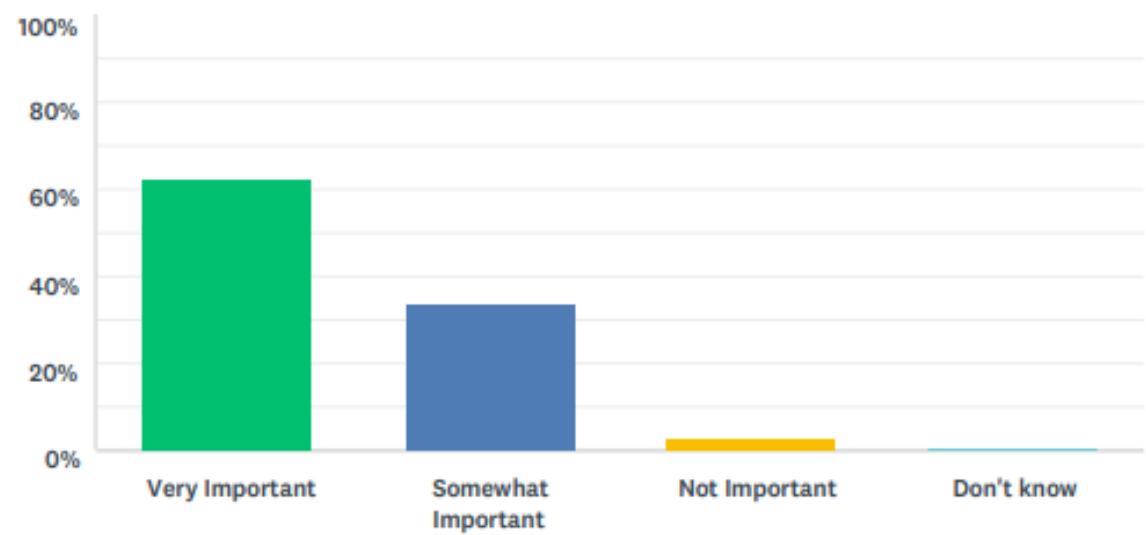
- 2 public meetings (Feb. 26, 2019)
- 10 Planning Commission meetings including public hearing May 20, 2019
- Direct mailings to all schools, churches, and portable message center sign users

VISUAL APPEAL SURVEY

VISUAL APPEAL SURVEY

Q38 How important is the appearance of signs to the visual quality of a community?

Answered: 964 Skipped: 98

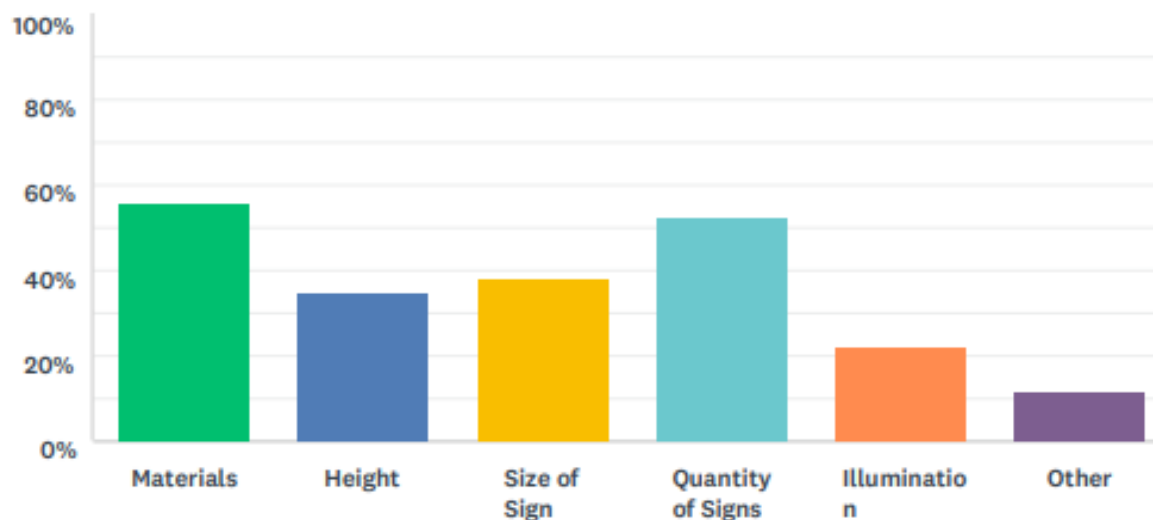


ANSWER CHOICES	RESPONSES	
Very Important	62.34%	601
Somewhat Important	34.23%	330
Not Important	2.90%	28
Don't know	0.52%	5
TOTAL		964

VISUAL APPEAL SURVEY

Q37 What factors are most important to the visual appeal of signs?
(Select TWO)

Answered: 964 Skipped: 98

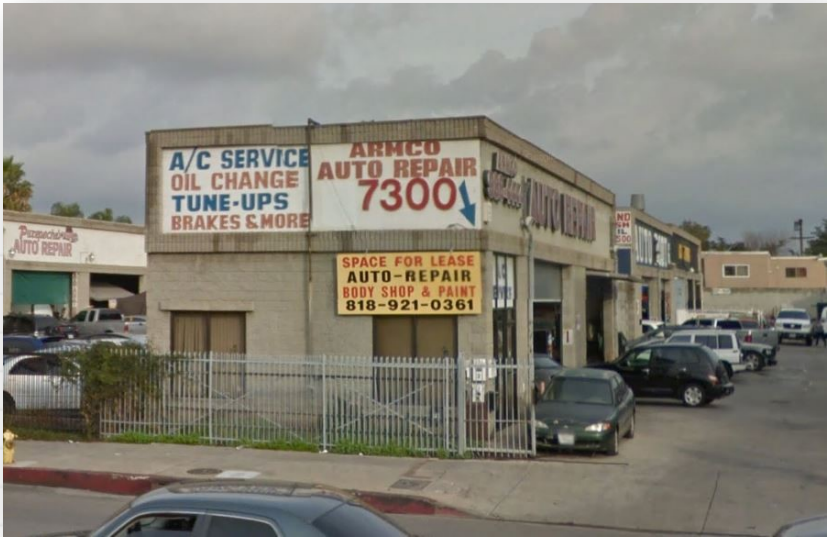
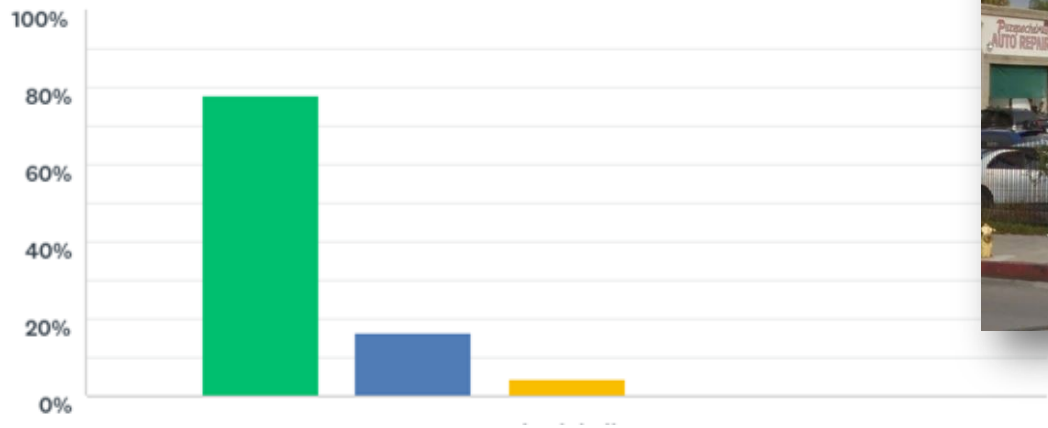


ANSWER CHOICES	RESPONSES	
Materials	56.22%	542
Height	34.96%	337
Size of Sign	38.17%	368
Quantity of Signs	52.49%	506
Illumination	22.10%	213
Other	11.62%	112
Total Respondents: 964		

WALL SIGNS

Visual Appeal Survey Results

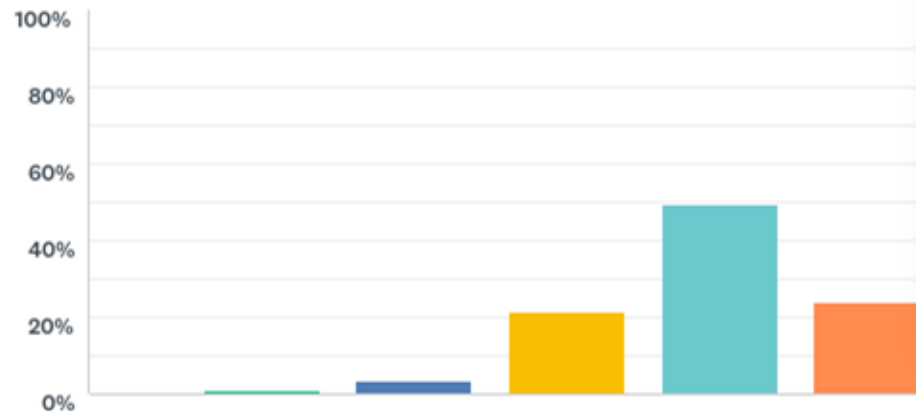
ANSWERED: 964					VISUAL APPEAL SURVEY					
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING						
78.22%	16.39%	4.25%	0.52%	0.62%						
754	158	41	5	6						



WALL SIGNS

Visual Appeal Survey Results

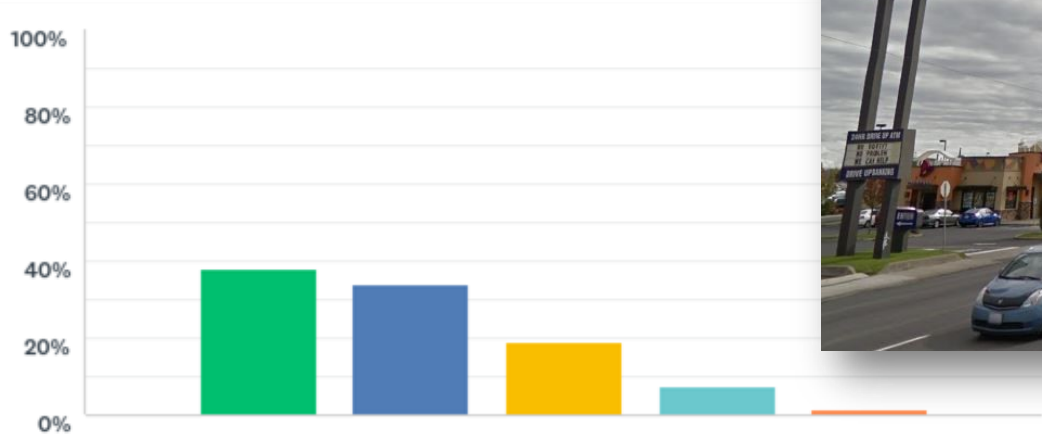
Answered: 964 VISUAL APPEAL SURVEY 				
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
1.24% 12	3.63% 35	21.58% 208	49.38% 476	24.17% 233



FREE-STANDING SIGNS

Visual Appeal Survey Results

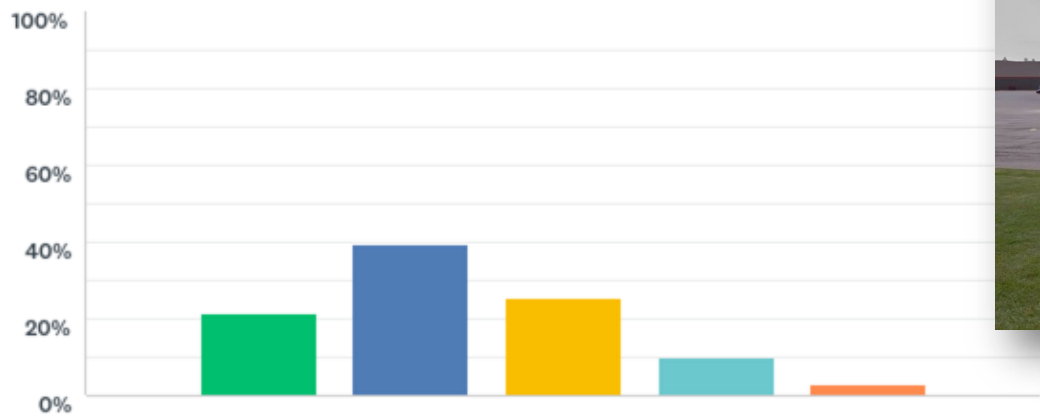
Answered: 964					VISUAL APPEAL SURVEY					
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING						
38.17%	34.02%	18.88%	7.47%	1.45%						
368	328	182	72	14						



FREE-STANDING SIGNS

Visual Appeal Survey Results

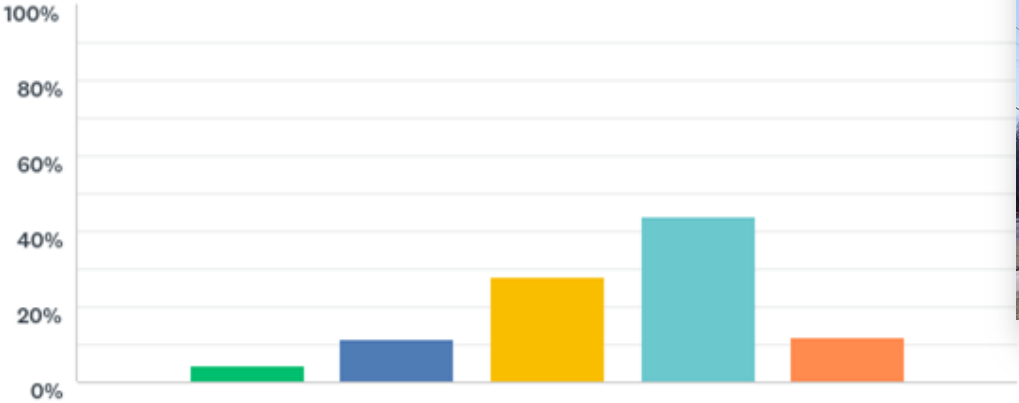
Answered: 964					VISUAL APPEAL SURVEY					
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING						
21.58%	39.63%	25.41%	10.17%	3.22%						
208	382	245	98	31						



FREE-STANDING SIGNS

Visual Appeal Survey Results

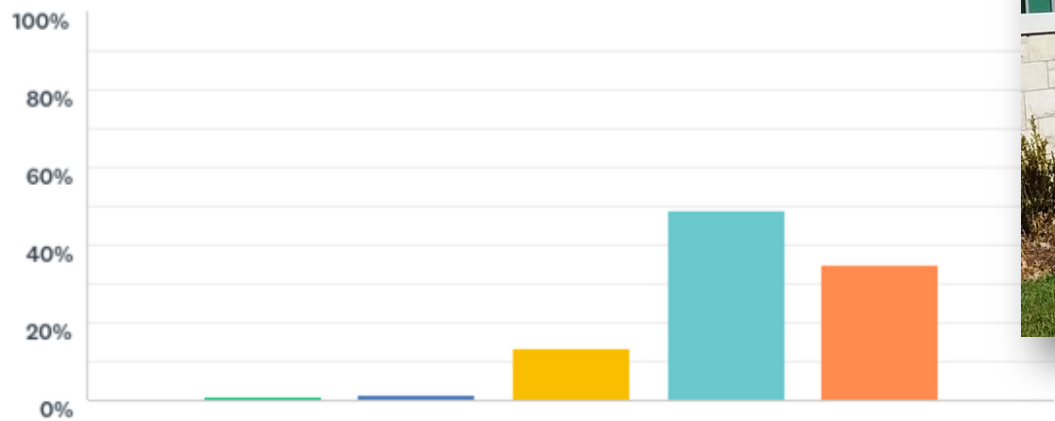
Answered: 964				
VISUAL APPEAL SURVEY				
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
4.56%	11.31%	27.90%	43.98%	12.24%
44	109	269	424	118



FREE-STANDING SIGNS

Visual Appeal Survey Results

Answered: 964					VISUAL APPEAL SURVEY					
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING						
0.83%	1.35%	13.69%	48.96%	35.17%						
8	13	132	472	339						



TEMPORARY SIGNS

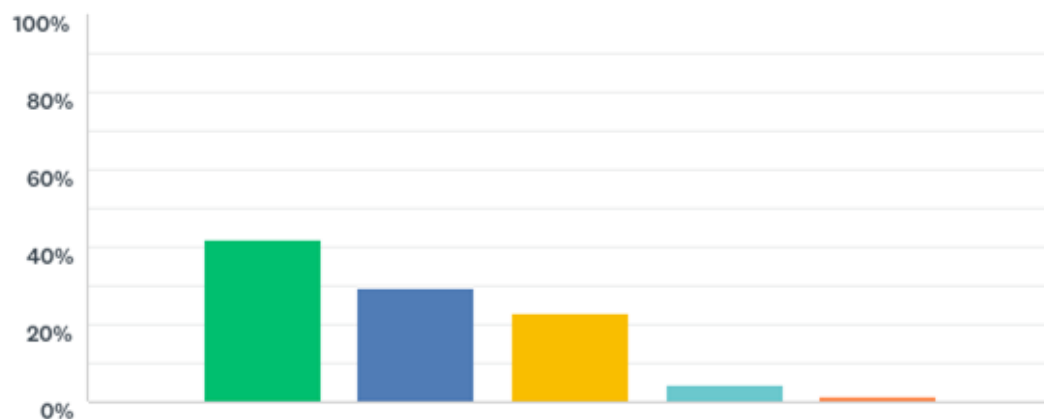
Visual Appeal Survey Results

Answered: 964

V I S U A L A P P E A L S U R V E Y



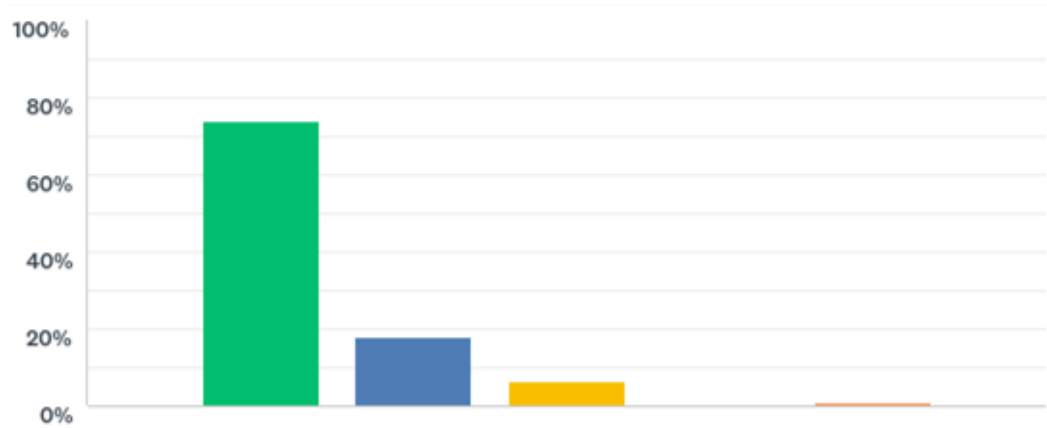
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
41.80% 403	29.56% 285	22.93% 221	4.36% 42	1.35% 13



TEMPORARY SIGNS

Visual Appeal Survey Results

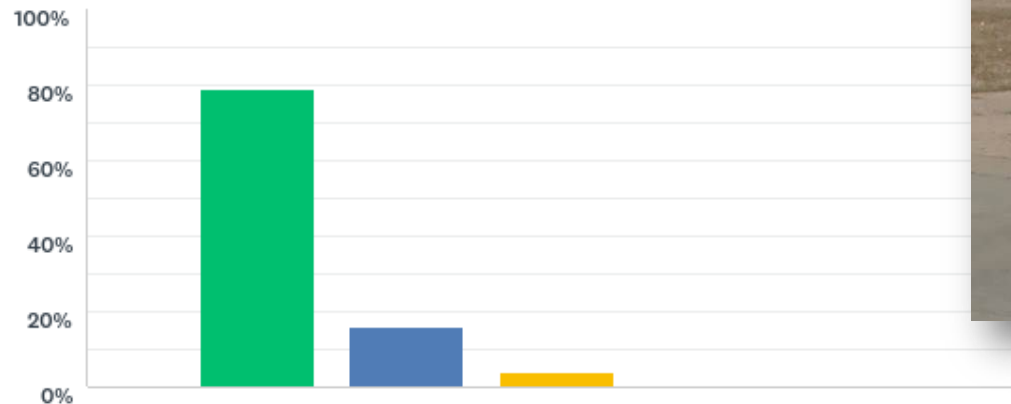
ANSWERED: 964					VISUAL APPEAL SURVEY					
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING						
74.07%	17.84%	6.43%	0.73%	0.93%						
714	172	62	7	9						



PORTABLE MESSAGE CENTER SIGNS

Visual Appeal Survey Results

Answered: 487 VISUAL APPEAL SURVEY 				
VERY UNAPPEALING	SOMEWHAT UNAPPEALING	NEUTRAL	SOMEWHAT APPEALING	VERY APPEALING
79.06%	16.02%	4.11%	0.41%	0.41%
385	78	20	2	2



SURVEY FINDINGS

- Height and materials matter more than size; preference for short, monument-style signs over tall signs on poles.
- Poles without covers are more unappealing than poles with covers.
- The use of multiple wall signs on buildings, especially those constructed of low-quality materials, is very visually unappealing.
- The sites of businesses that use few signs, such as one monument sign and one to two wall signs, are more visually appealing than those sites that contain a larger number of ground and wall signs.
- Use of more than one temporary sign is very visually unappealing.
- Portable message center signs are lowest appealing sign by far.

RECOMMENDATIONS

TYPES OF SIGNS



FREE STANDING



TEMPORARY



WALL



CANOPY



PROJECTING

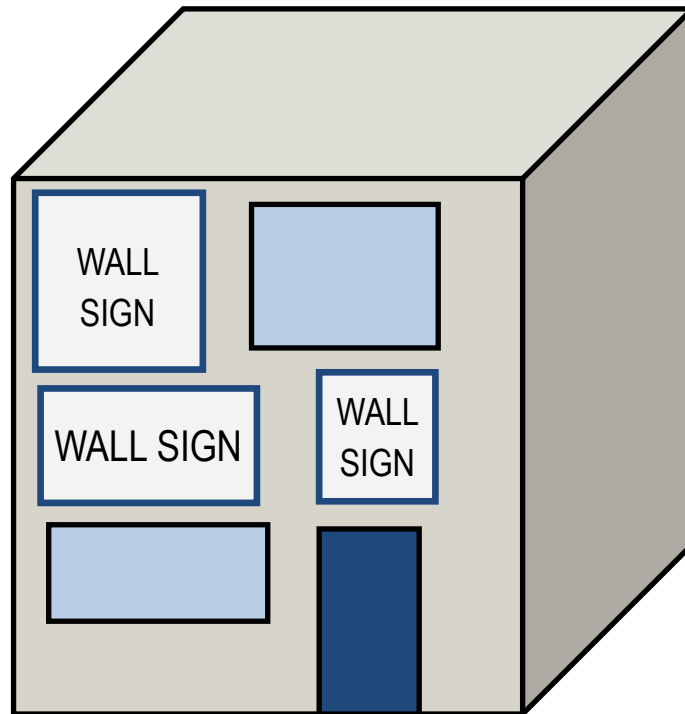
WALL SIGNS



WALL SIGNS

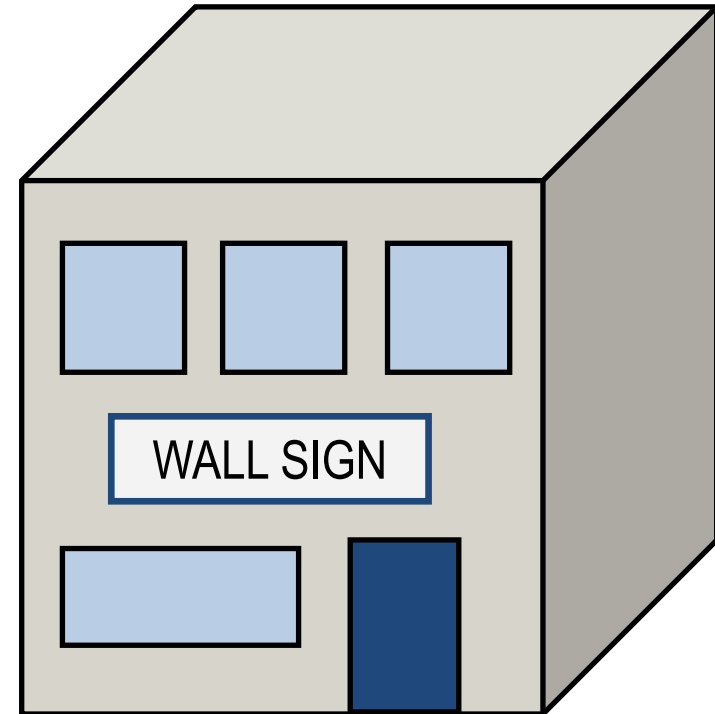
OFFICE & INSTITUTIONAL *

CURRENT



- No limit on number
- 40 sq ft maximum per sign

PROPOSED



- 1 per 50 linear feet of the façade on which sign is located.
- 1.5 sq ft per linear foot of building frontage
- Max 100 sf per single sign
- Max 200 sf per sign on facades 300' or more from street right-of-way.

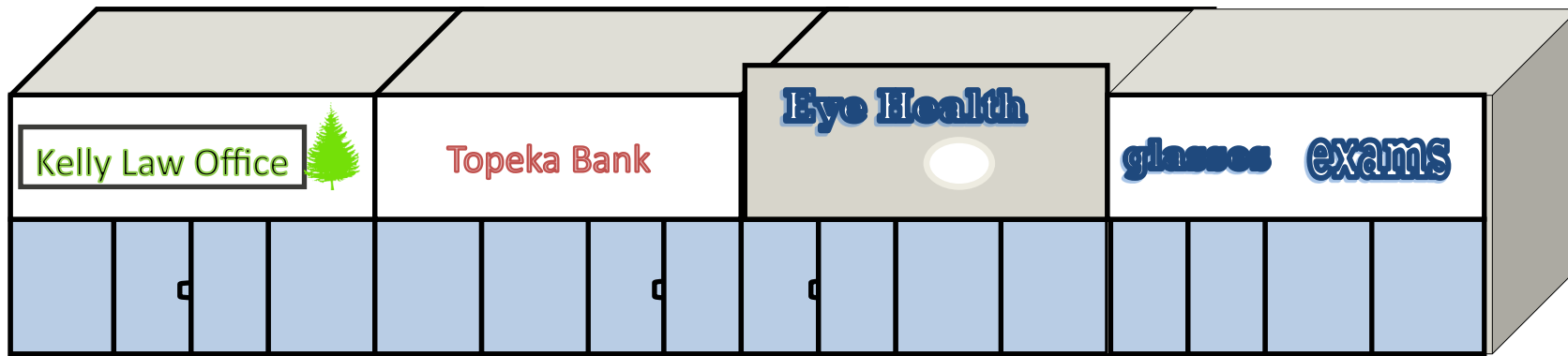
*O&I-2, O&I-3

WALL SIGNS

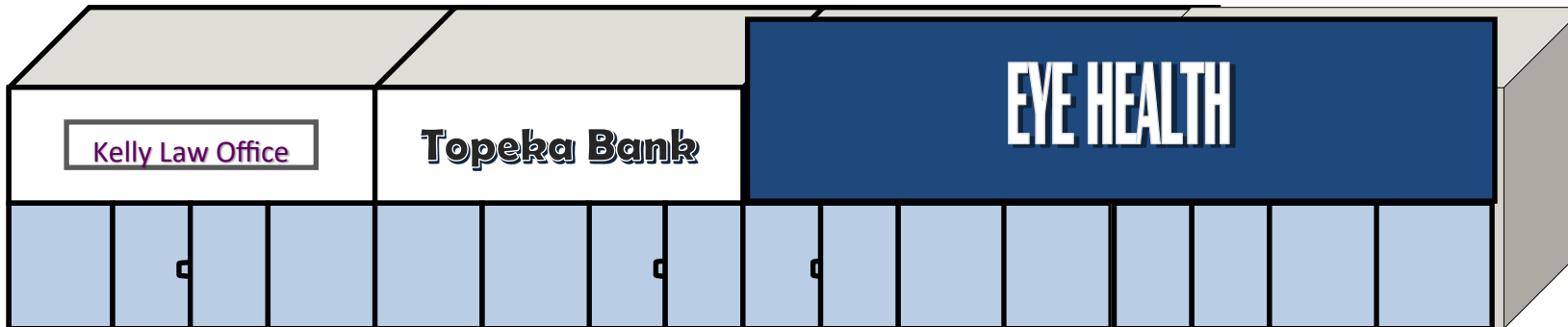
OFFICE & INSTITUTIONAL *

CURRENT

40 sf max size per sign



PROPOSED

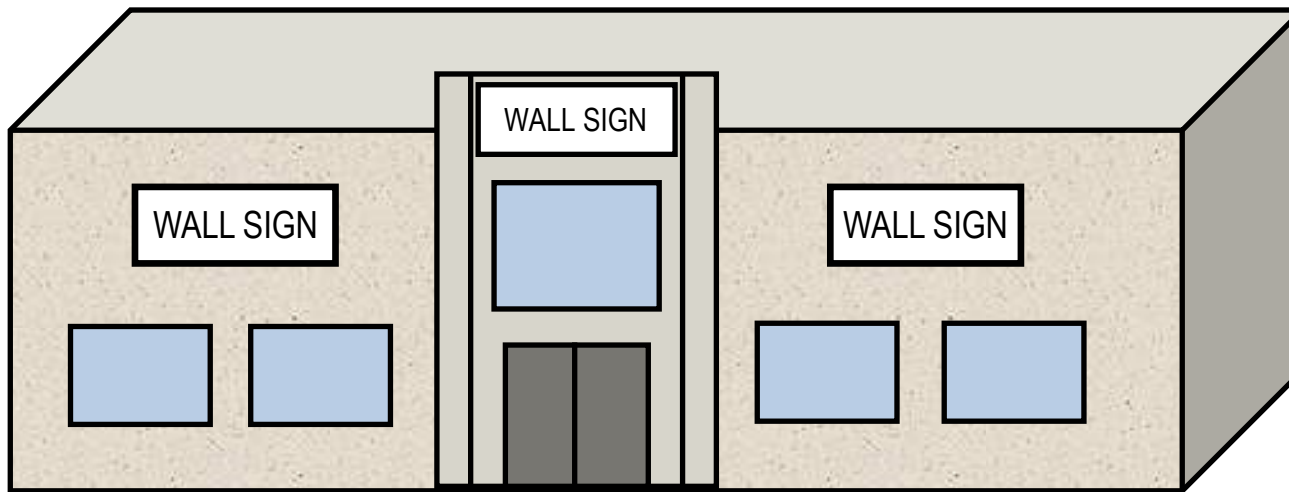


- 1 per tenant/establishment on each façade; 1.5 sq ft per linear foot of building frontage (occupied by tenant); max 100 sf per single sign; max 200 sf per sign on facades 300' or more from street right-of-way.

WALL SIGNS

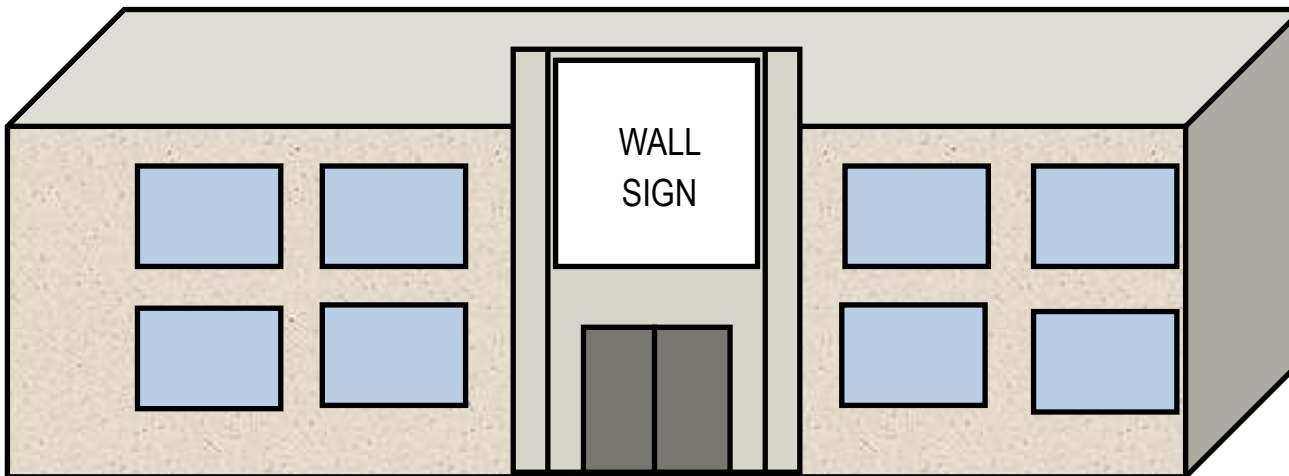
INSTITUTIONAL USES IN RESIDENTIAL DISTRICTS

CURRENT



← Max 40 sq ft per sign

PROPOSED

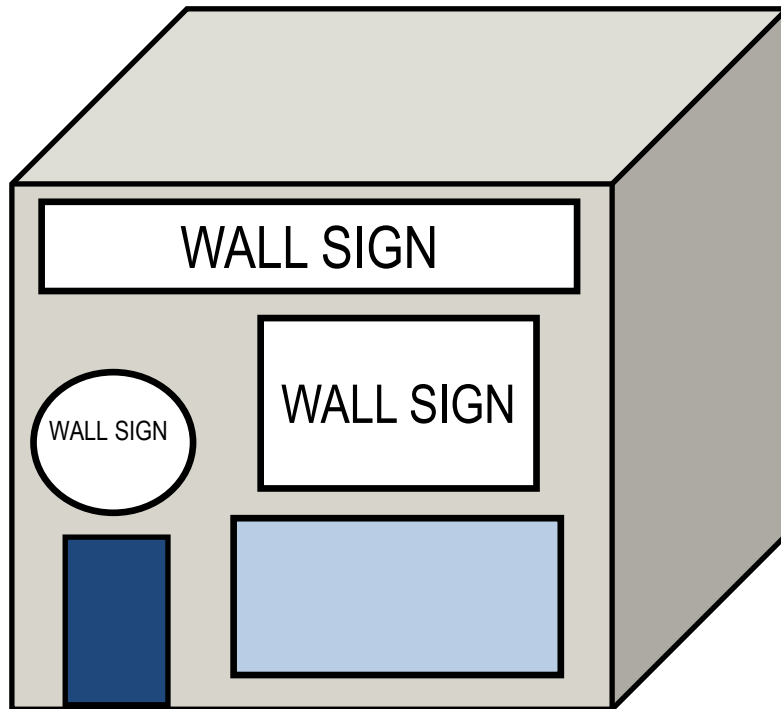


- 1 per 50 linear feet of the façade on which sign is located.
- 1.5 sq ft per linear foot of building frontage, max 100 sq ft per single sign
- Max 100 sf per single sign
- Max 200 sf per sign on facades 300' or more from street ROW.

WALL SIGNS

COMMERCIAL DISTRICT *

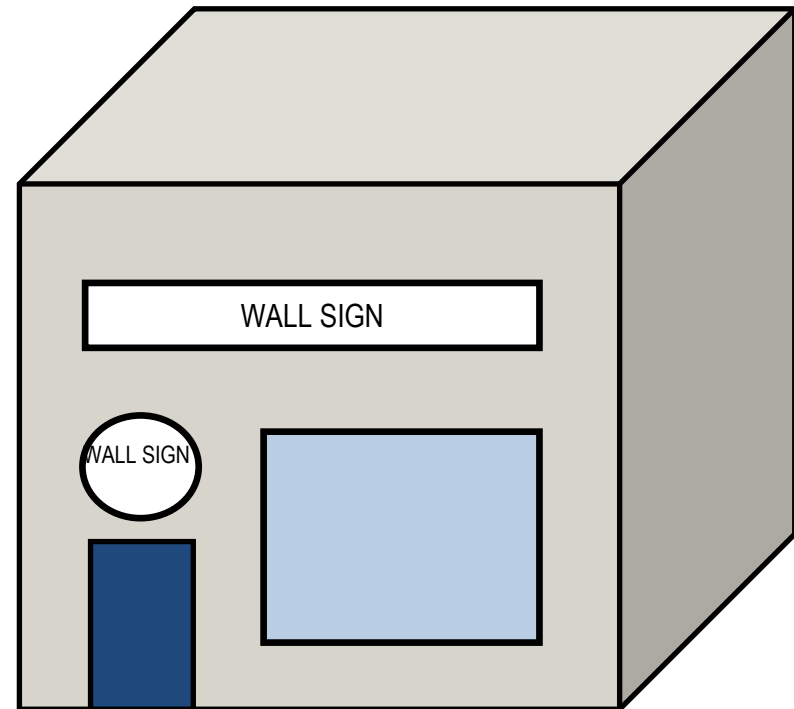
CURRENT



- Max size per sign is 200 sq ft
- No limit on quantity of signs

*C--2

PROPOSED

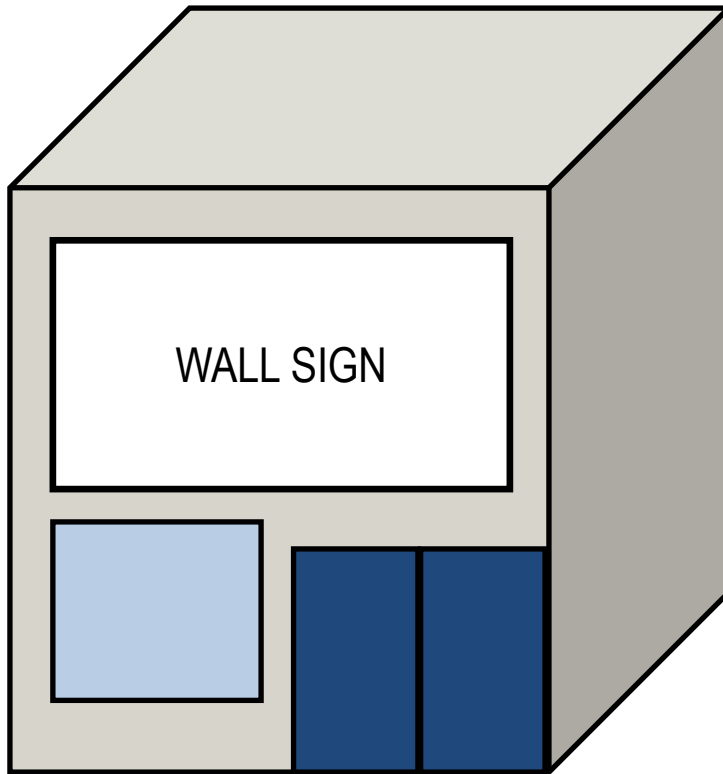


- Max is 3 sf per linear foot of building frontage
- Single sign max of 200 sf; max 300 sf for signs on facades 300' or more from street right-of-way.
- No limit on quantity

WALL SIGNS

COMMERCIAL DISTRICTS

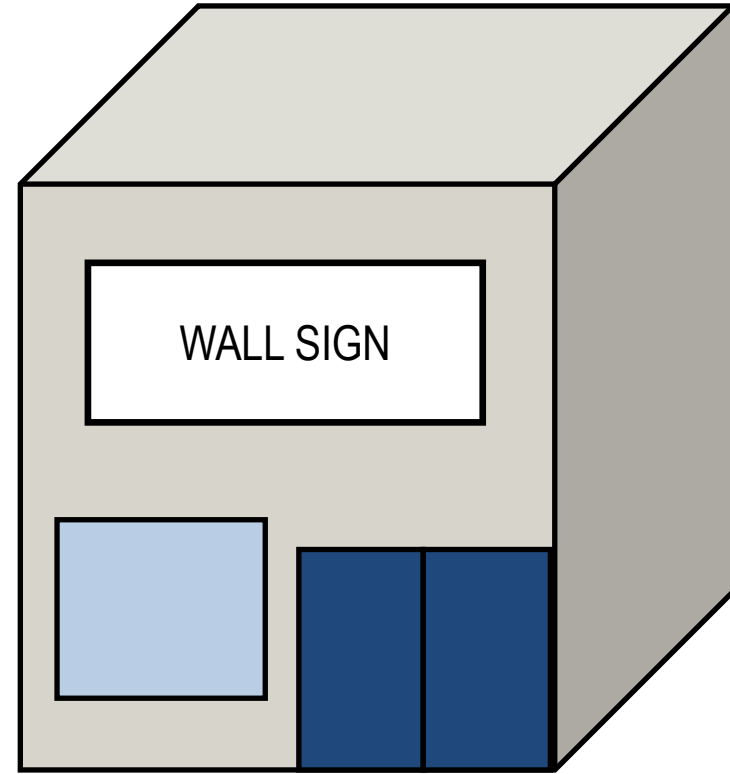
CURRENT



- Max size per sign is 300 sq ft
- No limit on quantity of signs

*C-3, C-4, I-1, I-2

PROPOSED



- Max 3.2 sq ft per linear foot of building frontage
- Maximum 200 sf per sign; max 300 sf for signs setback 300' or more from street right-of-way.
- No limit on quantity.

WALL SIGNS

SIGN CODE COMPARISONS

Office Zoning (O&I)

Wyandotte County Unified Govt. (KCK)	Lawrence, KS	Olathe, KS
C-O (Nonretail Business District): - Maximum of 3 wall signs on single tenant building; maximum 1 sign per tenant on multi-tenant building. - Size: Maximum of 80 sf per sign. All attached signs may not exceed 5% of exterior wall area.	CO (Office Commercial District): - Maximum 1 sign per tenant on wall with entrance or facing public street. - Size: Maximum 5% of building wall area to which the Sign is attached, maximum. Max 32 sq. ft. per Sign.	O (Office) - Maximum 2 signs per building and 1 per wall. Multi-tenant buildings are allowed no more than 1 sign per tenant. - Size: Maximum 10% of total building wall area to which the Sign is attached.

WALL SIGNS

OTHER CITIES

Commercial Zoning (C-3, C-4)

Wyandotte County Unified Govt. (KCK)	Lawrence, KS	Olathe, KS
• C-2 (General Business District): • Maximum of 3 wall signs on single-tenant building; maximum 1 sign per tenant on multi-tenant building. • Size: All attached signs may not exceed 7% of exterior wall area on which signs are placed; and all signs cumulatively shall not exceed 300 sf.	• CO (Commercial Strip District): • No restriction on # of signs for single tenant building; maximum 1 per tenant for multi-tenant buildings. • Size: Maximum 10% of building wall area or 150 sf, whichever is less. Size increases allowed for incremental increased set-backs from public right-of-way.	• C4 (Corridor Commercial) • Maximum 3 signs per building and 1 sign per wall. Multi-tenant buildings allowed 1 sign per tenant. • Size: Maximum 10% of total building wall area to which the Sign is attached. Multi-tenant buildings allowed 10% of the wall on which the sign is placed.

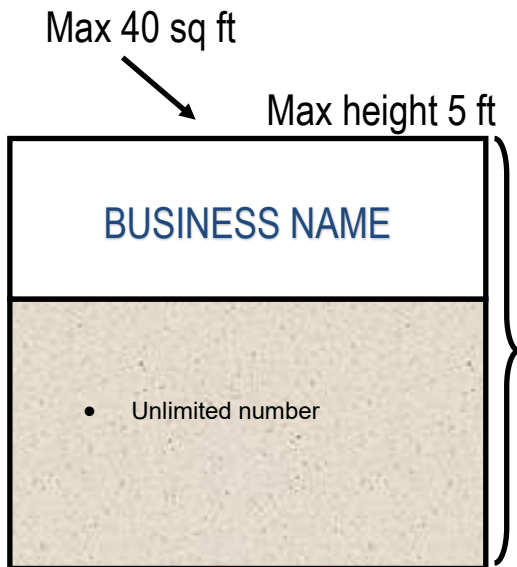
FREE-STANDING SIGNS



FREE-STANDING SIGNS

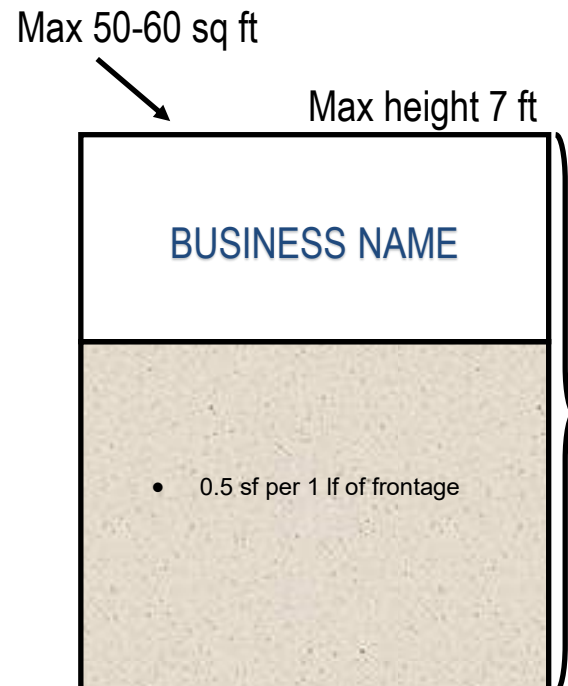
OFFICE & INSTITUTIONAL*

CURRENT



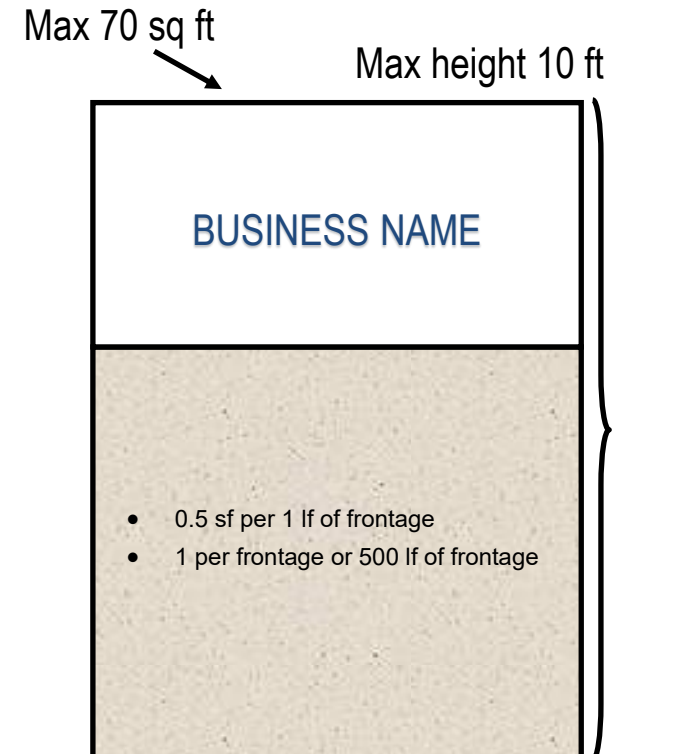
PROPOSED

Local & Collector Streets



PROPOSED

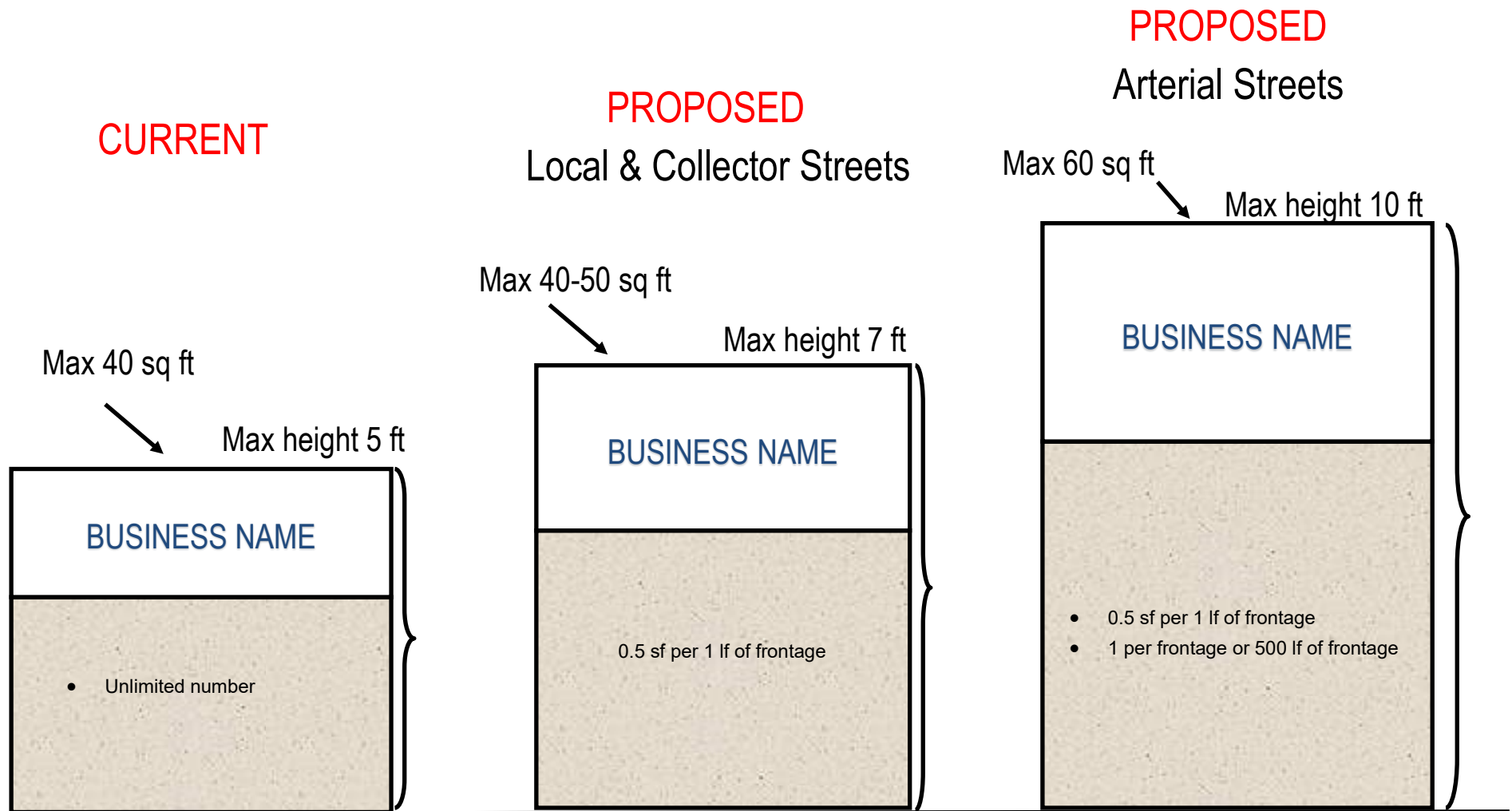
Arterial Streets



*O&I-2, O&I-3

FREE-STANDING SIGNS

INSTITUTIONAL USES IN RESIDENTIAL DISTRICTS*

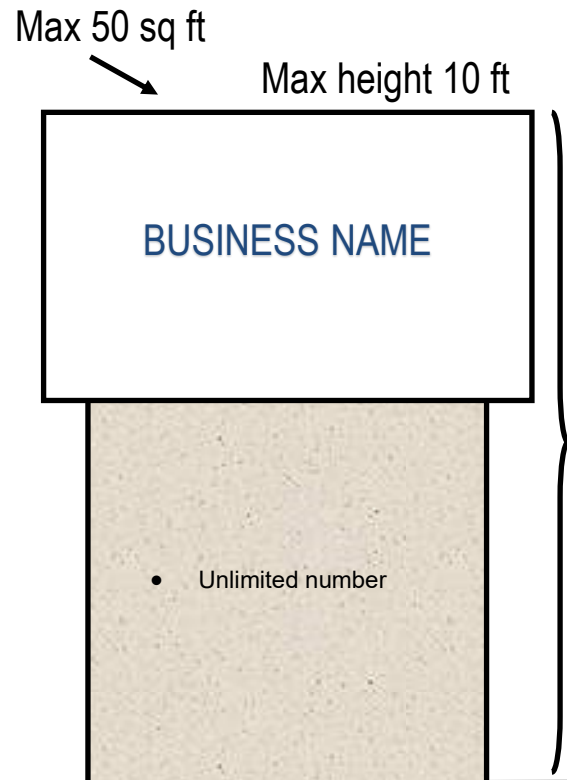


* Includes schools, churches, etc. + O&I-1

FREE-STANDING SIGNS

UNIVERSITY/MEDICAL*

CURRENT



PROPOSED



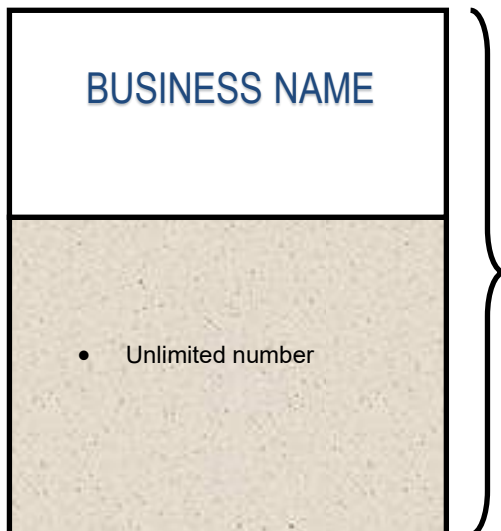
*U-1, MS-1

FREE-STANDING SIGNS

MIXED USE DISTRICTS *

CURRENT

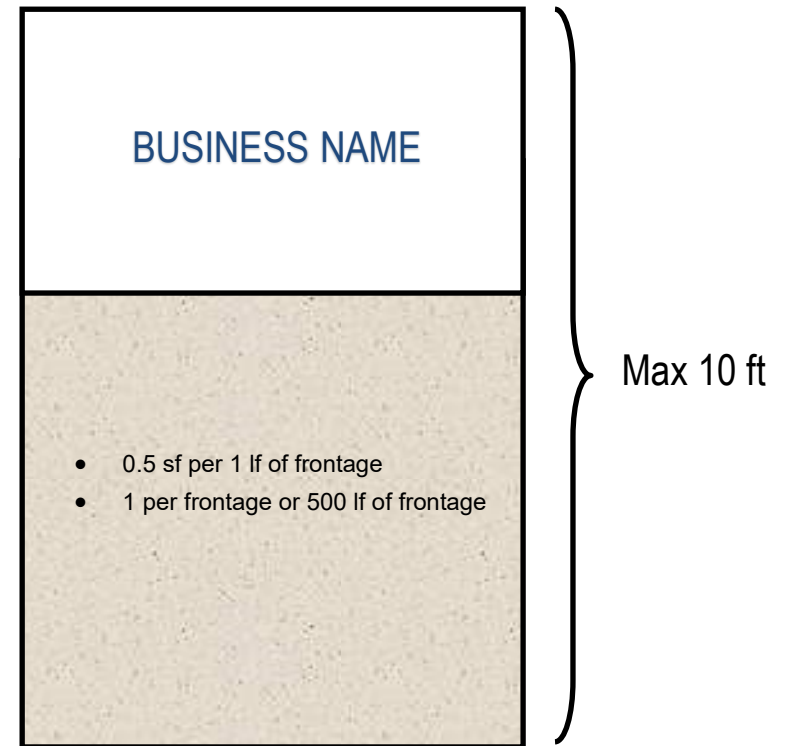
Max 40 sq ft



Max 7 ft

PROPOSED

- Maximum 1 per street frontage
- 0.5 sf per 1 linear foot of frontage not to exceed 50 sq. ft.

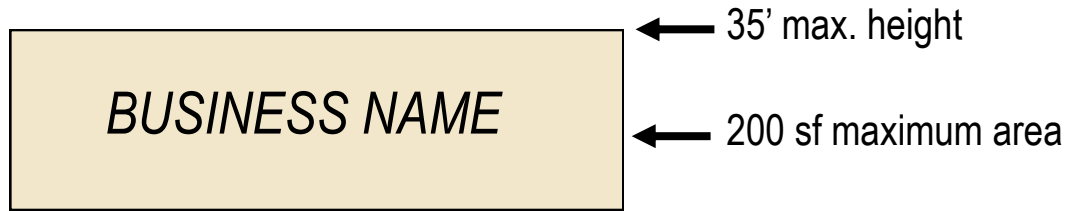


*X-1, X-2, X-3

FREE-STANDING SIGNS

COMMERCIAL— Neighborhood *

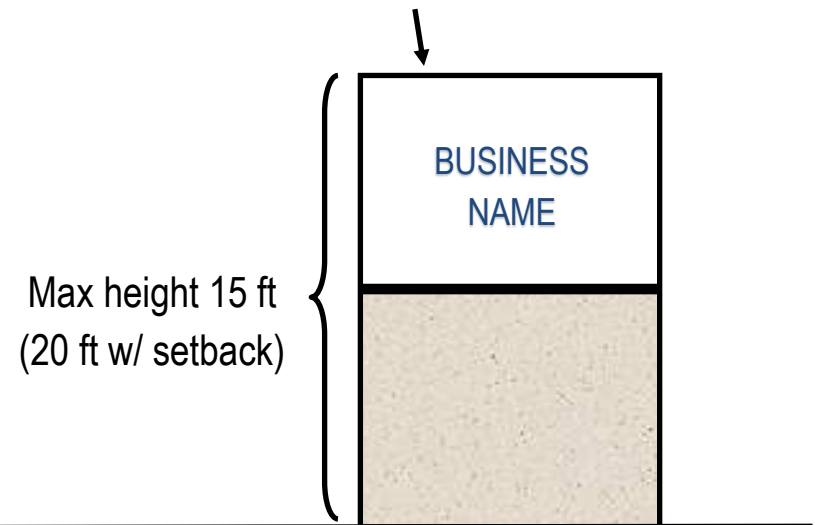
CURRENT



Unlimited number

PROPOSED

- 1 per street frontage/500 lf of frontage
- 0.5 sf per linear foot street frontage
- max 80 sf (112 sf with setback)
- Monument style

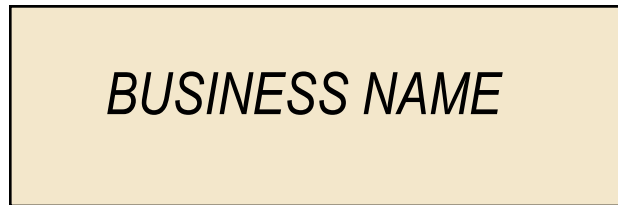


*C-2

FREE-STANDING SIGNS

COMMERCIAL— General *

CURRENT



← 55' max. height

← 300 sf maximum area

Unlimited number

PROPOSED

- 1 per street frontage/500 lf of frontage
- 0.5 sf per linear foot street frontage
- max 120 sf (168 sf w/ setbacks)
- Monument style

Max height 25 ft
(30 ft w/ setback)



*C-3, C-4, I-1, I-2

FREE-STANDING SIGNS

OTHER CITIES

Office Zoning (O&I-1, O&I-2)

Wyandotte County Unified Govt. (KCK)	Lawrence, KS	Olathe, KS
C-O (Nonretail Business District) - Monument sign only. Maximum 1 per street frontage not to exceed 3. - Height: 15 feet max at minimum setback. For each 1 foot of additional setback, 1 foot of additional height is allowed up to max height (highest point of nearest principal building's roof on the premises or 24 feet, whichever is lower.) - Maximum Size: 50 sf 5' minimum setback	CO (Office Commercial District) - Monument sign only. Maximum 1 per lot. For lots of 3 or more acres, 1 additional may be allowed at a secondary entrance facing a different street than first sign. - Height: 6 feet high maximum. For each 5' of setback from ROW, height may be increased by 1' to maximum of 8 feet. - Maximum Size: 32 sf. For each 5' setback from ROW sign may be increased by 8sf for maximum of 48 sf.	O (Office District) (allows for more intense office uses than O&I-1 district) - Monument sign only. Maximum 1 sign for each freestanding building. For complexes or single business sites on more than 5 acres and with more than 1 street frontage, a second monument sign is permitted on the additional street frontage. - Height: 6 feet max. Height may be increased 2' for each additional 5' setback to a max of 15 feet. Increases allowed for sites exceeding 5 acres. - Maximum Size: 25 sf, may increase 10 sf for each additional 5' setback to a max of 65 sf. Increases allowed for sites exceeding 5 acres. 10' minimum setback.

FREE-STANDING SIGNS

OTHER CITIES

Commercial Zoning (C-3, C-4)

Wyandotte County Unified Govt. (KCK)	Lawrence, KS	Olathe, KS
C-2 (General Business District) - Monument only. Maximum 1 per street frontage not to exceed 3. - Height: 15 feet max at minimum setback. For each 1 foot of additional setback, 1 foot of additional height is allowed up to max height. Shall not exceed the highest point of the nearest principal building's roof on the premises or 24 feet, whichever is lower. - Maximum Size: 75 sf 5' minimum setback.	CS (Commercial Strip District) - Monument only. Maximum 1 per lot. For lots of 3 or more acres, 1 additional may be allowed at a secondary entrance facing a different street than first sign. - Height: 12 feet high maximum. For each 5' of setback from ROW height may be increased by 2' to a maximum of 16 feet. - Maximum Size: 60 sf. For each 5' of setback from the ROW sign area may be increased by 6 sf to a maximum of 72 sf. For lots of 3 or more acres, additional sf of 20 sf is allowed or 1 additional signs is allowed with maximum 40 sf (112 sf)	C (Corridor Commercial District) - Monument only. Maximum 1 sign per building. For sites more than 5 acres and with more than 1 street frontage, a second monument sign is permitted on the additional street . - Height: 6 feet max plus increase of 2' for each additional 5' setback to a max of 15 feet. For sites more than 5 acres in size, max height is 15 feet plus increase of 2' for each additional 5' setback up to max height of 21 feet. - Maximum Size: 25 sf, may increase 10 sf for each additional 5' setback to a max of 65 sf. For sites more than 5 acres in size, no more than 1 monument sign may be increased to 65 sf plus increase of 10 sf for each additional 5' setback to a max size of 95 sf. - On sites larger than 20 acres, signage may be increased to a max height of 25' and max size of 100 sf. 10' minimum setback.

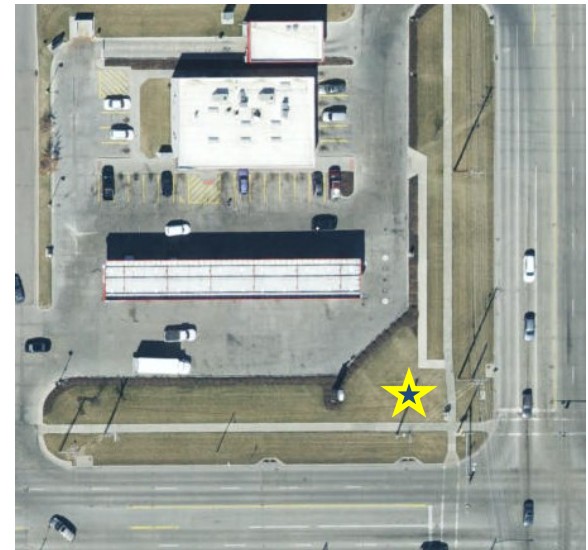
EXCEPTIONS

Corner Lots

- If combining 2 frontages on a single sign, allow 130% of maximum sign area allowed for the street with the most street frontage.

BUSINESS NAME

← 130% of maximum sign area allowed



EXCEPTIONS

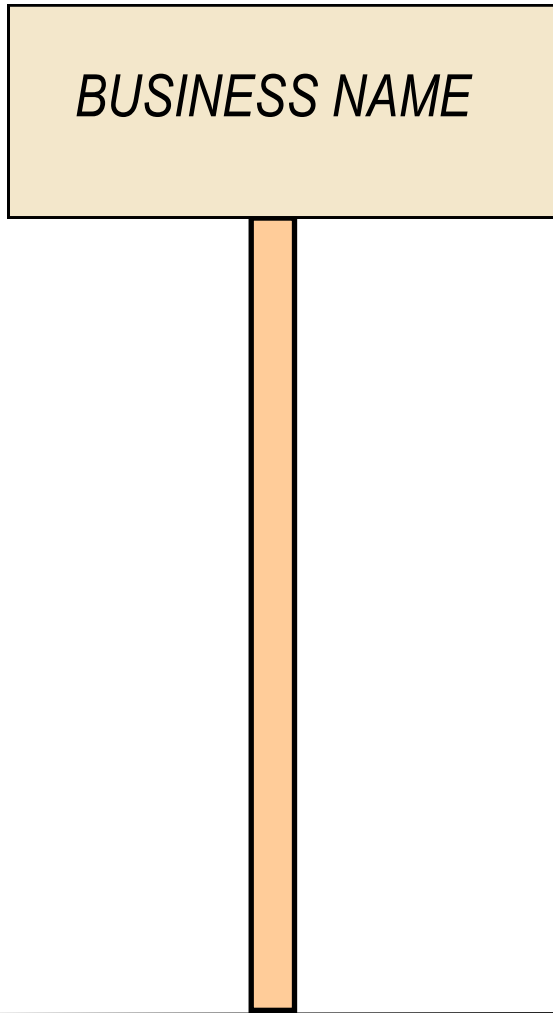
Historic Signs



Any sign listed or eligible for listing in a national, state, or local register or that contributes to the historic character of a listed property may be relocated or altered upon approval of the Topeka Landmarks Commission and is exempt from adopted dimensional standards.

EXCEPTIONS

Highway Signs



- Applies to sites zoned **C-3, C-4, I-1, and I-2** that are either:
 - a) within a **800 foot radius** of the intersection of the centerline of I-70, I-470, or US-75 (north of I-70 and south of I-470) with an arterial or collector street, OR
 - b) within **120 feet** of the right-of-way of an on/off ramp
- Height max is **55 feet**; sign area max is **250 sq. ft.**
- May be pylon/pole style if exceeds 35 feet

- For sites zoned **C-2**, a sign is allowed to a height of **35 feet** and sign area of **150 sq ft.** Signs over 25 feet may be mounted on two covered columns each at least two (2) feet wide if their design is integrated with or matches overall sign design.

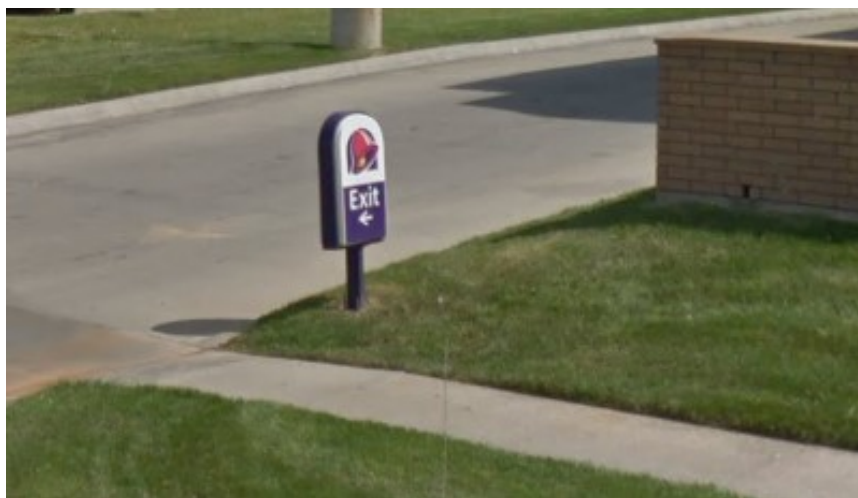
EXCEPTIONS

Master Sign Plans

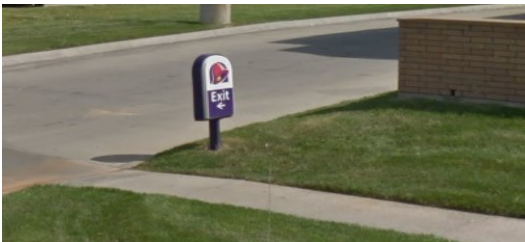


- Applies to sites of **4 acres** or more and having 5 or more tenants or 3 or more buildings in O&I2, O&I3, C-2, C-3, C-4, U, MS, or I districts, and any PUD with any of these corresponding use groups.
- Each site is allowed 1 “center sign” that is **allowed to exceed the baseline height and size** standards for that zoning district:
 - ⇒ **O&I-1/2/3:** Height = 15 feet; Area = 100 sq ft
 - ⇒ **MS-1:** Height = 20 feet; Area = 120 sq ft
 - ⇒ **C-2, U-1:** Height = 20 feet; Area = 160 sq ft
 - ⇒ **C-3, C-4, I-1, I-2:** Height = 30 feet; Area = 240 sq ft
- Signs over 25 foot in height may replace monument style with two covered columns matching sign design each at least 2 ft wide
- An approved master sign plan is required

INCIDENTAL SIGNS



INCIDENTAL SIGNS



Currently:

- Not addressed. No restriction on quantity of signs.

Proposed:

- Accommodate freestanding signs in all zoning districts.
- Quantity: 1-2 per 300 feet of street frontage; no limit if setback 30' or more from any property line.
- Sign Area: 6-64 sq ft based on zoning district/setbacks with a maximum of 6-150 for all incidental signs.
- Height: 4-8 feet based on zoning district/setbacks.
- Portable Pedestrian Signs: accommodated for buildings setback five (5) feet or less from the public street right-of-way where a sidewalk is present .

LEGAL NON-CONFORMING SIGNS

Definition: Any sign lawfully existing prior to the adoption of a new code that does not conform to the new code

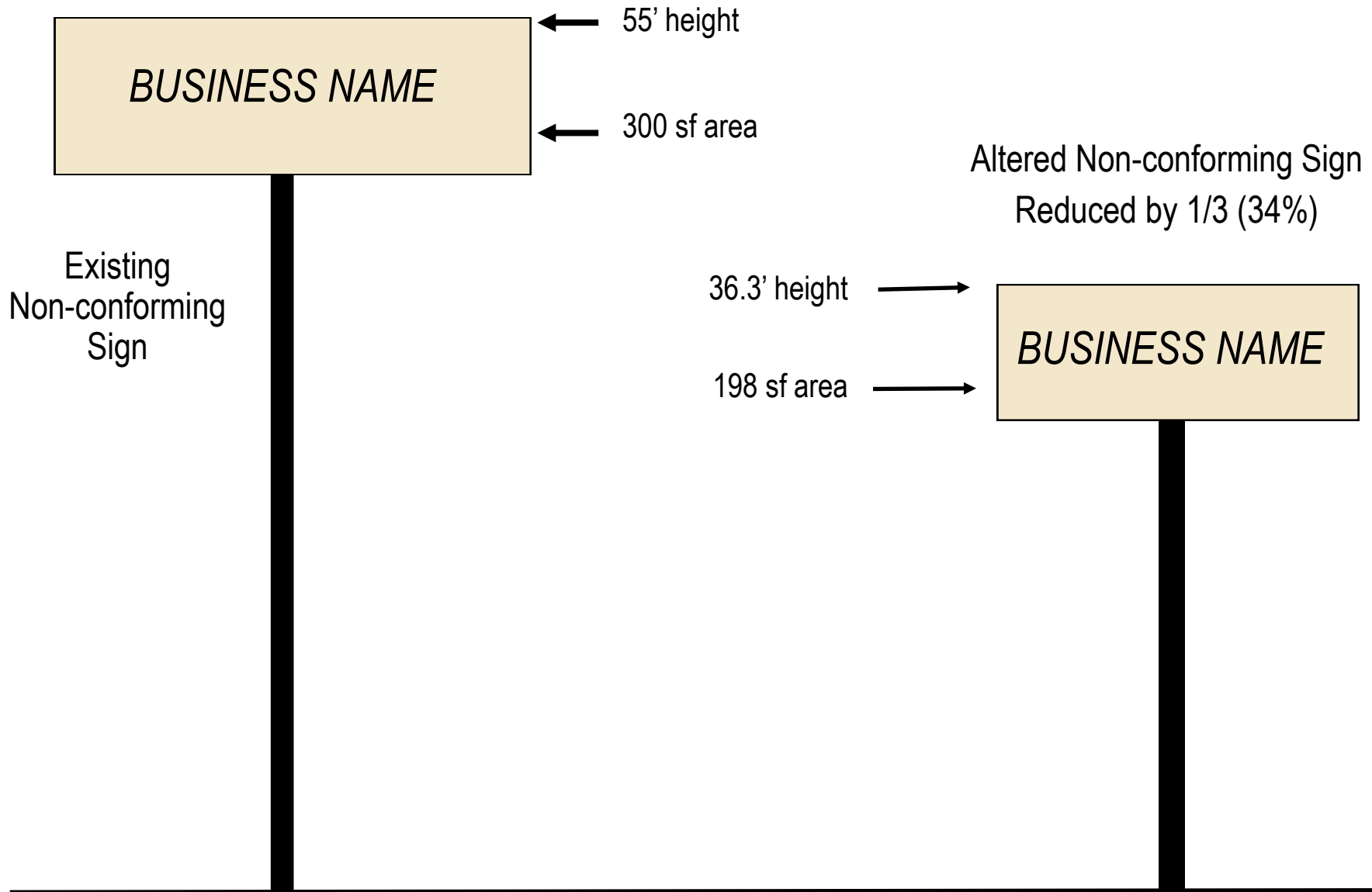
Current

- Signs are not addressed specifically.
- In practice, staff allows changes to existing legal non-conforming signs provided the height and area of the sign are reduced in keeping with provisions for legal non-conforming uses in Chapter 18.220

Proposed

- Legal non-conforming signs will be grandfathered **up to 20 years** after adoption of new code.
- Re-facing a sign will not trigger compliance with new code UNLESS associated with a major event as defined in the new code (e.g., tax incentives, rezoning, major renovation, etc.)
- Any alteration or dimensional change of 50% or more to the sign area, cabinet size, height, or support structure shall achieve full compliance
- Any alteration or dimensional change of 50% or less of sign area, cabinet size, height, or support structure shall achieve full compliance **OR** at a minimum partial compliance by reducing its existing sign area and height by at least **34%**.

LEGAL NON-CONFORMING SIGNS



SIGN MAINTENANCE

Currently

- Signs must be properly maintained per **TMC 18.10.100**:

All signs shall be maintained in good condition. A sign with missing or visibly damaged face panels, exposed internal lights and related internal hardware, visible deteriorating paint and rust, or structural damage that may be hazardous to the public is not in good condition and shall be repaired or be removed within a reasonable time as determined by the planning director or designee.

Proposed

- No changes

ABANDONED SIGNS

Definition (proposed): *An abandoned sign is defined as any sign on a property which no longer applies to a use of the property because the use has changed or the property has become vacant*

Currently

- Not addressed

Proposed:

- Any abandoned sign in existence for a period of more than **6 consecutive months** shall be removed or the face of the sign shall be covered.
- Any non-conforming abandoned sign in existence for a period of more than **24 consecutive months** shall be removed.
- Non-conforming abandoned signs shall be removed **immediately** when the primary building on the property is demolished or removed.
- When an abandoned sign is removed, all parts of the sign, including structural supports, shall be removed.
- **Grace Period:** Any sign made “abandoned” by this code must comply within one (1) year from the date of adoption of the

EXAMPLES

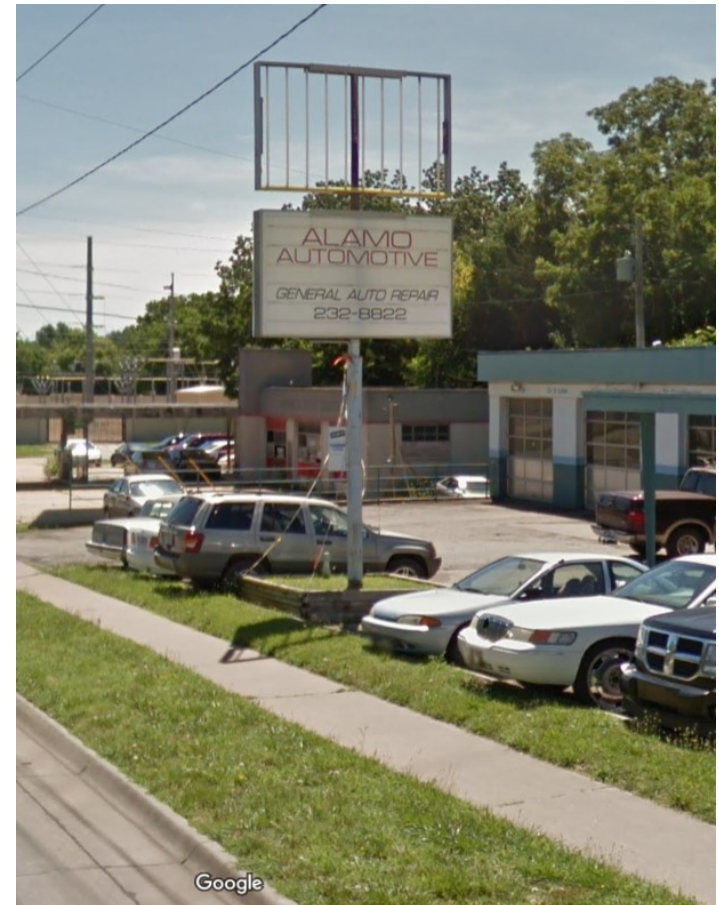


Current Code:

- Paint only

Proposed Code:

- Remove within 1 year of adoption



Current Code:

- Add blank sign cover or remove

Proposed Code:

- Add blank sign cover now or possibly remove if found to have been abandoned for at least 24 months (1 year after grace period)

EXAMPLES



Current Code:

- Add blank sign covers or signs

Proposed Code:

- Add blank sign cover now and possibly remove if found to have been abandoned for at least 24 months (after 1 year grace period)



Current Code:

- No action; permitted

Proposed Code:

- Cover sign now and possibly remove abandoned sign if found to be non-conforming (after 1 year

TEMPORARY SIGNS



TEMPORARY SIGNS - Yard Signs



Current Code:

- No more than 1 on the property at a time
- Limited to duration of an “event” and for only 2 events per calendar year
- In residential zoning districts — max 6 sf area and 4 feet in height, except for parcels greater than one acre allowed 32 sf area and 6 feet in height. In other zoning districts, max 32 sf area and 6 feet in height



Proposed Code:

- No change to height and size standards.
- For other than sf or two-family residential, allow 1 per 200' street frontage.
- Duration limited to 30 calendar days per single time period, 4 time periods per year and no more than 120 calendar days per year (limited to 2 time periods and 60 calendar days per year in SF residential districts).

TEMPORARY SIGNS

Free-standing Banners



Current Code:

- Prohibited

Proposed Code:

- Allowed
- Same standards as “free-standing yard signs”

TEMPORARY SIGNS

Feather Flags



Current Code:

- Not accommodated
- Do not meet height standards of other free-standing signs

Proposed Code:

- Max 30 sf area and 16 feet in height
- 1 per 200' street frontage in commercial districts; 1 per street frontage in R, M, and OS districts
- Duration limited to 15 days per time period; max 4 time periods and total 60 calendar days per year in commercial districts OR 2 time periods and 30 calendar days per year in R, M, and OS districts

TEMPORARY SIGNS

Wall Banners



Current Code:

- No limit on quantity
- Must be placed flat on any face of the building; placement on fences and other accessory structures not allowed.
- Area of all signs shall not exceed 25% of the surface of the building face on which signs are placed
- Unlimited duration

Proposed Code:

- No limit except 1 per building in R, M-1, and OS-1 districts
- In all other districts the cumulative total of all wall banners shall not exceed ½ of maximum signage allowed for permanent wall signs.
- Can only be on primary building wall NOT accessory structures or fences
- Frayed, faded, and torn banners shall be removed

PORTABLE MESSAGE CENTER SIGNS



Current Code:

- A 12-month permit is required for each portable sign which allows them to be used continuously without time limits.
- Unlimited number
- Size not conforming in R districts (>6 sq ff)



Proposed Code:

- Allow in "C" and "I" districts + churches and schools
- 2 events per year; 30 days per event; 30 days in between event
- Require permit; meet electrical code
- No flashing lights
- Setback 5' from property line
- 24-month amortization (phased out completely)

PORTABLE MESSAGE CENTER SIGNS

Other Cities

City	Standards
Wyandotte County Unified Govt.	Not permitted
Lawrence	Not permitted
Kansas City, MO	Not permitted
Olathe	Not permitted
Manhattan	Permitted as a temporary sign only. As such, no restriction on size but are limited to one per zoning lot, and limited to "C" districts and "LM-SC" district. Allowed for no more than 30 consecutive days and no more than 60 calendar days per year. Flashing and strobing lights not permitted.
Ottawa	Not permitted.
Hutchinson	Permitted as a temporary sign.
Wichita	Portable message centers permitted in a limited range of zoning districts and for institutional uses, and for commercial uses in other some other zoning districts. Flashing or strobing lights are not permitted.

NEW FORMAT

- user friendly
- each sign type on single page by zoning district
- updated definitions
- pictures to illustrate sign types
- numeric standards
- “notes” for clarifications and exceptions

Wall Signs

Definitions

Wall Sign

A sign (other than Projecting Sign, Roof Sign, or Window Sign) that uses a building wall as its primary source of support, and that:

1. Is placed directly on and contained totally within the dimensions of the outside wall;
2. Does not extend more than 18 inches from a building surface



Standards

Wall Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per 50 linear feet of building frontage <i>Note #1</i>	n/a	1	1	1	no limit	no limit	no limit	1	no limit	no limit	no limit	no limit
Sign Area Allocation square feet per linear foot of building frontage <i>Note #2</i>	n/a	1.5	1.5	2	3	3.2	3.2	1.5	3	3	3	2
Sign Area Allocation – All Attached Signs square feet per linear foot of building front	n/a	2	2	2.5	2.5	3	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign	n/a	100	100	100	200	250	250	100	200	200	200	100
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%

Notes/Exceptions:

1. Regardless of the width of the building façade, each single tenant building is allowed a minimum of 1 wall sign per façade, and each multi-tenant or multi-use building is allowed 1 sign per tenant or use per façade.
2. Wall signs on facades located 300 ft or more from the street ROW to which they face are permitted up to 200 sf in O&I, C-1, U-1, MS-1, and D-2 district, and up to 300 sf in all other zoning districts.
3. Wall signs shall not cover or obstruct any architectural features deemed integral to the historic appearance or character of the building. Such features shall include, but are not limited to, transom windows, detailed brick, tile, or shingles

SUMMARY OF RECOMMENDATIONS

- Maximum sign size would generally be proportional to the size of the building/property instead of a “one size fits all” approach.
- The number of signs in commercial areas would now be limited based on the size of the property instead of allowing an unlimited number of signs on any property.
- Commercial zoning districts would see reduced size and height limits except along highway intersections and at shopping/commerce centers.
- Churches, offices, and multi-family areas would see more relaxed standards.
- Pole signs would be prohibited in favor of monument style for freestanding signs.

SUMMARY OF RECOMMENDATIONS

- All temporary signs would be accommodated between 30 and 120 days depending on the zoning district instead on an undefined “event” period.
- Abandoned sign prohibitions would be phased in after 1 year.
- Portable message center signs would be phased out after 2 years but be more restricted until then instead of not having any time, place, or number restrictions.
- Once the code is adopted, only new signs would need to comply with the new standards. Existing signs made non-conforming because of the new code would be allowed to continue as is unless the size of the sign is altered voluntarily.
- All signs would have to comply with the new code after a 20-year amortization period.

DRAFT City of Topeka Sign Code

Division 2. Sign Regulations

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DIVISION 2. - SIGNS

18.10.010 Purpose.

- This Division regulates the design, dimensions, placement and other characteristics of signs in the City of Topeka used by businesses, institutions, and other entities for their identification.
- The purpose of this Division is to:
 - provide for effective communications by businesses, institutions, and others;
 - enhance traffic safety;
 - preserve and enhance the visual appearance of the community;
 - preserve and enhance the safety and appearance of Topeka's primary transportation corridors;
 - prevent visual distractions;
 - protect property values;
 - accommodate the rights of individuals to free speech; and
 - preserve and promote the public health, safety, and general welfare.
- This section regulates only the sign structure or copy design, and not the sign's content. The city finds that the type, size, dimensions, setbacks, and physical design of signs permitted by this Division protect the city's purpose as described in this division. The City of Topeka developed the standards in this division upon completion of a public process in which the design and dimensional standards were tested in consideration of industry criteria, past experience in administering sign standards, and community input as to the appropriate characteristics of signs in Topeka's various neighborhoods and business areas.
- Any reference in this chapter to Planning and Development Director shall also mean staff designated by the Planning and Development Director to administer the regulations in this chapter.

18.10.020 Applicability

• Generally.

This Division applies to any sign within the corporate limits of the City of Topeka, Kansas.

It is unlawful for any person to erect, operate, or otherwise use any sign that is prohibited by this Division.

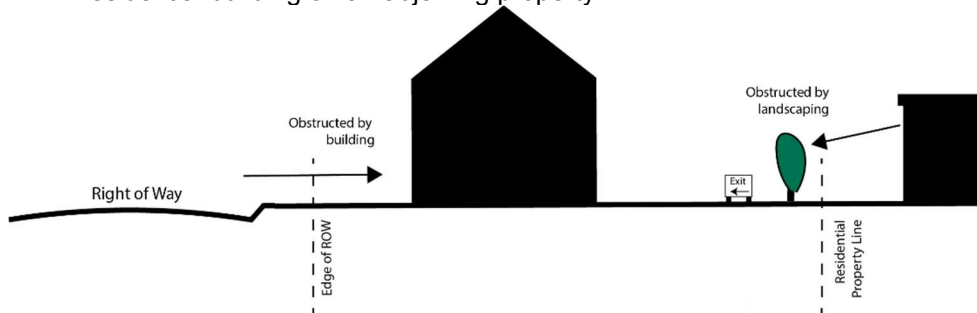
It is unlawful for any person to erect, operate, or otherwise use any sign at a time, place, or manner that is prohibited by this Division.

The Planning and Development Director is authorized to interpret and execute the regulations of this chapter. Any person aggrieved by a decision of the Planning and Development Director regarding the administration of this chapter may appeal such decision to the Board of Zoning Appeals in accordance with Chapter 2.45 of the Topeka Municipal Code.

The City of Topeka is subordinate to the laws of the federal government and State of Kansas. This Division does not prohibit signs, sign locations, or sign characteristics that are permitted by an express requirement of state or federal law.

- **Exemptions.** The regulations of this division do not apply to the following, although the standards of Title 14 of the Topeka Municipal Code may apply.

- Signs that are not visible from a public street, highway, road, sidewalk, bicycle, pedestrian path, or similar public way unless the sign is visible from the property line of an adjoining lot or parcel. A sign is considered not visible where it is fully obstructed by natural changes in grade, buildings, or landscaping that provides a complete year-round visual barrier. "Fully obstructed" means that the signs are not visible at ground level from the edge of the public right-of-way or residential property line, or from the upper level of a residential building on an adjoining property.



- Signs intended to be read only from inside the property and containing copy of a size not readable from outside the property.
- Signs located entirely within the interior of a building or structure, except as otherwise provided for window signs.
- Signs associated with the temporary use of a building or site, including buildings or sites undergoing construction, during the time of said temporary use.
- In order to promote traffic and public safety, any public notice or warning posted or required by valid and applicable federal, state, or local law, regulation, or ordinance, including street addresses.
- A sign that is integrated into or on a coin-operated machine, vending machine, or gasoline pump that is used for its intended purpose.
- Decorative flags
- Government flags
- Fuel pump and fuel pump topper signs
- Pennant streamers
- A sign carried by a person.
- A sign affixed to an operable vehicle without flat tires.
- Address numbers and other non-illuminated incidental wall signs.



- Districts and Uses.** This Division calibrates sign size, types, and design to the City's government's zoning districts in order to protect community character, and to accommodate desired communications and economic activity appropriate to those districts.

- **Message Neutrality.** Despite any other provision of this Division, no sign is subject to any limitation based on the content of its message. Any sign authorized in this Division may contain any non-commercial copy in lieu of any other copy.
- **Obscenity.** This Division does not authorize any sign that unlawfully displays obscenity under state or federal law.
- **False or Misleading Statements.** This Division does not excuse any person or entity from civil or criminal liability for false or misleading statements placed on a sign.

18.10.030 Prohibited Signs.

The following types of signs are prohibited, except where specifically permitted by this Division:

- Any sign that is not included under the sign types permitted in this Division.
- Pole Signs, except where specifically permitted in section 18.10.110. The sign owner may reface or install a pole cover on a legally nonconforming pole sign.
- Any sign located in a public or private right-of-way, railroad right-of-way, or public and private utility easement, except those signs required or expressly permitted by governmental authority, and except projecting signs and portable pedestrian signs in accordance with Section 18.10.120, On-Premise Sign Standards by Type and District.
- Any sign which, by reason of its size, location, movement, content, coloring, or manner of illumination:
 - may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency vehicle; or
 - obscures the view of any traffic or street sign, signal or device.
- Portable Message Center Signs except when incorporated in a portable pedestrian sign allowed in accordance with the standards for incidental signs in Section 18.10.120, and except where permitted as a temporary sign in Section 18.10.160.
- Any sign containing flashing, strobing, or chasing lights.
- Any sign that does not conform to the regulation of the sight distance triangle pursuant to Chapter 12.20, Public Traffic Hazards, of the Topeka Municipal Code, or any clear zone as defined by the American Association of State Highway and Transportation Officials.
- Off-premise signs, except where specifically allowed in Section 18.10.170, Off-Premise Signs.
- Signs deemed unsafe because of the sign's illegibility or unreadability as a result of size of copy relative to viewing distance; relationship of copy to background area; thickness and style of font; spacing between letters; color contrast between the message and background; lighting; other unforeseen factors.

18.10.040 Sign Permits and Inspections

- **Applicability.**
 - Generally.
 - No sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or re-faced until the City of Topeka issues a sign permit.
 - Only those signs permitted in this Division shall be granted a sign permit.
 - Permits shall be issued only to sign hangers licensed by the City of Topeka or to the property owner, provided the property owner carries public liability insurance with coverage of \$500,000 or more.

135 • **Exemptions.**

- 136
- 137 • No sign permit is required for maintenance.
- 138 • Maintenance includes all care and minor repair needed to maintain a safe, attractive and
- 139 finished structure, frame pole, brackets or surface and which does not enlarge or materially
- 140 alter any face or display portion of the sign.
- 141 • This Section does not prevent the maintenance, repainting, or posting of a legally established
- 142 nonconforming billboard.
- 143 • Temporary Signs. A sign permit is required for any temporary balloon sign exceeding 12 cubic
- 144 feet. A sign permit is not required for all other temporary signs.
- 145 • Repainting / Reposting. The sign surface of a billboard may be repainted or reposted without
- 146 obtaining a new sign permit.
- 147 • A permit is not required for Window Signs.

148 • **Applications.**

149 The Planning and Development Department ("Department") shall prescribe forms and submittal

150 requirements for sign permits as needed to administer this Division. The form shall be made

151 available at the Department's office during regular business hours and on the Department's public

152 website.

153

154 No sign shall be erected without the prior consent of the owner or the owner's authorized agent.

155

156 At the time the applicant receives the permit the applicant shall pay an application fee in the amount

157 established by the City of Topeka.

158 • **Inspections.**

159 All signs (including any footings) for which a permit is required are subject to inspection by the

160 building official.

161

162 All signs containing electrical wiring are subject to all applicable provisions of Chapter 14.30 of the

163 Topeka Municipal Code.

164

165

166

167 **18.10.050 Enforcement.**

168 • **Generally.**

169 Signs regulated under this chapter shall be installed, erected, and maintained in accordance with
170 the provisions of this chapter.

171 • **Notice of Violation.**

172 If a sign fails to meet the requirements of this Division, the Planning Director shall cause a notice to
173 be sent to the owner of record of the tract or building upon which the sign is situated, and for
174 billboards, to the permit holder of the sign, by certified mail, return receipt requested, and regular
175 mail.

176
177 The notice shall inform the owner or permit holder of the location of the sign and the nature of the
178 violation.

179
180 The owner or permit holder has 10 days from receipt of the notice in which to correct the violation.
181 For good cause shown, the building official may extend the time for compliance.

182
183 Any owner or permit holder failing to timely correct the violation is subject to penalty as set forth in
184 this section. The building official shall not issue building permits for new signs to any person who is
185 in violation of the provisions of this Division.

186 • **Removal of Signs on Public Property.**

187 Signs posted or otherwise affixed to or on any of the following, or as described below, are unlawful
188 and in violation of this Division and are subject to immediate removal without notice. Any signs
189 removed under this subsection will be held for 10 days and, if not claimed within that time, will be
190 disposed of:

- 191 a. Any public building or any public bridge;
192 b. Any sidewalk, crosswalk, or curb;
193 c. Any public right-of-way;
194 d. Any paved portion of any street or highway;
195 e. Any median strip of any divided street or highway;
196 f. Any street sign or on any traffic sign or signal or any railroad sign or signal;
197 g. Any telephone, electric light, power, or any other utility pole or any fire hydrant;
198 h. Any tree on public property, including those in the public right-of-way;
199 i. Any public park;
200 j. In a manner that may cause a reduction in intersection sight distances or create any other
201 hazard to life or safety;
202 k. In a manner which obstructs clear vision of any road or railroad intersection; or
203 l. In a manner which obstructs any authorized traffic control device.

204 This subsection does not apply to signs erected by, on behalf of, or pursuant to the authorization of
205 a governmental body, including identification, informational, traffic, directional, or regulatory signs.

206 • **Failure to Maintain.** The City may declare a sign that is not properly maintained as provided in
207 Section 18.10.080, Maintenance, a nuisance, and seek abatement as provided in Section 18.10.110,
208 .

209 • **Fines and cost of sign removal.**

210 (1) In addition to any criminal penalties, each violation of TMC Chapter 18.10 shall be subject to an
211 administrative monetary penalty in the amount of \$50.00 levied by the Planning and Development
212 Director. Every day of violation shall be a separate and distinct offense.

213 (2) The fine may be collected from the property owner, sign owner, or permittee. If the property
214 owner or permittee fails to pay the fine, such fine shall be certified to the city clerk, who shall assess
215 the costs as a special assessment against the lot or parcel of land upon which the sign was located
216 in the manner provided by law.

(3) Notwithstanding the foregoing, the public works director, planning director or their designees may, in addition to imposing an administrative monetary penalty, cause an individual violation of this chapter to be prosecuted in municipal court.

(b) Any sign removed by the public works director, planning director or their designees may be disposed of in any reasonable manner deemed appropriate by the city. The following fee schedule for removal and storage of unauthorized or hazardous signs is hereby established:

(1) Routine removal, each: \$30.00.

(2) Removal requiring special equipment or extra labor: Actual cost of removal.

The fee may be collected from the property owner, sign owner, or sign permittee. If the property owner, sign owner, or permittee fails to pay the authorized fee, such fee shall be certified to the city clerk, who shall assess the costs as a special assessment against the lot or parcel of land upon which the sign was located in the manner provided by law.

- **Revocation of permits**

The public works director, planning director or their designees may revoke any sign permit under the provisions of this division or order the removal of any sign for any of the following reasons:

(a) Whenever a permit holder is convicted of a violation of any of the provisions of this division or any other ordinance relating to signs;

(b) Whenever a permit holder is convicted of any violation of any condition on which the permit was based;

(c) Whenever any false statement or misrepresentation has been made on the application on which the issuance of the permit was based;

(d) Whenever the sign owner has failed to maintain a sign in conformance with this division or any other ordinance relating to signs;

(e) Whenever the owner obtains a change in the zoning of the lot and the existing sign becomes nonconforming.

18.10.060 Design and Construction.

- **Generally.**

All signs structures supporting signs shall be placed in or upon private property except as expressly permitted and shall be securely built, constructed and erected in conformance with the requirements of this Division.

No portion of a sign surface or sign structure shall be located on or over a public right-of-way except as provided in this chapter.

No sign shall be erected which is connected to or obstructs any portion of a fire escape or windows or doors leading to a fire escape.

No sign shall obstruct any opening to such an extent that light or ventilation is reduced to a point below that required by the International Building Code, as adopted and amended by the unified government.

- **Illumination**

Illumination for types of signs is regulated per Sections 18.10.120, 18.10.150, and 18.10.170. In no case shall the light from an illuminated sign create a negative effect on residential uses in direct line-of-sight of the sign.

- **Sight distance at intersections.**

No sign that obstructs the view is allowed within the sight distance triangle of a street intersection, as provided in Chapter 12.20, Public Traffic Hazards, of the Topeka Municipal Code.

- **Other Applicable Regulations**

All signs shall be installed, erected, constructed, hung, or altered in accordance with building and fire codes in Title 14 of the Topeka Municipal Code, and all other applicable codes and laws in effect and enforced by the City of Topeka and other regulatory agencies.

Any structure that is built or constructed and supports or is capable of supporting a sign shall be constructed in compliance with the City's currently adopted Building Code and Fire Codes with local amendments in accordance with Title 14, Topeka Municipal Code.

A sign structure shall include the foundation and base, the poles or pylons that support the sign, any structural extensions that support a sign or sign cabinet, and any structural framework that supports a sign, sign face, or sign cabinet.

Design documents for the structure that have been prepared, sealed, signed and dated by a structural engineer, designed in accordance with City of Topeka's currently adopted building codes must be submitted for review and approval with city sign permit application.

All signs projecting over the public-right-of-way (PROW) vertical clearance must be maintained as required by the currently adopted codes and ordinances for use of the PROW in accordance with the Topeka Municipal Codebook Title 14, Chapter 14.20.

All signs projecting over walkways, sidewalks, or other areas in front of a building, or other active area where pedestrians have access, shall maintain a minimum of 8 feet of vertical clearance and as required by the currently adopted codes and ordinances for use of the PROW in accordance with the Topeka Municipal Codebook, Title 14, Chapter 14.20.

Projecting wall signs shall project only as allowed in compliance with the City's currently adopted Building and Fire Codes with local amendments as adopted, Topeka Municipal Code Title 14, Chapter 14.20 as defined for encroachments into the PROW.

Signs on a marquee, canopy or awning shall not extend over any public driveway, alley, road, street, or thoroughfare accessible to motor vehicles.

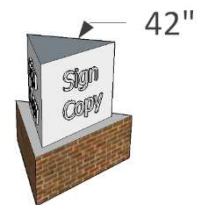
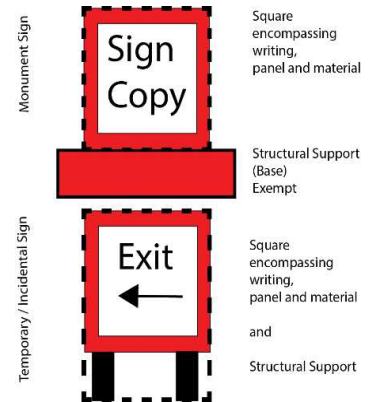
Awnings, canopies, awning signs, and canopy signs shall comply with the following:
Every Awning shall be securely attached to and supported by the building to which it is attached and shall properly be maintained in such manner.

18.10.070 Sign Area and Height Measurements

• Sign Area

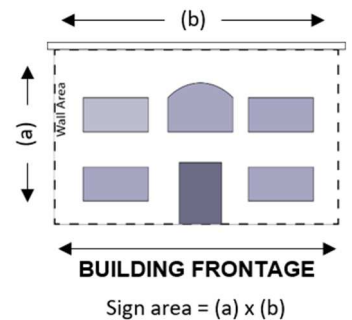
(1) Freestanding Signs.

- a. **Generally.** For a sign with one sign face, sign area is computed by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any panel or material forming an integral part of the background of the display against which it is placed, other than structural supports, but including structural supports for temporary or incidental signs.
- b. **Computation of Area of Multi-faced Signs.** The sign area for a sign with more than one face is computed by adding together the area (measured as provided in subsection a., above) of all sign faces visible from any one point. When two sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when the sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area is computed by the measuring one of the faces (as provided in subsection a., above).

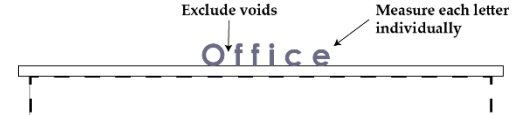


(2) Attached Signs.

- a. Where sign size is prescribed as a percent of wall area, the "wall area" is a continuous portion of a building facade below the roofline or major architectural feature as viewed by a person approaching the building.
- b. Where sign size is prescribed as a factor of building frontage, the "building frontage" is the width of the exterior wall on which the sign is located as viewed by a person approaching the building. For the purpose of measurement the wall used as building frontage need not be on the same wall plane.
- c. For an attached sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions include the entire portion within the background or frame.
- d. For an attached sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure with no distinct mounting surface (such as a board or plastic face) other than the wall, the area is calculated by applying the smallest regular geometric shape possible (rectangle, circle, trapezoid, triangle, etc.) around all letters, figures or elements, or
- e. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements.

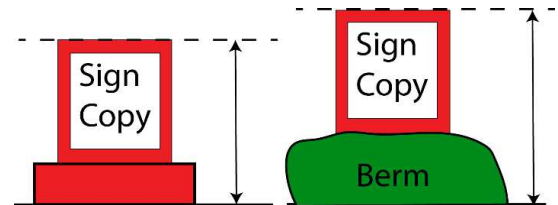


- f. The sign area does not include any supporting framework, bracing, artistic elements not part of the sign copy, or decorative fence or wall when the fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.



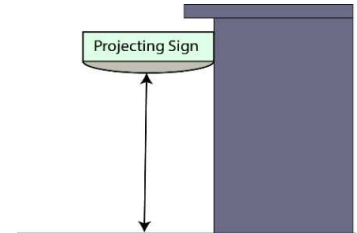
- **Sign Height**

The height of a freestanding sign means the vertical distance from the top of the highest part of a sign, whether the highest part be the sign copy or support structure on which sign is placed, to the adjoining sidewalk, improved surface, or ground surface within a three-foot horizontal distance of the base of the sign. In the event the surface is sloped the average of the height of the adjoining surface shall be used. For signs with artistic elements exceeding the allowed height, the Planning and Development Director may determine if artistic elements shall be excluded when measuring sign height.



- **Vertical Clearance**

Vertical clearance for detached and projecting signs is measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.



18.10.080 Maintenance.

- **Generally.**

All signs shall be maintained in good condition. A sign with missing or visibly damaged face panels, exposed internal lights and related internal hardware, visible deteriorating paint and rust, or structural damage that may be hazardous to the public is not in good condition and shall be repaired or be removed within a reasonable time as determined by the Planning and Development Director. (Ord. 20062 § 1, 4-18-17.)

- **Unsafe Signs.**

The Planning and Development Director shall notify the owner or person maintaining any sign which has become insecure or in danger of falling, or is otherwise unsafe, that such sign is unsafe. Upon receipt of such notice, the owner or person maintaining the sign shall proceed immediately to place the sign in a safe and secure manner and condition as approved by the planning director or the owner shall have the sign removed.

18.10.090 Abandoned Signs.

An *abandoned sign* is defined as any sign, on a property which no longer applies to a use of the property because the use has changed or the property has become vacant.

- Any abandoned sign in existence for a period of more than 6 consecutive months shall be removed or the face of the sign shall be covered. For the purpose of this section, "covered" shall mean all sign copy including graphics is rendered invisible by being painted over, removed, replaced, or shielded by a rigid and opaque material.
- Any abandoned sign that is also non-conforming and in existence for a period of more than 24 consecutive months shall be removed.
- Any abandoned sign that is also non-conforming shall be removed immediately when the primary building on the property is demolished or removed.

- Any abandoned sign shall comply with this section within one (1) year from the date of adoption of the new code.
- When an abandoned sign is removed, all parts of the sign, including structural supports, shall be removed.

18.10.100 Nonconforming Signs

- All nonconforming signs that were lawful prior to September 9, 2019 and not defined as abandoned may continue without being brought into conformance with this chapter if no changes are proposed to the sign or property as outlined below. Except as provided in this section no nonconforming [sign](#) may be altered in such a manner as to augment the nonconforming condition, nor may illumination be added to any nonconforming sign.
- Any alteration or dimensional change of 50% or more to existing sign area, cabinet size, height, or support structure shall achieve full compliance.
- Any alteration or dimensional change less than 50% of existing sign area, cabinet size, height, or support structure shall at a minimum achieve partial compliance by reducing its corresponding sign area and height by at least **34%**.
- In addition, any re-face or change of copy of a sign shall at a minimum achieve partial compliance by reducing its corresponding sign area and height by at least **34%** if the change accompanies one of the following events on or after the effective date of this section.
 - Rezoning of the property at the request of the owner
 - 50% or more of the primary structure is damaged or rendered not useable
 - Any major building addition/expansion that requires Site Plan approval.
 - Any major façade renovation that requires approval of building elevation design.
 - Any property that applies or is approved for City of Topeka economic incentives (e.g., NRP, TIF, CID, etc.)
- Any sign height reduced to 25 feet or less in height must conform to monument sign requirements.
- The Planning and Development Director may allow alterations to signs deemed historically or culturally significant without requiring conformance with the standards in Division 2, Sign Regulations, and in accordance with Section 18.10.140, provided said signs are safe and properly maintained in accordance with Section 18.10.080, Maintenance.
- No later than twenty (20) years from the date of the effective date of this section any nonconforming freestanding sign shall be removed, altered, or replaced in a manner that conforms to the standards for freestanding signs in this chapter.

441 **18.10.110 Variances.**

- 442 • **Generally.** Any person seeking a sign permit not meeting the dimensional and design standards for
443 of this Division may request a variance pursuant to Topeka Municipal Code, chapter 2.45.
444

445 **18.10.120 On-Premise Sign Standards by Type and District**

446 • **Generally**

447 All sign copy shall pertain only to the business, industry or other pursuit conducted on or within the
448 premises on which such sign is erected or maintained except as provided in Section 18.10.170, Off-
449 Premise Signs.
450

451 This section establishes standards for individual attached sign types, including standards for:

- 452 a. Illumination.
453 b. Whether the particular sign type is permitted in a particular zoning district.
454 c. The maximum number of signs per building or parcel.
455 d. Maximum sign area allocation for wall signs, awning and canopy signs, roof signs, and
456 projecting signs.
457 e. For freestanding signs, the maximum number per street frontage, maximum height,
458 maximum area, and notes and exceptions specific to freestanding signs.
459 f. Incidental Signs.
460

461 • **Illumination**

462 Internal, external, and halo lit illumination are allowed except where expressly prohibited. Direct
463 illumination is allowed in C-2, C-3, C-4, I-1, I-2, X-1, X-3, D-1, and D-3 zoning districts, and is
464 prohibited in all other zoning districts.
465
466
467

Wall Signs

Definitions

Wall Sign

A sign (other than Projecting Sign, Roof Sign, or Window Sign) that uses a building wall as its primary source of support, and that:

1. Is placed directly on and contained totally within the dimensions of the outside wall;
2. Does not extend more than 18 inches from a building surface



Standards

Wall Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, 1-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per 50 linear feet of building frontage <i>Note #1</i>	n/a	1	1	1	no limit	no limit	no limit	1	no limit	no limit	no limit	no limit
Sign Area Allocation square feet per linear foot of building frontage	n/a	1.5	1.5	2	3	3.2	3.2	1.5	3	3	3	2
Sign Area Allocation – All Attached Signs square feet per linear foot of building front	n/a	2	2	2.5	3	3.2	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign <i>Note #2</i>	n/a	100	100	100	200	250	250	100	200	200	200	100
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%

Notes/Exceptions:

1. Regardless of the width of the building façade, each single tenant building is allowed a minimum of (one) 1 wall sign per façade, and each multitenant or multiuse building is allowed 1 sign per tenant or use per façade.
2. Wall signs on facades located 300 ft or more from the street right-of-way to which they face are permitted up to 200 sf in O&I, C-1, U-1, MS-1, and D-2 district, and up to 300 sf in all other zoning districts.
3. Wall signs shall not cover or obstruct any architectural features deemed integral to the historic appearance or character of the building. Such features shall include, but are not limited to, transom windows, detailed brick, tile, or shingles.

Awning, Canopy, and Marquee Signs

Definitions

Awning Sign

A sign that is painted, stenciled or attached to the surface of an awning. An “awning” means a roof-like cover that projects from the wall of a building to shield a doorway, walkway, or window from inclement weather or the sun. Awnings are often made of fabric or flexible material supported by a rigid frame and may be retracted into the face of the building.

Canopy Sign

A sign attached to the surface of a canopy. A “canopy” means an overhead structure made of solid material, other than an awning, that is either attached to a building wall and extends at least twelve (12) inches from the face of the building or a freestanding overhead structure supported by posts.

Marquee Sign

A marquee is a roof-like projection or shelter, typically over the entrance to an entertainment venue, and typically containing an illuminated flat area for static or changeable sign copy.



Standards

Awning, Canopy, and Marquee Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per tenant or establishment per side	n/a	1	1	1	1	*	1	1	1	1	*	*
Sign Area Allocation square feet per linear foot of building frontage	n/a	1.5	1.5	2	3	3.2	3.2	1.5	3	3	3	2
Sign Area Allocation – All Attached Signs square feet per linear foot of building front	n/a	2	2	2.5	2.5	3.2	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign	n/a	50	50	50	50	100	100	100	100	100	50	50
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50% Note #2	50%

*No set limit; number is limited by sign area allocation

Notes/Exceptions:

- Signs attached at an angle between zero and less than 45 degrees to the building facade shall be regulated as wall signs. Signs attached at a 45-degree or greater angle to the building facade shall be regulated as projecting signs.
- For marquees, electronic message centers (EMCs) may comprise 100% of the marquee face size allowed.

486 Roof Signs

487 Definitions

Roof Sign

A sign that is mounted upon or above a roof or parapet of a building or structure that is wholly or partially supported by the building or structure, and which projects above the cornice or parapet line of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

A sign mounted on a sloped roof or mansard having a pitch 1:2 or more (1 foot horizontal and 2 feet vertical) is a wall sign. A sign mounted on a sloped roof or mansard having a lesser vertical slope is a roof sign and shall comply with the standards in the table below.



489 Standards

Roof Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, 1-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	no	no	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per tenant or establishment per side	n/a	n/a	n/a	1	1	1	1	1	1	1	Note #2	1
Sign Area Allocation square feet per linear foot of building frontage	n/a	n/a	n/a	1.5	2	2	2	2	2	2	Note #2	2
Sign Area Allocation – All Attached Signs square feet per linear foot of building frontage	n/a	n/a	n/a	2.5	3	3.2	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign	n/a	n/a	n/a	50	50	100	100	50	50	50	Note #2	50
Height/Placement	n/s	n/a	n/a	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1
Electronic Message Centers % of allowed sign	n/a	n/a	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%

Notes/Exceptions:

- In districts where roof signs are allowed, signs may be installed on the parapet or edge of a flat roof or on the sloped part of a pitched roof. Roof signs installed on a flat roof shall be no higher than 3 feet above that part of the roof on which the sign is installed. Roof signs on a pitched roof shall not extend above the top of the peak or ridgeline of the roof.
- Each building that exceeds three floors or 40 feet is permitted one roof sign no larger than 300 square feet. The height of a roof sign, measured from the top of the highest parapet to the top of the sign, shall not exceed 25 percent of the height of the building or 30 feet, whichever is most restrictive. Roof signs shall comply with all applicable engineering and construction code requirements. The planning director, or the historic landmarks commission if the sign is located on a historic landmark or in a historic district, may approve signage exceeding the above dimensional standards to the extent the applicant demonstrates signage exceeding the dimensional standards is necessary for visibility and legibility of the sign.

503 Projecting Signs

504 Definitions

Projecting Sign

A sign supported by and extending at least 18 inches from a building wall.



Standards

Projecting Signs	Zoning Districts											
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per tenant or establishment per side	n/a	1	1	1	1	1	1	1	1	1	1	1
Sign Area Allocation square feet per linear foot of building frontage	n/a	0.5	0.5	0.5	1	1	1	1	1	1	1	1
Sign Area Allocation – All Attached Signs square feet per linear foot of building frontage	n/a	n/a	n/a	2.5	3	3.2	3.2	2	3	3	3.2	2.5
Sign Area Maximum square feet per sign	n/a	15 Note #1	15 Note #1	15 Note #1	30 Note #1	30 Note #1	30 Note #1	15 Note #1	45 Note #1	45 Note #1	75 Note #1	45 Note #1
Height/Placement	n/s	n/a	n/a	Note #2	Note #2	Note #2	Note #2	Note #2	Note #2	Note #2	Note #2	Note #2
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%

Notes/Exceptions:

1. An exception to the sign area standard may be made by the planning director where it can be demonstrated that any proposed projecting sign supports or restores the historical significance of a building.
2. Projecting signs:
 - a. Shall mount to the exterior of the first or second floors.
 - b. Shall not extend more than six (6) feet or beyond the outer edge of the sidewalk, whichever is greater.
 - c. Shall not extend into any portion of the street right-of-way other than a sidewalk.
 - d. Shall have lower edge of sign be at least ten (10) feet above sidewalk and fourteen (14) feet above any alley surface where vehicles may pass below.
 - e. Shall not have the upper edge of the sign extend vertically above the eave line of a structure.
 - f. Shall be attached at a 45-degree or greater angle to the supporting structure and anchored no more than six inches from the structure.

520 Freestanding Monument Signs

521 Definitions

Freestanding Sign

A sign supported by the ground independent of any other structure.

Monument Sign

A freestanding sign whose sign surface is attached to a base where the width of the widest part of the base or cladding over structural supports is:

1. At least 80% of the width of the widest part of the sign face for signs up to twenty-five (25) feet in height.



522

523 Standards

Freestanding Monument Signs	Zoning Districts												
	R, M-1, M-1a, RR-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1	O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2
Sign Type Permitted? M=monument <i>Note #11</i>	n/a	M	M	M	M	M Note #2	M Note #3	M Note #3	M	M	M	M	M
Number per street frontage <i>Notes #1, 5, 12</i>	n/a	1	1	1	1	1	1	1	1	1	1	1	1
Sign Area Allocation square feet per linear foot of lot frontage <i>Note #4</i>	n/a	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Sign Area Maximum square feet per sign on local street / collector	n/a	40/50	40/50	50/60	40/50	80 Note #6	120 Note #7	120 Note #7	80	50	50	50	50
Sign Area Maximum (Arterial) square feet per sign on arterials <i>Notes #4, 5</i>	n/a	60	60	70	60	80 Notes #2, 6	120 Notes #3, 7	120 Notes #3, 7	80	50	50	50	50
Height maximum feet	n/a	7-10 Note #8	7-10 Note #8	7-10 Note #8	7-10 Note #8	15 Notes #2, 6	25 Notes #3, 7	25 Notes #3, 7	15	10	10	10-20 Note #9	10
Setbacks minimum feet from property line <i>Note #12</i>	n/a	5	5	5	5	5	5	1	5	1	1	1	1
Electronic Message Centers % of allowed sign	n/a	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%

524

525

526

527 **Notes/Exceptions**

- 528 1. **Number of Signs:** Where the zoning lot has street frontage on an arterial or collector of more than 500 feet, one
529 additional sign oriented to the arterial or collector is permitted for each additional 500 feet of street frontage.
530 Freestanding signs located along a single street frontage shall be spaced a minimum of 250 feet apart.
531
- 532 2. **Highway Signs (C-2):** Sign permitted to a height of 35 feet and sign area of 150 square feet within an 800 foot radius
533 of the intersecting centerlines of I-70, I-470, or US-75 (north of I-70 and south of I-470) and an arterial/collector with
534 access OR within 120 feet of the right-of-way for an on/off ramp. Sign permitted to a sign area of 150 square feet
535 within an 800 foot radius of the intersecting centerlines of US-24 and an arterial/collector with access. Signs
536 exceeding a height of 25 feet may be mounted on two clad columns each at least two (2) feet wide if their design
537 is integrated with or matches overall sign design.
538
- 539 3. **Highway Signs (C-3, C-4, I-1, I-2):** Sign permitted to a height of 55 feet and sign area of 250 square feet within an
540 800 foot radius of the intersecting centerlines of I-70, I-470, or US-75 (north of I-70 and south of I-470) and an
541 arterial/collector with access OR within 120 feet of the right-of-way for an on/off ramp. Sign permitted to a sign area
542 of 250 square feet within an 800 foot radius of the intersecting centerlines of US-24 and an arterial/collector with
543 access. Signs exceeding a height of 25 feet may be mounted on two clad columns each at least two (2) feet wide
544 if their design is integrated with or matches overall sign design. Signs permitted by exception exceeding a height of
545 35 feet may be mounted on a pole or pylon without covers.
546
- 547 4. **Minimum Size:** Regardless of frontage linear feet, minimum size permitted shall be 50 square feet in C-3, C-4, I-1,
548 and I-2 districts and 40 square feet in all other districts.
549
- 550 5. **Corner Lots:** If the property has two or more frontages on an arterial or collector, the owner may elect to combine
551 allowed freestanding signs into a single freestanding sign up to 130% of the maximum sign area allowed.
552
- 553 6. **Setback Allowances (C-2):** Freestanding signs set back 10 feet or more from street rights-of-way and all other
554 property lines are allowed an increase in height of 2 feet and an increase in area of 25% over the height and area
555 allowed at the minimum required setback. For each additional 5 foot setback the allowed sign area may increase by
556 5% and allowed height may increase by 2 feet. In no case shall the sign exceed a height of 20' and area 40%
557 greater than the area allowed at the minimum setback.
558
- 559 7. **Setback Allowances (C-3, C-4, I-1, I-2):** Freestanding signs set back 10 feet or more from street rights-of-way and
560 all other property lines are allowed an increase in height of 2 feet and an increase in area of 25% over the height and
561 area allowed at the minimum required setback. For each additional 5 foot setback the allowed sign area may
562 increase by 5% and allowed height may increase by 2 feet. In no case shall the sign exceed a height of 30' and area
563 40% greater than the area allowed at the minimum setback.
564
- 565 8. **Height by Street Classification:** Maximum height shall be seven (7) feet on local/collector streets and ten (10) feet
566 on arterial streets.
567
- 568 9. **Historic Districts (D-1):** Maximum height of ten (10) feet within historic districts
569
- 570 10. **Master Sign Plans:** For retail centers and office, institutional, and industrial parks, one center sign shall be
571 permitted that allows exceptions to maximum height and area pursuant to criteria in this chapter for Master Sign
572 Plans.
573
- 574 11. **Design of Sign Base or Support:** A sign with a base less than the minimum width described herein may be
575 approved by the Planning and Development Director when conditions of the site are such that sight distance
576 requirements and minimum parking requirements cannot be met without reducing the required base width. Any
577 freestanding sign permitted greater than 25 feet in height may be a non-monument sign pursuant in this chapter for
578 Master Sign Plans and Highway Signs.
579
- 580 12. **Location, Setback, and Orientation of Sign:** Signs shall be oriented to the street providing frontage to the
581 business or establishment and be located toward the front of the parcel. A sign with a setback less than the
582 minimum setback described herein may be approved by the Planning and Development Director when conditions of
583 the site are such that sight distance requirements and minimum parking requirements cannot be met without
584 reducing the required base width.

585

586 Freestanding Incidental Signs

587

588 Definitions

Freestanding Incidental Sign

A freestanding sign with copy located on a durable panel that is normally incidental or secondary to the allowed use of the property, but can contain any message or content.



589

Standards

Freestanding Incidental Signs	Zoning Districts												
	R, M-1, M-1a, RR-1, OS-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, 1-2	U-1, MS-1	X-1, X-3	X-2	D-1, D-3	D-2	
Permitted? <i>Note #6</i>	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number per 300 feet of street frontage/per each additional 300 feet of street frontage	1	1 <i>Note #1</i>	1 <i>Note #1</i>	1 <i>Note #1</i>	2/1 <i>Note #1</i>	2/1 <i>Note #1</i>	2/1 <i>Note #1</i>	2/1 <i>Note #1</i>	1 <i>Note #1</i>	2/1 <i>Note #1</i>	2/1 <i>Note #1</i>	1 <i>Note #1</i>	1 <i>Note #1</i>
Sign Area Maximum square feet per sign within 30 feet/beyond 30 feet of front property line <i>Note #2, #5</i>	6/6	6/32	6/32	6/32	6/32	6/32	6/32	6/32	6/32	6/32	6/32	6/32	6/32
Sign Area - All Incidental Signs square feet of all signs in aggregate	6	80	80	80	150	150	150	150	80	150	150	80	80
Height maximum feet within 30 feet/beyond 30 feet of front property line	4/4	4/8	4/8	4/8	6/8	6/8	6/8	6/8	4/8	6/8	6/8	4/8	4/8
Spacing feet from any sign within 30 feet of front property line	n/a	25	25	25	25	25	25	25	25	25	25	25	25
Setbacks minimum feet from front property line	0	0	0	0	0	0	0	0	0	0	0	0	0
Illumination?	no	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Changeable Copy?	no	no	no	no	yes	yes	yes	yes	yes	yes	yes	yes	yes
Electronic Message Centers?	no	no	no	no	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>	<i>Note #3</i>

590

591 **Notes/Exceptions**

- 592 1. **Number of Signs:** No restrictions on the number of incidental signs set back 30 feet or more from all property lines.
- 593
- 594 2. **Property Size:** Any property over one (1) acre is permitted the highest maximum sign area and height allowed incidental
- 595 signs under any district provided it is at least thirty (30) feet setback from the front property line.
- 596
- 597 3. **EMC Setbacks:** Electronic Message Centers (EMCs) on incidental signs shall be prohibited within thirty (30) feet of the
- 598 front property line.
- 599
- 600 4. **Portable Pedestrian Signs:** Buildings set back five (5) feet or less from the public street right-of-way where a sidewalk is
- 601 present, may place portable signs (e.g. A-frame) on sidewalks in the street right-of-way provided a minimum width of five
- 602 (5) feet is maintained for safe pedestrian passage, they comply with ADA, and are removed during non-business hours.
- 603
- 604 5. **Non-illuminated Signs:** Other than residential uses in R, M-1, M-1a, RR-1, and OS-1 districts non-illuminated signs are
- 605 allowed within 30 feet of property lines without restriction to height and area.
- 606
- 607 6. **Variance:** For incidental signs that qualify under a Master Sign Plan or that otherwise meet the intent and goals of the
- 608 sign regulations as determined by the Planning and Development Director, changes up to 20 percent of dimensional
- 609 standards may be approved.
- 610
- 611 7. **Permit Required:** Non-illuminated incidental signs do not require sign permits. All other freestanding incidental signs
- 612 shall require a sign permit if permanently affixed to the ground.
- 613
- 614

615 **18.10.130 Master Sign Plans.**

616

- 617 (a) **Purpose.** This Section establishes a process and standards to ensure adequate signage,
- 618 harmony and visual quality in developments with multiple buildings, uses, or tenants.
- 619
- 620 (b) **Applicability.** This section applies to on-premise signs in retail centers, industrial parks, and
- 621 office or institutional complexes of 4 acres or more and having five (5) or more establishments
- 622 or three (3) or more buildings in O&I-2, O&I-3, C-2, U-1, MS-1, C-3, C-4, I-1, I-2 and Planned
- 623 Unit Development districts. All establishments and buildings in the development defined by the
- 624 master sign plan shall also be subject to the Master Sign Plan.
- 625
- 626 (c) **Master Sign Plan Required.**
- 627 An owner or applicant shall submit and obtain approval of a master sign plan containing
- 628 standards for all exterior signs.
- 629
- 630 (1) The Master Sign Plan may be approved concurrent with the approval of a planned unit
- 631 development, conditional use permit, or site plan.
- 632
- 633 (2) All new planned unit development applications for development meeting the applicability
- 634 criteria in this section and submitted for consideration after the adoption of this ordinance
- 635 shall include a Master Sign Plan.
- 636
- 637 (3) Upon review of a master sign plan submitted as part of a new planned unit development,
- 638 major amendment to a planned unit development, or new conditional use permit the
- 639 Planning Commission is authorized to approve variances to the standards of this chapter.
- 640 All other Master Sign Plans meeting the purpose and standards of this section shall be
- 641 approved by the Planning and Development Director.
- 642
- 643 (d) **Master Sign Plan Application**
- 644
- 645 (1) The Department shall prescribe forms and submittal requirements for a master sign plan
- application as needed to administer this Division. At a minimum the application shall
- include a site plan identifying the location, number, dimensional standards, and other
- design standards for all freestanding signs.

- 646 (2) The Master Sign Plan shall include standards for wall signs and other types of attached
647 signs or shall reference as applicable the standards for attached signs in Sections
648 18.10.120 (On-Premise Sign Standards by Type and District), 18.10.140 (Other On-
649 Premise Signs), and 18.10.150 (Electronic Message Centers).
650 (3) The Master Sign Plan is effective only if all owners of real property subject to the Master
651 Sign Plan Authorize it by signature on the application or master sign plan.

652
653 **(e) Standards for Freestanding Signs**

- 654
655 **(1) Number of Signs Allowed.** Each property or parcel is allowed one freestanding center
656 sign which may be used and designed to identify multiple uses or tenants in the
657 development.

658 In addition to a center sign, any development having more than a single street frontage is
659 entitled to a second freestanding sign subject to the standards in Section 18.10.120, On-
660 Premise Sign Standards by Type and District. Developments having street frontage on
661 an arterial or collector street of more than 500 feet are allowed one additional
662 freestanding sign oriented to the arterial or collector for each additional 500 feet of
663 frontage. Such freestanding signs located within 25 feet of a street frontage shall be
664 spaced a minimum of 250 feet apart.

665 For zoning districts and use groups other than O&I-2 and O&I-3 buildings separate from
666 the primary buildings are each allowed one freestanding sign, hereinafter referred to as
667 "secondary signs", subject to the standards below. For the purpose of this section the
668 "primary building" is the largest building in the development.

- 669
670
671 **(2) Dimensional Standards for Freestanding Center Signs.** The center sign shall comply
672 with the following standards for the applicable zoning district or use group within a
673 planned unit development:

674 O&I-1/2/3: Height of sign not to exceed 15 feet; area of sign not to exceed 100 sf.

675
676 MS-1: Height of sign not to exceed 20 feet; area of sign not to exceed 120 sf.

677 C-2, U-1: Height of sign not to exceed 20 feet; area of sign not to exceed 160 sf.

678 C-3, C-4, I-1, I-2: Height of sign not to exceed 30 feet; area of sign not to exceed
679 240 sf.

- 680 **(3)** Signs at a height of more than 25 feet may be supported by 2 or more columns each
681 surrounded by cladding matching the overall design of the sign and having a minimum
682 width of 2 feet per column.

- 683
684 **(4)** The number of signs located on a center sign may be limited and minimum text size
685 established to ensure sign legibility and readability.

- 686
687 **(5) Standards for Freestanding Secondary Signs.** Signs for separate buildings shall
688 comply with the following standards:

689
690 Height and Area: Maximum height of 7 feet and area of 30 sf.

691 Placement: 10 feet from street rights-of-way and located in proximity to a principal use
692 on the site, and located within 25 feet of a building for the principal use it identifies. For
693 purposes of this subsection, "principal use" is defined in section 18.10.180.

(6) Freestanding Incidental Signs. Proposed freestanding incidental signs shall be included in the Master Sign Plan. Freestanding incidental signs are allowed subject to the standards in Section 18.10.120, On-Premise Sign Standards by Type and District; however, the Planning and Development Director may restrict the number and area of signs allowed on the Master Sign Plan to a quantity and area less than what is permitted by Section 18.10.120, On-Premise Sign Standards by Type and District. For individual incidental signs the Planning and Development Director may approve increases in height and area up to 10 percent over the height and area allowed per Section 18.10.120, On-Premise Sign Standards by Type and District.

(7) Spacing between Freestanding Signs. There shall be 50 feet or more distance between all freestanding signs other than incidental signs.

(f) **Standards for Attached Signs.** The Planning and Development Director may restrict the number of attached signs per establishment to fewer than what is allowed by Section 18.10.120, On-Premise Sign Standards by Type and District as a condition of the Master Sign Plan.

(g) **Existing Nonconforming Signs.** Existing nonconforming signs may continue unless altered or replaced per Section 18.10.100, Nonconforming Signs.

(h) Other requirements to improve visual quality of signage may be required as a condition of the Master Sign Plan, including but not limited to the incorporation of materials and other design elements compatible with the buildings in the development subject to the Master Sign Plan.

18.10.140 Other On-premise Signs

- **Window Signs**

Definition. A window sign is a sign posted, painted, placed, affixed to the inside or outside of a window, and does not extend a measurable distance beyond a building surface, but is clearly visible from outside the building.

Standards. Window signs are permitted in all districts subject to the following standards.

In C-2, C-3, C-4, I-1, I-2, X-1, X-2, X-3, D-1, and D-3 districts window signs in the aggregate shall constitute no more than 50 percent of the area of all windows for each tenant and for each side of the building on which the window signs are located.

For residential uses in the R, M-1, M-1a, and RR-1 districts the aggregate of all window signs shall not exceed 8 square feet on each side of the building.

For residential uses in M-2, and M-3 districts the aggregate of all window signs shall not exceed 5 percent of the area of all windows, whichever is more restrictive. No single window sign shall exceed 25 square feet.

In all other districts and for non-residential uses in R, M-1, M-1a, and OS-1 districts window signs in the aggregate shall constitute no more than 20 percent of the area of all windows for each tenant and for each side of the building on which the window signs are located.

- **Painted Exterior Wall Signs**

Definition. A painted exterior wall sign identifies a use or on-premise establishment and consists entirely of copy that is painted directly on, or digitally printed vinyl applied to, the

exterior material of a building not including the exterior surface of a window, awnings, or other appurtenances.

Painted exterior wall signs are permitted in C-2, C-3, I-1, I-2, X-1, X-2, X-3, D-1, and D-3 districts. Any painted exterior wall sign applied to the front or side of a building directly facing a street shall be regulated in the same manner as a wall sign. Any painted exterior wall sign applied to the side or rear of a building that does not directly abut a street is permitted provided the area of all such signs does not exceed 300 square feet on the wall on which the signage is applied. In determining the number of square feet, only text or logos pertaining to the business, industry, or activity conducted on or within the premises shall be included. Art and graphic representations associated with the painted exterior wall sign that are not text or logos shall not be subject to the area restriction.

- **Sign Standards for Nonconforming Commercial Uses and Uses permitted by Special Use Permit in Residential and OS&I Districts**

Signs for nonresidential, nonconforming uses and uses permitted by special use permit in residential and open space districts (R, RR, M, and OS districts) are regulated in the same manner as signs for other nonresidential uses in residential districts with the following exceptions:

- EMCs are prohibited for nonconforming uses in R, RR, M, and OS district. EMCs are permitted for special uses only if allowed by the special use permit or by an amended special use permit approved as a conditional use permit.
- The Planning and Development Director may restrict sign illumination, by intensity, area of illumination, or other measure, on sites or buildings adjacent to property zoned or used for residential use.

- **Residential Subdivision Signs**

Each residential subdivision containing six (6) or more residential lots is allowed two (2) monument signs per public or private street entrance into the subdivision. Each sign shall not exceed a height of 7 feet and area of 40 square feet when sign is oriented to a local street or collector; height of 10 feet and area of 50 square feet when sign is oriented to an arterial.

A residential subdivision sign may be incorporated into a wall, fence, or other structure.

A residential subdivision sign may be located in the public right-of-way if expressly approved by the City of Topeka.

- **Historic Signs**

For the purposes of this Chapter, a historic sign is a sign that is listed or determined to be eligible for listing in the National Register of Historic Places, Kansas Register of Historic Places, or as a Topeka Landmark, or a sign that contributes to the historic character of a listed property. The alteration or relocation of a historic sign, upon approval by the Topeka Landmarks Commission, is exempt from Division 2, Sign Regulations, except for Section 18.10.080, Maintenance.

- **Pole Banners** – Decorative banners are exempt from the maximum number, dimensions, and location requirements of Section 18.10.120 if they 1) are mounted on a pole that provides a separate functional purpose such as street lighting in the right-of-way 2) contain no commercial message or advertising or other elements of a “sign” as defined in this chapter, and 3) are covered under a signed agreement with the City of Topeka for use of the right-of-way.

798 **18.10.150 Electronic Message Centers (EMCs).**
799

800 (a) Electronic message center signs may be erected in the following zoning districts: RR, R, M,
801 O&I, C, I, U-1, MS-1 and X, only if the sign is allowed in the respective district pursuant to this
802 Division and the sign meets all of the following standards:

803 (1) Brightness. An EMC shall utilize automatic dimming technology to adjust the brightness of the
804 sign relative to ambient light so that at no time shall an EMC exceed a brightness level of 0.3
805 foot-candle above ambient light, as measured using a foot-candle (lux) meter calibrated
806 within the past 36 months and in conformance with the following process:

807 (i) Light measurements shall be taken with the meter aimed perpendicular to the sign
808 message face or at the area of the sign emitting the brightest light if that area is not the
809 sign message face, at a preset distance depending on sign size. Distance shall be
810 determined by taking the square root of the product of the sign area and 100. For
811 example, using a 12-square-foot sign: $\sqrt{(12 \times 100)} = 34.6$ feet measuring distance.

812 (ii) An ambient light measurement shall be taken using a foot-candle meter at some point
813 between the period of time between 30 minutes past sunset and 30 minutes before
814 sunrise with the sign turned off to a black screen.

815 (iii) Immediately following the ambient light measurement taken in the manner required by
816 this subsection, an operating sign light measurement shall be taken with the sign turned
817 on to full white copy.

818 (iv) The brightness of an EMC shall comply with the brightness requirements of this
819 subsection if the difference between the ambient light measurement and the operating
820 sign light measurement is 0.3 foot-candle or less.

821 (2) Movement. The following display features are prohibited: flashing, strobing, blinking, fluttering,
822 spinning, rotating, bouncing, animation, scrolling and chasing.

823 (i) Exception: An EMC located within the I, C-2, C-3, C-4, or C-5 district which is not within
824 125 feet of a residential or open space district may have animation, scrolling text, and
825 frame effects.

826 (3) Right-of-Way, Portable EMCs. An EMC shall not overhang into a public right-of-way and shall
827 not be included in a portable sign.

828 (4) Audio Messages. An EMC shall not include any audio message, tones or music.

829 (5) Dwell Times – C-2, C-3, C-4, C-5 and I. EMCs located within a C-2, C-3, C-4, C-5 or I district
830 and within 125 feet of a residential or open space district may only display static images
831 having a dwell time of at least four seconds and a transition time of two seconds or less and
832 this transition may use frame effects without illusionary or simulating movement.

833 (6) Dwell Times – Signs for Non-residential Uses in Residential Districts. EMCs incorporated into
834 signs for nonresidential uses in residential districts shall have a dwell time of at least eight
835 seconds.

836 (7) Dwell Times – O&I, C-1, U-1, MS-1, X-1, X-2. EMCs located within an O&I, C-1, U-1, MS-1, X-
837 1, or X-2 district may only display static images having a dwell time of at least four seconds
838 and a transition time of two seconds or less and this transition may use frame effects without
839 illusionary or simulating movement.

840 (8) Compliance Assurance. No permit shall be granted unless the applicant provides sufficient
841 proof from the manufacturer that the sign has the technical capacity to comply with all
842 applicable regulations governing EMCs and that the sign owner and/or operator has reviewed
843 and understands the applicable regulations pertaining to the EMC and agrees not to violate
844 the regulations.

845 (b) Nonconforming EMCs. An EMC in existence on the effective date of this section that does not
846 meet the standards regarding audio messages, movement, and brightness shall have complied
847 with the requirements of this section by September 1, 2013.

848 (c) Any EMC in existence on the effective date of this section that does not meet the standards
849 regarding size, number, placement, and type is a nonconforming use and regulated pursuant to
850 Chapter 18.220 of the Topeka Municipal Code.
851

18.10.160 Temporary Signs and Banners

Applicability. This section applies to temporary signs and banners as described below for yard signs, freestanding banners, feather signs, and wall banners that are visible and intended to be read from the public right-of-way. Temporary signs and banners internal to a site not intended to be visible or readable from passing vehicles in the public right-of-way are not subject to the following regulations.

Definition. Temporary Sign. A “temporary sign” is a sign typically made of lightweight or flimsy material that can be easily or quickly mounted or removed (such as cloth, canvas, vinyl, cardboard, wallboard, or other light temporary materials), with or without a structural frame, intended for a temporary period of display.

Definition. Banner. A “banner” means any strip of cloth, bunting, plastic, paper, or similar material, attached to any structure or framing intended for a temporary period of display. This definition does not include flags, pennants, or streamers.

Generally. Temporary signs and banners shall comply with standards in the tables below and this section and shall not require a sign permit.

Prohibited. Temporary signs and banners are not allowed in the public right-of-way or on accessory structures including poles outside the public right-of-way unless otherwise allowed by this chapter.

Exempted Signs. Temporary signs and banners on property that has not established a principle building/land use such as during a construction event are exempt from the standards of this chapter until such time a principle building/land use is established. Vacant land that is not transitioning or under construction to a primary use/building is subject to the standards of this chapter.

882 Yard Signs and Freestanding Banners

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884 Definitions

Yard Sign

A "yard sign" is a temporary sign supported by the ground independent of any other structure.

Freestanding Banner

A "freestanding banner" is a banner that is mounted in the ground typically on poles detached from a building or wall.



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Standards

Yard Signs and Freestanding Banners	Zoning Districts											
	R, M-1, M-1a, RR-1, OS-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, M-S	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number signs per property or street frontage	1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1
Sign Area Maximum square feet per sign	6 Note #2	6 Note #2	32	32	32	32	32	32	32	32	32	32
Height maximum feet	4 Note #2	4 Note #2	6	6	6	6	6	6	6	6	6	6
Length of Time maximum continuous days/ time periods per calendar year	30 2	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4
Days Between Time Periods	14	14	14	14	14	14	14	14	14	14	14	14
Setbacks minimum feet from property line	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2	0 Note #2
Illumination/Changeable Copy/Electronic Message Centers?	no	no	no	no	no	no	no	no	no	no	no	no

Notes/Exceptions

- Number:** Properties may have one (1) sign for every 200 feet of street frontage with a maximum of two (2).
- Property Size:** A property over one (1) acre is permitted 32 square feet up to six (6) feet in height provided it is setback at least ten (10) feet from the property line.

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894 Feather Signs

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896 Definitions

Banner. A “banner” means any strip of cloth, bunting, plastic, paper, or similar material, attached to any structure or framing intended for a temporary period of display. This definition does not include flags, pennants, or streamers.

Feather Sign

A “feather sign” is a banner in the shape of a feather, quill, sail, blade, teardrop, or similar shape that is mounted on a solid or flexible pole or cord in the ground.



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Standards

Feather Signs	Zoning Districts											
	R, M-1, M-1a, RR-1, OS-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, M-S	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	no	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number signs per property or street frontage	n/a	1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1	1 Note #1
Sign Area Maximum square feet per sign	n/a	30	30	30	30	30	30	30	30	30	30	30
Height maximum feet	n/a	16	16	16	16	16	16	16	16	16	16	16
Length of Time maximum continuous days/ time periods per calendar year	n/a	15 2	15 4	15 4	15 4	15 4	15 4	15 4	15 4	15 4	15 4	15 4
Days Between Time Periods	n/a	14	14	14	14	14	14	14	14	14	14	14
Setbacks minimum feet from property line	n/a	0	0	0	0	0	0	0	0	0	0	0
Illumination/Changeable Copy/Electronic Message Centers?	no	no	no	no	no	no	no	no	no	no	no	no

Notes/Exceptions

- Number:** Properties may have one (1) sign for every 200 feet of street frontage with a maximum of two (2).
- Removal:** Feather signs shall be replaced or removed if they deteriorate by becoming frayed, faded, torn, or shredded in any manner.

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- **Portable Message Center Signs**
A portable message center sign is a changeable message sign designed to be moved easily and not permanently affixed to the ground or to a structure or building. Portable message center signs are subject to the following standards.
 - Until September 9, 2021 portable message center signs are permitted in C-2, C-3, I-1, I-2, and for churches and schools in residential districts. Portable message center signs are prohibited in all districts and for all uses after September 9, 2021.
 - Use of a portable message center sign requires a sign permit.
 - Use of a portable message center sign is restricted to two events per year, 30 calendar days per event maximum, 30 calendar days between events, and a maximum of 60 calendar days per year.
 - All parts part of the sign containing copy and/or illumination is restricted to an area of 32 square feet.
 - The sign shall not exceed a height of 6 feet.
 - The sign must be set back a minimum of 5 feet from any property line
 - Flashing lights are prohibited, and any illumination shall comply with the electrical and fire codes adopted in TMC Title 14.

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928 **Wall Banners**

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930 **Definitions**

Banner. A “banner” means any strip of cloth, bunting, plastic, paper, or similar material, attached to any structure or framing intended for a temporary period of display. This definition does not include flags, pennants, or streamers.

Attached Banner

A “banner” placed flat and mounted on the exterior wall of a primary building.



931

Standards

Wall Banners	Zoning Districts											
	R, M-1, M-1a, RR-1, OS-1	M-2, M-3, + Non-residential uses in R, M-1, M-1a, OS-1	O&I-1, O&I-2, O&I-3	C-1	C-2	C-3, C-4	I-1, I-2	U-1, M-S	X-1, X-3	X-2	D-1, D-3	D-2
Permitted?	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
Number signs per property or street frontage	1	no limit	no limit	no limit	no limit	no limit	no limit	no limit	no limit	no limit	no limit	no limit
Sign Area Allocation square feet per linear foot of building frontage or tenant space for all signs in aggregate	n/a	1.5	1.5	2	3	3.2	3.2	1.5	3	3	3	2
Length of Time maximum continuous days/ time periods per calendar year	30 2	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4	30 4
Placement	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1	Note #1
Illumination/Changeable Copy/Electronic Message Centers?	no	no	no	no	no	no	no	no	no	no	no	no

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Notes/Exceptions

- Attachment:** Sign must be securely attached flat against the built with metal brackets, expansion bolts, through bolts, or lag bolts and screws.
- Removal:** Banners shall be replaced or removed if they deteriorate by becoming frayed, faded, torn, or shredded in any manner.

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945 **18.10.170 Off-Premise Signs**
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947 • **Off-Premise Signs**

948 Off-premise signs shall meet the standards for billboards in this section except for freestanding
949 signs meeting the following criteria.

- 950 (1) The business, industry, or other activity the sign is intended to serve does not have arterial or
951 collector street frontage but has an access road or drive directly taken from the arterial or
952 collector street where the sign will be located;
953 (2) The property owner of the property where the sign will be located provides written consent to the
954 planning director;
955 (3) The sign does not exceed 10 square feet and four feet in height;
956 (4) The sign is located no closer than 25 feet from any other freestanding sign;
957 (5) The zoning district where the sign is located has the same zoning or a less restrictive zoning
958 designation than the business the sign will serve.

959 • **Billboards.**

960 **Purpose.**

961 The purpose of the billboard regulations set forth in this article shall be to eliminate potential
962 hazards to motorists and pedestrians; to encourage signs which by their size and location are
963 harmonious to the locations which they occupy and which eliminate excessive and confusing sign
964 displays; to achieve a reasonable balance between the need of sign and outdoor advertising
965 industries and the visual qualities of the community; and to promote the public health, safety and
966 general welfare of the City of Topeka. (Ord. 16971 § 2, 6-25-96. Code 1995 § 118-200.)
967

968 **Defined.**

969 The term "billboard" or "panel poster" as used in this article means any board or panel erected,
970 constructed or maintained for the purpose of displaying outdoor advertising by means of painted
971 letters, posters, pictures and pictorial or reading matter, either illuminated or non-illuminated, when
972 the sign is supported by uprights or braces placed upon the ground. Any billboard erected above or
973 over the roof or parapet of a building is classified as a roof sign for the purpose of this article. (Code
974 1981 § 39-128. Code 1995 § 118-201.)
975

976 **Standards for Materials, construction, location.**

- 977 (a) No new billboard shall be erected or installed unless a billboard has been removed from the
978 same parcel or another parcel. Any application to install a new billboard shall be accompanied
979 by evidence of demolition or removal of a billboard and shall comply with the following
980 standards and other applicable standards of this section.
981 (1) Any new billboard not exceeding 300 square feet per single face area and not exceeding a
982 height of 55 feet is allowed in C-3, C-4, I-1, and I-2 zoning districts; may be permitted by
983 conditional use permit in D-1, D-3, and RR-1 districts; and is prohibited in all other zoning
984 districts.
985 (2) Any new billboard not exceeding 750 square feet per single face area and not exceeding a
986 height of 35 feet is allowed in I-1 and I-2 zoning districts, and is prohibited in all other
987 zoning districts.
988 (3) The relocation, remodeling, or rebuilding of legal nonconforming billboard not meeting the
989 standards of this section may be permitted by conditional use permit on property zoned C-4
990 (4) The structural members of all billboards and panel posters relocated, rebuilt or remodeled
991 pursuant to the provisions of this article shall be constructed entirely of noncombustible
992 materials excepting only the sign face, ornamental molding and platform. All such
993

- 994 relocated, rebuilt or remodeled billboards and panel posters shall be installed only on single
995 pole structures.
996 (5) No billboard or panel poster relocated pursuant to the provisions of this article shall be
997 erected within the radius of 1,320 feet of another billboard or panel poster; provided, that
998 this provision shall not apply to rebuilt or remodeled billboards or panel posters remaining
999 on the same parcel of land. (Ord. 16971 § 3, 6-25-96; Code 1981 § 39-129. Code 1995
1000 § 118-202.)
1001

1002 **Open space and latticework.**

1003 Every billboard or panel poster less than 15 feet from a public sidewalk shall have an open space of
1004 not less than three feet between the lower edge of such signboard and the ground level, which
1005 space may be filled in with decorative latticework of light wooden construction. (Code 1981 § 39-
1006 130. Code 1995 § 118-203.)
1007

1008 **Electronic message center signs.**

1009 Each EMC sign located on a billboard or panel poster shall meet all of the following requirements:

1010 (a) The sign does not contain or display flashing, intermittent or moving lights, including animated or
1011 scrolling advertising.

1012 (b) Messages shall have a minimum dwell time of eight seconds and a transition time between
1013 messages of two seconds or less.

1014 (c) The sign shall not be placed within 1,320 feet of another billboard or panel poster EMC sign on
1015 the same side of the highway, with the distance being measured along the nearest edge of the
1016 pavement and between points directly opposite the signs along each side of the highway.

1017 (d) If a billboard or panel poster is a legal conforming structure it may be changed to an EMC sign.
1018 However, a billboard or panel poster that is a nonconforming structure cannot be changed to an
1019 EMC sign.

1020 (e) The sign shall comply with the EMC standards in Section 18.10.150, Electronic Message
1021 Centers, but the 50 percent sign area limitation in Section 18.10.150, Electronic Message Centers,
1022 shall not apply. (Ord. 19830 § 8, 7-16-13.)
1023

1024 **Responsibility of owner to maintain premises.**

1025 Any person occupying any vacant lot or premises with a billboard or panel poster thereon shall be
1026 subject to the same duties and responsibilities as the owner of the lot or premises with respect to
1027 keeping such lot or premises clean, sanitary, inoffensive and clear of all noxious substances in the
1028 vicinity of such billboard or panel poster, and with respect to the removal of snow from the sidewalk
1029 in front thereof. (Code 1981 § 39-131. Code 1995 § 118-204.)
1030

1031	18.10.180	Definitions.
1032	•	Generally. This Division is subject to all definitions, rules of interpretation and enforcement provisions of the International Building Code, as adopted and amended by the City of Topeka.
1033		
1034	•	The following words, terms, and phrases have the meanings assigned below, except where the context clearly indicates a different meaning:
1035		
1036		
	Advertising	Any sign text, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.
	Arterial	A street or road classified as an “arterial” on the Functional Classification Map for the City of Topeka.
	Attached sign	A sign attached to a building or building component, such as a column or canopy, and that uses the building as its primary support.
	Awning sign	A sign that is painted, stenciled or attached to the surface of an awning. An “awning” means a roof-like cover that projects from the wall of a building to shield a doorway, walkway, or window from inclement weather or the sun. Awnings are often made of fabric or flexible material supported by a rigid frame and may be retracted into the face of the building.
	Balloon	An inflatable device, tethered in a fixed location and greater than 18 inches in any direction, that - • has a sign with a message on its surface or attached in any manner to the balloon, or • is attached to a building or pole, or in a manner so that it projects higher than the roof of the main building on the lot or parcel.
	Banner	Any strip of cloth, bunting, plastic, paper, or similar material, attached to any structure or framing intended for a temporary period of display. This definition does not include flags, pennants, or streamers.
	Billboard	Any board or panel erected, constructed or maintained for the purpose of displaying outdoor advertising by means of painted letters, posters, pictures and pictorial or reading matter, either illuminated or non-illuminated, when such <u>the sign</u> is supported by uprights or braces placed upon the ground.
	Building code	The International Building Code, as adopted and amended by the City of Topeka.
	Building Frontage	The exterior wall on which the sign is located as viewed by a person approaching the building. For the purpose of measurement the wall used as building frontage need not be on the same wall plane.
	Cladding	A non-structural covering designed to conceal the actual structural supports of a sign.
	Canopy sign	A sign attached to the surface of a canopy. A “canopy” means an overhead structure made of solid material, other than an awning, that is either attached to a building wall and extends at least twelve (12) inches from the face of the building or a freestanding overhead structure supported by posts.

Center Sign	A freestanding sign used and designed to identify a retail, industrial, office, or institutional development or complex or multiple establishments or tenants therein.
Changeable copy	Characters, letters, numbers, or illustrations that can be manually replaced or altered through the placement of letters or symbols on a panel mounted or track system.
	
Changeable message sign	A sign on which copy may be changed manually, mechanically or electronically. This includes reader boards, gas price signs, and theater marquees, but is not limited to them. Billboards, poster panels, junior poster panels and painted boards are not changeable message signs.
Channel Letter	A fabricated or formed three-dimensional letter.
Clearance, Vertical	The minimum vertical distance between a sign and the surface of a street, sidewalk or alley.
Collector	A street or road classified as a “collector” on the Functional Classification Map for the City of Topeka.
Commercial copy	See “advertising.”
Conversion	A change in the face type of a billboard from a traditional static billboard face to a digital billboard face, or vice versa, which either maintains or reduces the length and width dimensions of the sign face. A conversion shall include any alterations to the sign structure which are necessary to support the weight of the digital technology as detailed in the requirements set forth in subsection 27-724(b)(4).
Copy	Any words, letters, numbers, figures, designs or other symbolic representations incorporated into a sign.
Digital sign	See Electronic Message Center.
Electronic Message Center (EMC)	A sign that utilizes computer-generated messages or some other electronic means of changing sign copy. EMC signs include displays using incandescent lamps, LEDs or LCDs, and may also enable changes to sign copy, message, or content to be made remotely.
Façade	The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.
Feather sign	A banner in the shape of a feather, quill, sail, blade, teardrop, or similar shape that is mounted on a solid or flexible pole or cord in the ground.
Flag	A piece of fabric or other flexible material, with distinctive colors and patterns, customarily mounted on a pole or similar freestanding structure.

Flashing sign	Any sign that is internally or externally illuminated by flashing, flowing, alternating, or blinking lights.
Freestanding Sign	A sign supported by a column, pole, pylon, foundation, pedestal or other structure mounted in the ground.
Frontage	The property line that abuts a public street and/or right-of-way line.
Halo lit sign	A sign illuminated by concealing the light source behind three-dimensional opaque letters, numbers, or other characters of a sign, resulting in the night time perception of a halo around the silhouette of each sign character. This is also referred to as "reverse channel" or "reverse lit" illumination.
Height	For attached signs, "height" refers to the maximum vertical dimensions of the sign. For freestanding signs, "height" refers to the sign's vertical distance from the top of the highest part of a sign, whether the highest part be the sign copy or support structure on which sign is placed, to the adjoining sidewalk, improved surface, or ground surface within a three-foot horizontal distance of the base of the sign. In the event the surface is sloped the average of the height of the adjoining surface shall be used.
Highway Sign	A freestanding sign located on a parcel abutting highways I-70, I-470, US-75, or US-24 and located such that it is oriented toward these highways.
Illumination	A sign that has an artificial light source incorporated internally or externally to emanate light from, or direct light to, a sign's surface. Light sources may include exposed tubing, electrical bulbs, fluorescent lights, neon tubes, light emitting diodes (LED), liquid crystal displays, or other artificial sources of light.
Illumination, external	A sign that is illuminated by an external light source.
Illumination, internal	Illumination created by a light source internal to the sign, transparent or translucent material from a light source within the sign structure or panel.
Incidental sign	A sign with copy located on a durable panel and mounted on a wall, pole, frame, or similar structure, with or without a structural frame that is normally incidental to the allowed use of the property, but can contain any message or content.
LED	Acronym for "light emitting diode". A light-emitting diode is a semiconductor light source that emits light when current flows through it.
Local Street	A street or road classified as a "local street or road" on the Functional Classification Map for the City of Topeka.
Main Building	The primary building or structure on a lot or a building or structure that houses a principal use.
Marquee Sign	A sign on the face of a roof-like projection or shelter, typically over the entrance to an entertainment venue, and typically containing an illuminated flat area for static or changeable sign copy.
Menu Board	A type of incidental sign oriented to a driveway or drive-through lane, which may include a speaker box or order confirmation unit. A menu board is customarily used to list the menu and prices for a restaurant.

Monument sign	A freestanding sign whose sign surface is attached to a base where the width of the widest part of the base or cladding over structural supports is at least 80% of the width of the widest part of the sign face.
Neon	A source of light supplied by a glass tube that is filled with neon gas, argon, mercury or other inert gas that produces ultraviolet light, and bent to form letters, symbols, or other shapes.
Original Art Display	A hand-painted, hand-carved or hand-cast work of visual art expressing creative skill or imagination in a visual form which is intended to beautify or provide an aesthetic influence to a public area. An original art display may be either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner, or a three-dimensional statue that is placed in a park, courtyard, lawn, or similar area for public display. An original art display does not include: mechanically produced or computer generated prints or images, including but not limited to, digitally printed vinyl; electrical or mechanical components; or changing image art display.
Non-commercial copy	Any copy other than advertising.
Nonresidential districts	Any commercial district or industrial district.
Off-premise sign	A sign advertising or directing attention to a name, a business, product, development, or service which is offered, manufactured, or sold at a location other than the lot or parcel upon which it is situated.
On-premise sign	Any sign other than an off-premise sign.
Painted Exterior Wall Sign	A painted exterior wall sign identifies a use or on-premises establishment and consists entirely of copy that is painted directly on, or digitally printed vinyl applied to, the exterior material of a building not including the exterior surface of a window, awnings, or other appurtenances.
Parcel	A lot, or contiguous group of lots in single ownership or under single control and usually considered a unit for purposes of development.
Pennant	An object or sign of lightweight fabric or similar material, suspended from a rope, wire or string, usually in series, and designed to move in the wind, also including streamers, pinwheels, balloons (less than 18 inches in any direction) and similar small objects.
Pole	A vertical support such as an upright, brace, column, or other vertical member, that supports a sign or cabinet containing a sign and that does not meet the width prescribed for the supporting element of a monument sign.
Pole or pylon sign	A freestanding sign supported by a pole or one or more columns providing structural support and where the bottom edge of the sign face is located above the finished grade at the base of the sign.
Pole or Pylon Cover	A nonstructural covering designed to conceal the actual structural supports of a sign.

Portable sign	Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
Portable Message Center	A portable sign containing changeable copy.
Portable Pedestrian Sign	A portable sign that is ordinarily in the shape of an "A" with back to back sign faces, an easel, or a similar configuration. A portable sign can contain changeable copy.
Principal Use	The main use of land or structures as distinguished from secondary or accessory use.
Projecting sign	A sign supported by and extending at least 18 inches from a building wall..
Reface	To replace, restore, repaint or repair a sign face that is attached, annexed, or supported from the sign cabinet and/or main structure. It does not include any other rebuilding, reconstructing or reconfiguration of the existing sign cabinet and/or existing supporting structure.
Roof sign	A sign that is mounted upon or above a roof or parapet of a building or structure that is wholly or partially supported by the building or structure, and which projects above the cornice or parapet line of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. A sign mounted on a sloped roof or mansard having a pitch 1:2 or more (1 foot horizontal and 2 feet vertical) is a wall sign. A sign mounted on a sloped roof or mansard having a lesser vertical slope is a roof sign
Rotating sign	Any sign surface or sign structure or any portion thereof which rotates, moves, or is animated.
Sandwich Board or A-Frame Sign	See "portable pedestrian sign."
Setback	The distance from a property line to any edge of a sign.
Sight Distance Triangle	An invisible triangle formed by the intersection of two streets or the intersection of a street and driveway as described by Section 12.20.020 of the Topeka Municipal Code.
Sign	Any outdoor announcement, device, design, figure, trademark or logo used for decoration, conveying information, identification, or to advertise or promote any business, product, activity, service or interest placed so as to be seen from outside a building or premises. For clarification, examples of items which typically do not satisfy the necessary elements of this definition include, but are not limited to, original art displays, architectural elements incorporated into the style or function of a building, or inscriptions on decorative rocks.
Sign face	The exterior area or surface on which is placed the copy.
Sign structure	The support, upright bracing, anchors, braces, and framework for any sign.
Sign surface	The entire area within a single continuous rectangular, triangular, or trapezoidal shape which encloses all elements that form the display, including any background which is different from or in contrast with any building wall surface upon which it is mounted.

Temporary Sign	A sign typically made of lightweight or flimsy material that can be easily or quickly mounted or removed (such as cloth, canvas, vinyl, cardboard, wallboard, or other light temporary materials), with or without a structural frame, intended for a temporary period of display.
Twirling sign	A sign that is designed to twirl, spin, or gyrate, either through mechanical activation or wind.
Unified management	Property or multiple buildings in single ownership or under the supervision of a single corporation, partnership, or other business entity.
Vertical Clearance	See "Clearance, Vertical."
Wall sign	A sign (other than Projecting Sign, Roof Sign, or Window Sign) that uses a building wall as its primary source of support, is placed directly on and contained totally within the dimensions of the outside wall, and does not extend more than 18 inches from a building surface
Window sign	A window sign is a sign posted, painted, placed, affixed to the inside or outside of a window, and does not extend a measurable distance beyond a building surface, but is clearly visible from outside the building.
Yard Sign	A temporary sign supported by the ground independent of any other structure.
Zoning Lot	A parcel of land under single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by this division.

SIGN CODE OPTIONS

May 20, 2019 Public Hearing and Planning Commission Recommendation

The following options and clarifications were provided at the request of the Planning Commission.

Highway Sign Exceptions

Option A	Option B (staff recommendation)
Allow exceptions for location within 700 feet of intersection of centerlines of highway and arterial or collector street, and within 120 feet of where ramp intersects with arterial or collector. Exception for properties zoned C-2: F/S Signs allowed to a height of 35 feet and area of 150 sf meeting exception criteria for I-470, I-70, and US-75. Properties meeting the exception criteria relative to US-24 are allowed to an area not to exceed 150 sf without exception to the C-2 height standard. Exception for properties zoned C-3, C-4, I-1, and I-2: F/S signs to a height of 55 feet and area of 250 sf meeting exception criteria for I-470, I-70, and US-75. Properties meeting the exception criteria for US-24 are allowed an area not to exceed 250 sf without exception to the height standard for C-3, C-4, I-1, and I-2.	Option A except a) increase radius to 800 ft b) replace “within 120 feet of where ramp intersects with arterial or collector” with “within 120 feet of the right-of-way for an on-ramp or off-ramp”.
Planning Commission: <i>Agreed with staff recommendation of Option B.</i>	

Signs for Construction Projects

Option A (staff recommendation)	Option B
Include a section under “Applicability, Exemptions” stating... <i>Signs associated with the temporary use of a building or site, including buildings or sites undergoing construction, during the time of said temporary use.</i>	Apply “Incidental Sign” standards
Planning Commission: <i>Agreed with staff recommendation of Option A.</i>	

Non-Conforming Signs

Option A (staff recommendation)	Option B	Option C
All non-conforming signs that were lawful prior to adoption of the new code and not defined as abandoned may legally continue without being brought into conformance with the new code IF no changes are proposed to the sign or property as outlined below. Any alteration or dimensional change of 50% or more to existing sign area, cabinet size, height, or support structure shall achieve full compliance. Any alteration or dimensional change less than 50% of existing sign area, cabinet size, height, or support structure shall at a minimum achieve partial compliance by reducing its corresponding sign area or <u>and</u> height by at least 34%. In addition, any re-face/change of copy of a sign shall at a minimum achieve partial compliance by reducing its corresponding sign area or <u>and</u> height by at least 34% IF the change accompanies one of the following events after adoption of the new code: • Rezoning of the property • 50% or more of the primary structure is damaged or rendered not useable • Any major building addition/expansion that requires Site Plan approval. • Any major façade renovation that requires approval of building elevation design. • Any property that applies or is approved for City of Topeka economic incentives (e.g., NRP, TIF, CID, etc.) Any sign height reduced 35 feet or less in height must conform to monument sign requirements.	Option A except: <u>Full compliance</u> required for any triggering events PLUS: • Change of use (per building code specifications)	Option A or B except: <u>Full compliance</u> with any triggering events PLUS: A ten (10) <u>twenty (20)</u> year amortization period from date of ordinance adoption when non-conforming free-standing signs must be removed, altered, or replaced in a manner that conforms entirely to the sign regulations. (See Note below)

Note: An amortization requirement may be applied in the same manner, using the same time period, for all nonconforming signs or on a case-by-case basis using a formula. Avoiding a taking and protecting the owner's return on investment is the basis for the time period and/or formula to be used.

In the APA Planning Advisory Service report *Street Graphics and the Law* (2004) author Daniel Mandelker explains that how amortization requirements have been upheld by several state supreme courts. Legally defensible amortization requirements are those that set the amortization period based on return on investment, some using the Internal Revenue Service depreciation schedules to determine the amortization period. None of the cases cited by Mandelker are from Kansas.

Planning Commission: Adopt Option C, including Option A with changes to paragraphs 3 & 4, changing "or" to "and" (in paragraph 3) and change the 10 year time limit in Option C to a 20 year time limit.

Abandoned Signs

Option A (staff recommendation)	Option B
Definition: An <i>abandoned sign</i> is defined as any sign on a property which no longer applies to a use of the property because the use has changed or the property has become vacant. - Any abandoned sign in existence for a period of more than 6 consecutive months shall be removed or the face of the sign shall be covered. - Any abandoned sign in existence for a period of more than 24 consecutive months shall be removed. - Abandoned signs shall be removed immediately when the primary building on the property is demolished or removed. - When an abandoned sign is removed, all parts of the sign, including structural supports, shall be removed. Grace Period: Any sign made "abandoned" by this code must comply within one (1) year from the date of adoption of the new code.	Option A except: - Any abandoned sign that is non-conforming in existence for a period of more than 24 consecutive months shall be removed. - Abandoned signs that are non-conforming shall be removed immediately when the primary building on the property is demolished or removed Grace Period: None; effective immediately
Planning Commission: Adopt Option A, replacing #2 and #3 with #2 and #3 from Option B. Retain #5 in Option A. Provide a more robust definition of "covered" as included in Option A.	

Portable Message Centers

Option A (staff recommendation)	Option B	Option C
Prohibit in all zoning districts. Owners and users of portable message center signs will have 12 months from the date of ordinance publication (effective date of the ordinance) to discontinue use of these signs.	• Allow as a temporary sign in C-2, C-3, C-4, I-1, and I-2 districts • Require a permit • Restrict use to two events per year, 30 days per event maximum, 30 days between events, maximum 60 days total per year Standards: • Maximum 32 sf per side of sign; any part of the sign containing copy and/or illumination is restricted to 32 sf. • Maximum 6 feet high • Flashing lights prohibited • Sign must be set back a minimum of 5 feet from any property line	Same as Option B but also allow for nonresidential uses in residential districts.
Planning Commission: <i>Adopt Option B and Option C but phase out entirely (prohibit) at 24 months from date of code adoption.</i>		



CITY OF
TOPEKA

TOPEKA PLANNING COMMISSION

Monday, May 20, 2019

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

CASE MINUTES

Members present: Brian Armstrong, Corey Dehn, Marc Fried, Carole Jordan, Wiley Kannarr, Corliss Lawson, Ariane Messina, Katrina Ringler, Matt Werner (9)

Members Absent: (0)

Staff Present: Bill Fiander, Planning & Development Director; Mike Hall, Current Planning Manager; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Declaration of conflict of interest/ex parte communications by members of the commission or staff –

None

ACZR18/02 Visual Code Update III (Sign Standards)

Consider amending the Topeka Municipal Code (TMC) Title 18 (Comprehensive Plan-Signs-Subdivisions-Zoning) as follows:

Repeal and replace the entirety of Chapters 18.10, 18.15, 18.20, and 18.25 (Division 2.Signs) with Chapter 18.10 (Division 2.Signs) concerning the use of signs by businesses, institutions, and other entities for their identification.

Mr. Fiander introduced the case, noting that work on the update began in November 2017 and thanking those who have worked on it. Work on the update has included a visual appeal survey that received 960+ responses, 2 public meetings, a committee that met numerous times, multiple presentations and discussions at Planning Commission meetings, input on “best practices” from consultant Mark White of White & Smith, LLC, and more.

Mr. Fiander noted this is the first sign code update of its kind for Topeka in 50+ years. The major intent and impetus has been to improve the city’s visual/aesthetic appeal, which is in keeping with the Greater Topeka Partnership’s **Momentum 2022**. It is also a response to court decisions, especially US Supreme Court case Reed v. Town of Gilbert (Ariz.) which requires sign regulations to be content neutral; signs are to be regulated by time, place and manner rather than content.

Mr. Fiander gave an overview of “points of emphasis”: with the proposed sign code update, maximum sign sizes will generally be proportionate to property and building size, and the discrepancy between zoning districts will be softened. All new free-standing signs will be required to be monument signs; with a few exceptions, new pole signs will not be allowed. Temporary signs will be accommodated; portable message centers are proposed to be phased out.

Mr. Fiander explained that abandoned signs are not dealt with in the current code, but the proposed update does address them. Regarding signs made non-conforming by the proposed update; staff is not proposing a sunset but have provided an option for that. Mr. Fiander also noted that a change in size of existing signs would trigger full or partial compliance requirements.

Commissioners agreed that it would be best to start off reviewing options provided by staff. These options are a direct result of comments and requests made by commissioners at the March, 2019 Planning Commission meeting. The options are included in the agenda packet ("Sign Code Options" document).

Highway Sign Exceptions

Mr. Hall presented the options and answered questions. Mr. Fiander explained that increasing the radius to 800 feet (rather than 700 feet) is staff's attempt to accommodate more properties without having to move from a nodal to a linear pattern.

Mr. Armstrong and Ms. Messina stated they have no problem with the 100' increase (**Option B**) and there **was consensus amongst the commissioners that Option B be adopted.**

Signs for Construction Projects

Mr. Hall reviewed the options and commissioners agreed they prefer **Option A** and asked staff to **more clearly define "construction"**.

Non-Conforming Signs

Mr. Hall presented the options and he and Mr. Fiander answered questions, especially clarifying what would trigger the requirement of an existing sign to come into conformance with the new code. It was noted that the table doesn't exactly match the wording in the draft code and staff will make the necessary corrections to the code draft.

Ms. Messina asked when we might expect to see a visible change if Option A is codified. Staff suggested that someone who works in the sign industry might have a better grasp on that. Mr. Armstrong pointed to the section of Option A that requires properties to bring their signage into compliance if they apply for or are approved for COT economic incentives. He noted that this would likely speed up the process of bringing non-conforming signs into compliance. Later Virginia Baumgartner of Luminous Neon, a member of the sign code committee, came forward and provided some insights. She noted that we see fewer "mom and pop" businesses; many are national chains who typically change their branding every 5-10 years. While some locally owned/non-franchise businesses (for example, The Pad) might not make changes to their sign for a number of years, she would anticipate seeing a substantial difference within 15-20 years.

Each of the options were discussed, and Mr. Fiander gave additional information about what constitutes a "change of use" in Option B.

Mr. Armstrong noted that in Option A, paragraphs 3 & 4, he is more comfortable with using "and" than or, so (paragraph 3) "shall at a minimum achieve partial compliance by reducing its corresponding sign area **and** height by at least 34%"; (paragraph 4) "shall at a minimum achieve partial compliance by reducing its corresponding sign area **and** height by at least 34%". This will mean there is no risk of having a huge sign face on a relative short sign, or having a very small sign face on a quite tall pole. Following additional discussion there appeared to be consensus amongst commissioners that it should be "and" rather than "or".

Mr. Kannarr asked if Option C could be changed to a 20 year amortization period rather than the 10 years given in the option. He suggested that in 20 years all signs should be required to be brought into compliance with the new regulations or, if there is a valid reason, given an exception (i.e. for historic purposes). Staff explained that the May 20 Mike Hall Memo (handout) proposes adding a section about

“Historic Signs” so this would be possible. Ms. Feighny noted that from a legal standpoint, 20 years is a generous time allowance.

Following additional discussion, it was agreed that general consensus would be to adopt Option A, changing the “or” in paragraphs 3 & 4 to “and”, and adopting Option C, changing the 10 year amortization period to 20 years.

Abandoned Signs

Mr. Hall reviewed the options, noting that the current code does not require “abandoned” signs to be removed; it only requires that they be well maintained. Mr. Fiander and Mr. Hall spoke to and answered questions about examples in the draft handbook. Ms. Messina asked if, from a real estate perspective, it’s better to leave a sign in place if it’s in good repair. Mr. Fiander noted the “24 month” clause and noted that if a building is up for sale for more than 24 consecutive months, a prospective owner would understand that it will require investment and repairs will be more than simply installing a new sign. In addition, prospective buyers would understand this requirement and be aware before buying. If the building is not up for sale, Mr. Fiander explained that the city would need to notify owners of the new regulations and may end up having to remove signs ourselves if the owners cannot.

There was discussion about what the term “covered” means (Option A, #1). Ms. Baumgartner returned to the podium and explained some of the options that might be used to accomplish this. She recommends replacing the word “covered” with “re-faced”.

Ms. Messina stated she would be okay with either Option A or B. Following additional discussion, there appeared to be consensus that the preference would be Option A, but using #2 & #3 from Option B. The grace period would be #5 in Option A.

Portable Message Centers

Mr. Hall explained that since the Commission last discussed these in April, the owner has come into Planning & Development and applied for permits for his 50+ signs. During this process it was found that the existing signs do not meet our electrical code, so while a permit may be provided, the signs cannot be lit without first being brought up to code. Mr. Hall added that flashing lights are prohibited since they can appear to be a traffic control device and therefore confusing to drivers.

Ms. Messina noted that while she agrees the signs must be compliant with current codes and flashing lights can be dangerous and therefore prohibited, she likes these signs and thinks of them as being rather unique to Topeka, “a Topeka culture”.

Mr. Fried referenced the visual appearance survey and noted that more than 95% of those responding found them either somewhat or very unappealing. He stated that the recommendation to do away from them is based on that, with the intent of the sign code update being to make our city look better than it did yesterday. Visual appeal is tied to civic pride and local economic spending.

The various options (A, B, C) were reviewed. Ms. Lawson and Mr. Fried noted that enforcing Option B would be difficult with only one person to provide zoning code enforcement for the entire city.

Following additional discussion about the various options and the possibility of a grace period for 24 months rather than 12, it was agreed that the public should be heard on the matter.

Ms. Ringler declared the **Public Hearing open** and invited people in the audience to speak to any aspect of the proposed sign code update.

Patrick Barnes came forward to speak against disallowing portable message centers. He stated he is an attorney who has experience with the sign code. He expressed concern that the City is targeting Shawn Holthaus’s business, Rent A Sign, which rents portable message centers to the public. He stated that nobody had specifically asked Shawn or his customers what they think about portable message centers.

Mr. Barnes stated that he could speak to many “inaccuracies” he feels like he has heard in the discussion, but the biggest thing is that there is, he says, only one person in the community that is proposed to be eliminated - Mr. Holthaus’s company. He questioned whether that’s a fair use of government power and authority.

Ms. Ringler asked staff about how the survey that was taken was publicized, as well as other ways the public was notified and invited to be involved and provide feedback. Mr. Fiander noted that the public survey was the most successful survey we’ve had to date. There were two public meetings that were widely advertised; Planning staff identified businesses using the portable message centers along collectors and arterials (“major streets”) and sent notices directly to them. Planning also sent notices to schools and churches, which are heavy users of portable message centers. The proposed sign code update has been on the Planning Commission agenda multiple times, and these are open to the public. Staff feels that they have provided many opportunities for people to talk to them about the proposal, and Mr. Hall stated that there has been direct communication between himself and Mr. Holthaus. It is staff’s belief that they’ve provided overwhelming opportunity for stakeholder engagement.

Mr. Barnes returned to the podium and stated that there has been confusion about the permitting process and that’s why Mr. Holthaus’s signs have not been permitted; he was told at one point that permits are needed. The process has now been clarified and he has applied for the required permits.

Randy Wheat came forward to speak against disallowing portable message centers. He stated he has just begun acquiring signs and hopes to rent them out to the public. He anticipates being able to purchase and rent out around 50 portable message center signs fairly quickly. Mr. Wheat stated he feels the signs work well for small businesses and churches who can’t afford larger, more expensive signs.

Chris Deister came forward to speak in support of the sign code update. He spoke to how we all want to strive for the elevation of our city and have it be attractive to both those who come in and those who are already here. Mr. Deister supports temporary signs if they are well-made, well-maintained, and in fact temporary. He spoke to the fact that if we make rules, we need to provide staff with the resources to enforce them.

Mr. Deister noted with the digital world comes cultural change. He stated that “phone booth manufacturers” are now out of business because we no longer need phone booths, and in fact with the advent of GPS on our phones, signage has largely been (and will be) rendered unnecessary for wayfinding.

Virginia Baumgartner of Luminous Neon came forward and suggested that permit applications should have a start and end date so that it is clear when they need to be removed.

With nobody else coming forward to speak, Ms. Ringler declared the **public hearing closed**.

Ms. Ringler asked staff if current sign permits have a start/end date. Mr. Fiander stated that currently there is not because they’re 12 month permits that are renewable. If that changes, a more restrictive permit will be necessary.

Mr. Fried asked if portable message centers are a sub-set of temporary signs. Mr. Fiander explained they are not; they are in a category all to themselves. Currently, temporary signs are allowed “per event” rather for a certain number of days, which is hard to enforce or understand.

Mr. Fiander noted that there are additional changes proposed in a memo from Mike Hall and provided as a handout. The Commissioners approved Mr. Hall reviewing those proposed changes.

Mr. Hall explained that Ms. Baumgartner has read the proposed draft code in full and offered some recommendations about changes. Some are not substantive, so staff will work on those going forward.

Mr. Hall reviewed the items included in the memo, especially noting wording about historic signs and their being exempt from the dimensional standards in Section 18. Examples of signs that might be

recognized as historic would be the Chief Drive-In sign, Gage Center, Bobo's, etc. Historic designation would ultimately be decided by the Topeka Landmarks Commission.

Mr. Hall also spoke very briefly about residential subdivision signs and off-premise signs or billboards.

Mr. Hall reported that staff has received feedback regarding the section on incidental signs and asked legal to review. The main change is that a non-illuminated incidental free-standing sign will not require a permit (e.g. real estate signs).

Mr. Fried expressed concern about frontage restrictions on temporary signs as they relate to political campaigns and whether we can restrict the number. Ms. Feighny stated that the proposed code states that state and federal law trumps the ordinance. Currently there is a state law prohibiting cities from regulating the number of political signs on private property so essentially political signs are exempt.

Mr. Fried asked if each of the proposed options in the memo needed to be voted on separately. Mr. Fiander suggested voting on those for which consensus may not have been absolutely clear. The first two (Highway Sign Exceptions and Signs for Construction Projects) appear to have clear consensus.

Ms. Ringler re-stated what she believed consensus to be for **Non-Conforming Signs** and Mr. Fried offered a **motion to adopt Option C, including Option A with changes to paragraphs 3 & 4, changing "or" to "and" and changing the 10 year time limit in Option C to a 20 year time limit. Second by Ms. Lawson. APPROVAL (9-0-0)**

Ms. Ringler re-stated what she believed consensus to be for **Abandoned Signs** and Ms. Lawson offered a **motion to adopt Option A, replacing #2 and 3 with #2 and 3 from Option B. Number 5 of Option A would be retained. Further, a more robust definition of the word "covered" as included in Option A, #1. Second by Mr. Dehn. APPROVAL (9-0-0)**

Regarding Portable Message Centers, there was additional discussion about how a compromise could be reached and it was ultimately suggested that Option C be adopted, adding a 24 month amortization period from the date of ordinance adoption. This would allow for the reasonable phasing out the signs.

Motion by Mr. Dehn regarding Portable Message Centers, to adopt Option B & Option C with a phase-out period of 24 months. Second by Ms. Lawson. APPROVAL (8-1-0 with Mr. Fried dissenting)

Ms. Ringler asked for further discussion or questions regarding the proposed amendments included in the May 20 memo from Mike Hall, and Ms. Jordan offered a **motion to accept the amendments in the May memo from Mike Hall regarding ACZR18/02 Visual Code Update III / Sign Code Update; second by Mr. Fried. APPROVAL (9-0-0)**

Ms. Ringler asked for further discussion or questions regarding the entirety of the code (ACZR18/02 Visual Code Update III) with the amendments just approved, and Mr. Armstrong offered a **motion to accept the ACZR18/02 Visual Code Update III / Sign Code Update with the already passed changes to Highway Sign Exceptions, Signs for Construction Projects, Non-Conforming Signs, Abandoned Signs, and Portable Message Centers, and the Mike Hall memo; second by Mr. Dehn. APPROVAL (9-0-0)**



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, March 18, 2019

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

Members present: Brian Armstrong, Corey Dehn, Marc Fried, Wiley Kannarr, Ariane Messina, Katrina Ringler, Matt Werner (7)

Members Absent: Carole Jordan, Corliss Lawson (2)

Staff Present: Bill Fiander, Planning & Development Director; Mike Hall, Current Planning Manager; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Discussion Item

ACZR18/02 Visual Code Update III (Draft Sign Standards)

Mr. Hall presented information about the draft sign standards and also about feedback received from the February 26, 2019 public meetings. He took questions as they arose and there was discussion throughout with and amongst the commission. Mr. Hall also noted two handouts, which included an email from Shawn Holthaus and one from Virginia Baumgartner and Cindy Proett.

Present were Virginia Baumgartner and Cindy Proett, both of Luminous Signs. Ms. Baumgartner and Ms. Proett both served on the sign code committee. They came forward at times to provide information.

Ms. Ringler noted that there were people in the audience and asked if anyone would like to speak. Pat Barnes came forward and expressed concern about the possibility of no longer allowing portable message center signs.

It was ultimately agreed that Visual Code Update III (sign standards) will come back to the commission at the May 20, 2019 meeting as an action item. There was discussion among the Commission and staff regarding non-conforming signs, abandoned signs, signs adjacent to highways, signs related to construction, and portable message center signs. At the next meeting staff will present additional information and options for how to address the sign issues discussed at this meeting.



CITY OF TOPEKA

Planning & Development Department
620 SE Madison, Unit 11
Topeka, KS 66607

Bill Fiander, AICP, Director
Tel: 785-368-3728
www.topeka.org

March 2019

Sign Code Update

Questions/Comments from February Sign Public Meetings

Q = Question

C = Comment

R = Response

Q: The proposed height of free standing signs are too close to the ground. Trucks, campers, etc will hit a sign that is only 15' to 25' tall.

R: With minor exceptions the proposed code requires free-standing signs to be monument signs in which the base is, at a minimum, nearly the full width of the sign. The current and proposed code do not allow a free-standing sign to extend into a street right-of-way. For these reasons it will not be possible to drive under a sign and collide with it due to its height.

Q: How are smaller shopping centers (<7 acres) handled that have multi tenants that don't meet size for a center sign?

R: There is less need for smaller centers to be allowed larger multi-tenant signs because in such cases the buildings will be closer to the street and wall signs for each business are likely to be visible. The proposed standards for wall signs allow substantial signage. We will look into lowering the threshold under 7 acres and report back.

Q: Does the max sq. ft. of 80 sf allow the letters to be large enough so they are visible from the street (taking into account wider rights of way)?

R: Yes, 80 square feet should be large enough to allow sign copy to be read by drivers at a lower height. Staff will also add exceptions allowing larger signs with a setback.

Q: Can real estate signs be in the R/W on a temporary basis?

R: Real estate signs are not currently allowed in the right-of-way. It is proposed that real estate signs and all other signs, except for those signs specifically allowed in the right-of-way by Kansas Statutes, continue to be prohibited from being located in the right-of-way.

Q: Can a limit be placed on the number of free standing banners?

R: The current sign code does not allow free-standing banners. It is proposed that free-standing banners, along with free-standing yard signs, be allowed as temporary signs and restricted to 1 sign per 200' of street frontage.

Q: How are construction signs handled or how should they be handled?

R: Staff are still looking for the most effective way to regulate construction signs. The US Supreme Court case Reed v. Gilbert, Arizona (2015) concluded that sign regulations must be

content-neutral with regulations limited to time, place, and manner. Therefore, the proposed sign code may not distinguish construction signs from other forms of temporary signage. As proposed the sign code will not allow banners to be installed on fences. Furthermore, if regulated as a temporary sign, a sign used for a construction project would be limited to a maximum of 30 days per time period and to no more than 120 days in a calendar year, which would not accommodate the typical time needed to complete a construction project. A construction sign could be installed as a free-standing sign, constructed of durable materials and would be allowed as long as it meets other standards for incidental signs. They are not considered an issue now so staff will consider ways to legally accommodate signs for transitional land uses.

Q: Can portable signs (portable message center signs) be allowed on temporary basis with a permit if the time and placement is regulated?

R: Allowing portable message center signs on a temporary basis to be enforced by a permit is an option. However, it is not an effective option because of the difficulty of getting users to obtain permits and ensuring compliance with the time limits of a temporary sign. The current sign code requires annual permits for portable signs but no one using a portable sign now has a valid permit. The City has limited resources to enforce temporary signs in the field and adding portable message center signs to the list of enforcement duties is not cost-effective given the community's very poor rating of such signs in the Visual Appeal Survey.

Q: Why should new businesses be put at a disadvantage vs existing businesses when it comes to meeting the new standards?

R: Not all sign owners will be put at a disadvantage so to speak. Some of the proposed sign regulations, including those for the office and institutional district and non-residential uses (churches, schools, etc.), are far less restrictive than current standards. There are also a number of exceptions for larger shopping centers, corner lots, and businesses near highway interchanges.

In the case of free standing signs in commercial districts, the proposed standards are more restrictive in Topeka but substantially less restrictive than standards for other comparable cities. The current standards for signs in Topeka's most common commercial and industrial districts have not been revised since the late 1960s and are far out of line with current regulatory best practices. The negative aesthetic impact they create make Topeka less visually appealing than other cities and contribute to putting Topeka at a competitive disadvantage.

The proposed rules for non-conforming signs provide for compliance over time, not overnight. Existing signs that do not comply with the new rules will be able to continue. As substantial alterations are made to signs that are taller and larger than the new standards allow, the altered signs will be required to be reduced in size and height by one-third (34%) until the sign conforms to the new standards. This means that no more than two alterations would take place before the sign is compliant. Staff considers such an approach to be more practical and more effective than approaches typically taken by cities, which is to require complete conformance when there is any alteration made to the sign. Staff is concerned that too aggressive compliance may have the reverse effect of encouraging non-compliant signs to not change at all over time.

Q: Why does it not make sense to have a "one size fits all approach"?

A: A one-size fits all approach whereby the maximum size permitted is the same for every property within the same zoning district does not serve Topeka well. Topeka has developed over a long period of time and with a variety of uses and diverse range of building and parcel sizes

and amidst a variety of neighborhoods. Mature development in and close to Central Topeka tends to be on smaller lots and in smaller buildings, and located within or adjacent to residential neighborhoods. Newer development is generally characterized by larger parcels and larger buildings and with greater separation from residential uses. It is appropriate that the maximum amount of signage allowed for individual development be in proportion to the size of parcels and buildings. Proportional standards are better for aesthetic reasons but will not compromise the effectiveness of signs, since the visibility of signs is partly a function of context.

Q: Does the code restrict window signs?

A. The current code contains regulations of window signs in the D-1 and D-3 Downtown districts. Reasonable regulation of window signs is anticipated for the proposed code, as well, to be fair and to meet the objectives of the sign code. At this time it is expected that window signs will not require a permit.

Q: Increase height allowed in C2 to 20'-25' and in C3-4 to 35'. This will help trucks from blocking the view of signs.

A: The large majority of vehicles are at a height of 6 feet or below. Therefore, signs at a height of 15 and 25 feet will be visible under the majority of circumstances. In part to address this concern, staff is recommending allowing an increase in sign height and area in exchange for increased sign setbacks. Signs for large retail centers and office parks will be allowed increases in size and height. Signs for commercial uses in close proximity to highway interchanges will be allowed increase height and size.

Q: Should there be setbacks for signs?

A. We are not recommending that a setback be required for free-standing signs but it will be required that all parts of the sign be contained behind the property line and not be allowed to extend over streets and sidewalks. In response to the feedback received at the February 26th meeting staff is recommending that owners and operators be given the option to set the sign back from the property line in exchange for moderate increases in size and height.

Q: Will closing up "holes" in an unkempt sign trigger compliance?

A. No. Sign maintenance is expected and will not require changes to the sign to conform to current standards. The current and proposed sign code require that signs be kept in good condition.

C: If there are no buildings on the property, left-behind signs should not be allowed to remain at all.

A. It is proposed that signs no longer pertaining to use on the property be considered "abandoned signs" and be required to be removed when the building on the property is removed or the property is substantially redeveloped.

Q. How long will political signs be allowed before the election barring any legislation from the State saying otherwise?

A. The current limit is 45 days. The legislature is considering amending the current law. The State law does not treat political signs the same as Topeka's current sign regulations for other temporary signs and that is not likely to change with a new sign code. However, the Kansas statute regulating political signs preempts Topeka's sign regulations.

C: A setback for a monument sign would be a good idea.

R: A setback is a requirement that can improve the visual appeal of a street or major corridor. The City also recognizes that a setback can reduce visibility of the sign in part because a sign that is set back from the property line is more likely to conflict with parked vehicles and landscaping. Because the City is proposing more restrictive standards on size and height in the commercial and industrial districts there is reluctance to also require a setback for signs. In response to the feedback received at the February 26th meetings staff is recommending that owners and operators be given the option to set the sign back from the property line in exchange for moderate increases in size and height.

C. There is no need to accommodate feather signs.

R. Feather flags are so commonly used as a form of temporary signs, and because they are another type of free-standing sign, staff are proposing standards to accommodate and control them rather than to prohibit them.

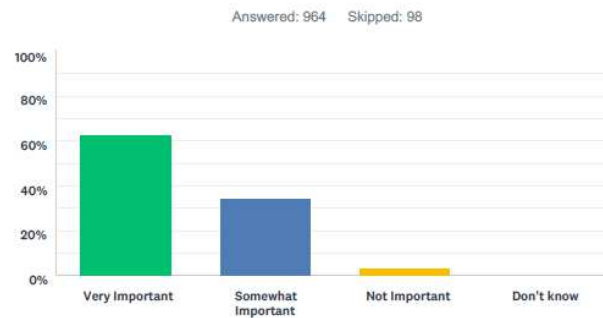
C: Portable signs are an eyesore for the City. Prohibit portable signs.

R: The City's Visual Appeal Survey included an image of a portable message center sign. 95 percent of the responses to the image were "unappealing". This was the lowest rated score of any image in the survey. It is proposed that portable message center signs be prohibited partly because of their ranking on the Visual Appeal Survey but also because they are often poorly maintained, misused as permanent signs, and efforts to control them by permits and time limits are not likely to be effective.

Signs Visual Appeal Survey Key Takeaways

- **964** people took the sign survey and submitted **386** written comments.
- Signs matter. 97% of survey respondents say that signs are either very **“important”** or **“somewhat important”** to the visual appeal of a community.

Q38 How important is the appearance of signs to the visual quality of a community?



Responses to Sign Images

- A preference for short, monument-style signs over tall signs on poles.
- Poles without covers are more unappealing than poles with covers.
- The use of multiple wall signs on buildings, especially those constructed of low-quality materials, is very visually unappealing.
- The sites of businesses that use few signs, such as one monument sign and one to two wall signs, are more visually appealing than those sites that contain a larger number of ground and wall signs.
- Size of sign matters less if the sign is a monument-style sign.
- Use of more than one temporary sign is very visually unappealing.
- Portable reader board signs are visually unappealing.

Written Comments

- There are too many signs. The large quantity of signs is unattractive.
- There is too much sign “clutter”. (“Clutter” could mean too many signs, poorly maintained signs, or both.)
- Landscaping is important to visual appearance. The numerous comments about landscaping are especially significant considering the survey did not pose questions about landscaping.
- Many signs are too tall. Shorter signs are more attractive.
- Outdated, aging, and poorly maintained signs are unattractive.
- Pole signs are unattractive. Signs on solid bases (monument signs) are much more attractive than signs on poles.
- Portable readerboard signs are unattractive and the City needs to do more to control them.
- Quality of the design of signs and materials used is important to visual quality.
- Temporary signs are needed in some cases but they are visually unappealing.
- Signs should be easy to read in addition to being visually appealing.
- Businesses need signs and they should not be overly restricted.



City of Topeka
Council Action Form
Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
August 13, 2019

DATE:	August 13, 2019	
CONTACT PERSON:	Doug Gerber	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:	Discussion 05-21-19. Defer Discussion (No Specific Date) 06-11-19.	JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

DISCUSSION regarding the Dynamic Core Redevelopment District, a tax increment financing district (TIF) that would encompass the downtown area and North Topeka Arts District (NOTO). (*Deferred from the meeting of June 11, 2019.*)

VOTING REQUIREMENTS:

Discussion item only.

POLICY ISSUE:

Whether it is beneficial for the City to establish a TIF district encompassing NOTO and downtown.

STAFF RECOMMENDATION:

Discussion item only.

BACKGROUND:

State law allows 'enterprise zones' to qualify for consideration as a redevelopment district under the tax increment financing law. The City established an enterprise zone in 1991 that included several areas within the City. Downtown Topeka, Inc. is requesting that the City establish a TIF District in an area bounded by 17th Street on the south; NOTO on the north; Topeka Blvd. to the west; and Adams Street to the east. The District shall consist of one (1) or more redevelopment project areas, which are anticipated to include a mix of all these uses including retail, restaurant, and other commercial uses.

BUDGETARY IMPACT:

No budgetary impact. Any project plan would operate as a reimbursement to the developer as a pay-as-you-go so that the City would not take on any risk or financial obligations as a result of the redevelopment. Any developer who proposes a project will be solely responsible for paying project debt, regardless whether the TIF

generates enough revenue to reimburse the TIF-eligible project costs.

SOURCE OF FUNDING:

Developer

ATTACHMENTS:

Description

Resolution

Application

Map

TIF Policy

TIF Procedures

Presentation (May 21, 2019 GB Meeting)

1 (Published in the Topeka Metro News _____)
2

3 RESOLUTION NO. _____
4

5 A RESOLUTION introduced by City Manager Brent Trout, providing notice of a
6 public hearing concerning the establishment of a
7 Redevelopment District (TIF) within the City (Dynamic Core
8 Redevelopment District) pursuant to K.S.A. 12-1770 *et seq.*,
9 as amended.
10

11 WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act"), the City of
12 Topeka, Kansas (the "City"), is authorized to assist in the development and redevelopment
13 of eligible areas within the City in order to promote, stimulate and develop the general and
14 economic welfare of the State of Kansas and its communities; and

15 WHEREAS, the City hereby finds and determines it desirable to encourage the
16 development and redevelopment of certain real property within portions of an area
17 established as an enterprise zone by the City Council on December 30, 1991 (Resolution
18 No. 6192) and to consider the establishment of a redevelopment district within a portion of
19 such area (the "Redevelopment District"); and

20 WHEREAS, the City must adopt a resolution stating that the City is considering the
21 establishment of the Redevelopment District and include in such resolution a notice that a
22 public hearing will be held to consider the establishment of said Redevelopment District.

23 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
24 CITY OF TOPEKA, KANSAS, that

25 1. Notice is hereby given that a public hearing to consider the establishment of
26 the Redevelopment District shall be held in the Council Chambers, 214 SE 8th Street in
27 Topeka, Kansas, on July 9, 2019, at 6:00 p.m.(or as soon thereafter as is practical).

2. The proposed boundary of the Redevelopment District is set forth in Exhibit A and depicted in Exhibit B which are attached hereto and incorporated herein by reference.

3. The proposed plan is based upon a market study that concluded that the area encompassed by the proposed District could support 900 new and rehabilitated housing units, 690,000 supportable square feet of retail space, 300,000 new and rehabilitated square feet of office space and over 200 new hotel rooms over the next ten years. The District shall consist of one (1) or more redevelopment project areas, which are anticipated to include a mix of all these uses including retail, restaurant, and other commercial uses with associated amenities, along with associated infrastructure.

4. A description and map of the proposed Redevelopment District are available for public inspection during regular office hours in the Office of the City Clerk, at Topeka City Hall, 215 SE 7th Street, Room 166, Topeka, Kansas.

5. At the public hearing, the Governing Body of the City will consider findings necessary for the establishment of the proposed Redevelopment District.

6. A copy of this Resolution shall be sent by certified mail, return receipt requested, to the Board of Commissioners of Shawnee County and the Board of Education for U.S.D. 501. Copies of this Resolution also shall be mailed by certified mail, return receipt requested, to each owner and occupant of land within the proposed Redevelopment District not more than 10 days following the date of adoption of this Resolution. This Resolution and Exhibits A and B attached to this Resolution shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

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ATTEST:

Michelle De La Isla, Mayor

Brenda Younger, City Clerk

EXHIBIT A

PORTIONS OF THE SOUTHEAST QUARTER OF SECTION 19, PORTIONS OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 20, PORTIONS OF THE NORTHWEST, NORTHEAST, SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 29, PORTIONS OF THE SOUTHEAST QUARTERS OF SECTION 30, PORTIONS OF THE NORTHWEST, SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, PORTIONS OF NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 32, ALL IN TOWNSHIP 11 SOUTH, RANGE 16 EAST; PORTIONS OF NORTHWEST QUARTER OF SECTION 5, PORTIONS OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 6, ALL IN TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF N. KANSAS AVENUE AND NE MORSE STREET; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF NE MORSE STREET TO THE INTERSECTION WITH THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE; THENCE SOUTHWESTERLY ALONG THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE TO THE CENTERLINE OF THE SOUTH TOPEKA UNIT FLOOD PROTECTION WALL; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE, 20 FEET, MORE OR LESS; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTER OF VACATED ADAMS STREET TO THE CENTERLINE OF NE 1ST STREET; THENCE SOUTH-SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 217 (ON 1ST STREET) CRANE'S ADDITION; THENCE SOUTHEASTERLY TO A POINT 20 FEET WEST OF THE NORTHEAST CORNER OF LOT 14 (ON ADAMS STREET) CRANE'S ADDITION; THENCE SOUTHERLY TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF VACATED 2ND STREET, (ORDINANCE NO.552) AND THE NORTHERLY PROLONGATION OF THE EASTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (ORDINANCE NO. 552); THENCE SOUTH-SOUTHWESTERLY ALONG SAID PROLONGATED EASTERN RIGHT OF WAY LINE, 80 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF SAID VACATED 2ND STREET; THENCE SOUTH-SOUTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 71 (ON HOLLIDAY STREET) CRANE'S ADDITION, BEING THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET AND THE NORTHERN RIGHT OF WAY LINE OF VACATED 3RD STREET, (ORDINANCE NO. 2489); THENCE SOUTH-SOUTHWESTERLY ALONG THE PROLONGATION OF VACATED HOLLIDAY STREET TO THE NORTHEAST CORNER OF LOT 231 (ON 5TH STREET, VACATED ORDINANCE NO.333) HOLLIDAY ADDITION; THENCE SOUTH-SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (VACATED ORDINANCE NO. 2362) AND IT'S SOUTH-SOUTHWESTERLY PROLONGATION, BEING 25 FEET, MORE OR LESS WEST OF THE BNSF RAILWAY COMPANY TRACK TO THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET TO THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF SW HUNTOON STREET; THENCE NORTH-NORTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTHERN RIGHT OF WAY LINE OF SW 1ST STREET, BEING THE SOUTHEAST CORNER OF THE CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE WESTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE 322 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY LINE OF SW TYLER STREET; THENCE NORTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE, 441 FEET, MORE OR LESS, TO SOUTH LINE OF A PERMANENT RIGHT OF WAY EASEMENT RECORDED IN BOOK 4274, PAGE 567 IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS; THENCE WESTERLY ALONG SAID SOUTH LINE, 135 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF THE UNION PACIFIC RAILROAD COMMON WITH SAID CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE NORTHERLY ALONG SAID COMMON LINE, A DISTANCE OF 658 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE EASTERLY ALONG SAID SOUTHERLY ORDINARY HIGHT WATER LINE, 343 FEET, MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE WESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE INTERSECTION WITH THE CENTERLINE OF NW TYLER STREET; THENCE NORTHERLY ALONG THE CENTERLINE OF NW TYLER STREET TO THE INTERSECTION WITH NW GORDON STREET; THENCE SOUTH-SOUTHEASTERLY ALONG THE CENTERLINE OF NW GORDON

EXHIBIT A

STREET TO THE INTERSECTION WITH THE CENTERLINE OF NW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG THE CENTERLINE OF NW TOPEKA BOULEVARD TO THE INTERSECTION WITH THE CENTERLINE OF THE FORMER SOLDIER CREEK DRAINAGE WAY; THENCE EASTERLY ALONG THE MEANDER OF THE CURRENT DRAINAGE WAY TO THE INTERSECTION WITH CENTERLINE OF N. KANSAS AVENUE; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTERLINE OF N. KANSAS AVENUE TO THE PLACE OF BEGINNING.

EXHIBIT B

EXHIBIT B





REC'D TOPEKA CITY CLERK
'19 MAR 18 PM2:26

**CITY OF TOPEKA
APPLICATION FOR TAX INCREMENG FINANCING (TIF) DISTRICT**

*The City's Tax Increment Financing (TIF) policy can be found at <https://www.topeka.org>.
Complete all information and if necessary, please attach additional sheets to fully
answer each question and include attachments described in Appendix 1.*

Overview of Application Procedures

See the full "City of Topeka Tax Increment Financing District (TIF) Procedures"
document at <https://www.topeka.org>.

Submission: The TIF Application Form, policies and procedures are available on the
City's website at <https://www.topeka.org> or the City Clerk's Office. An electronic copy
shall be submitted to the TIF Committee, together with the required fee. The completed
application shall be submitted to the City Manager, 215 SE 7th Street, Topeka KS 66603
or cclerk@topeka.org.

Application Fee: Each application shall be accompanied with a non-refundable
Application fee made payable to the City of Topeka. The Application fee will be used by
the City to pay the costs incurred by the City in the review of the Application.

Application Fee: \$5,000

Once the application is received and reviewed, if the project is proceeding, the City and
developer shall execute a funding agreement for a deposit of \$30,000 to cover the City's
costs of evaluating the requests which may include but not necessarily be limited to
direct costs of the City's financial and legal advisors.

Date of Application: 03/14/2019

1. Applicant Information

a. Company Name: Downtown Topeka, Inc. Phone: (785) 234-2844

Address: 719 S Kansas Ave. Topeka, KS 66603

Contact Person (if an entity): Vince Frye

Email: vince.frye@topekapartnership.com Fax :

Project Name: Dynamic Core Development District

b. Applicant's Legal
Counsel Name: Bob Johnson Phone: (816) 753-1000

Address: 900 W 48th Place, Suite 900, Kansas City, MO 64112

Email: rjohnson@polsinelli.com Fax: (816) 753-1536

c. Applicant's Engineer: Phone:

Address:

Email: Fax:

2. Applicant's Business Information NOT APPLICABLE

In the appendix, provide attachments of relevant information on the Applicant's background and development experience. Include resumes of key individuals assigned to the project, as well as other projects completed, including location and contact persons from local governments and bank references. Also include a copy of the development company's organization structure.

Additional Business Information:

a. Corporation Partnership Sole Proprietorship Other

b. State of incorporation/organization and year:

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):

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):

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: _____

h. *Attach a letter from a financial institution that the Applicant has sufficient financial resources to obtain a private financing of the project.*

3. General TIF Project Information

Include a map and additional project information in the Appendix as attachments if necessary.

- a. Description of the underlying TIF ~~Project~~ ^{District} The Dynamic Core Development District encompasses downtown Topeka and

NOTO. It runs from Topeka Boulevard on the west to the BNSF railroad tracks on the east. It embodies several features which make Topeka a unique "Crossroads of Freedom," including the Brown v. Bd.

National Historic Site, Constitutional Hall, the courtroom located on the third floor of the downtown post office which was the site of the Brown v. Bd. Federal district court trial

and Papan's Landing. The proposed district corresponds roughly to the census tracts which were designated in 2018 as Federal Opportunity Zones. The availability of multiple layers of incentives is expected

to draw developers and capital from across the city, state and country eager to take part in Topeka's renaissance.

- b. General Location of TIF ~~Project~~ ^{District} Attached - Downtown from 17th on the south to
NOTO on the north: Topeka Blvd. to Adams

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

- d. Legal description of the proposed District: Attached

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

- 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). _____

Attached

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

If yes, provide the County parcel ID numbers: _____

Attached

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

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

Attached

i. Discuss the condition(s) that would qualify the proposed TIF District as an eligible area, as defined within Kansas State law. *If required, provide a blight study as an exhibit.*

The proposed district lies within the boundaries of an enterprise zone which was established prior to July 1, 1992, pursuant to K.S.A.

12-17,107 through 12-17,113, and amendments thereto. Pursuant to KSA 12-1770a (g) and (h), then, the district is an Eligible Area as defined within state law.

j. Is the property currently zoned for the proposed use?

Yes

☒ No

If not, what zoning changes would be required?

Project specific.

k. Describe the impacts of the proposed development on the existing and proposed infrastructure and services including, but not limited to: water, sanitary sewer, storm water, solid waste, streets and schools. Please note that where available, City services shall be utilized.

Project specific but anticipated utility, fiber, road drainage, etc.

4. Financing NOT APPLICABLE

a. Description of TIF Project and costs to be financed and estimated cost for each component: *(Attach separate sheet in Appendix if necessary.)*

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Estimated Cost of TIF Improvements	\$ _____

b. Estimated cost of total project in which TIF is proposed: \$ _____

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

(i) Property Tax (Pay-as-you-go)	Yes	No
(ii) Sales Tax (Pay-as-you-go)	Yes	No
(iii) Special Obligation Bonds:	Yes	No

5. Financing/Bonds: NOT APPLICABLE

a. Do you request the City issue special obligation bonds? Yes No

If yes, what is the requested term of the bonds? (maximum is 20 years): _____

b. Do you plan to use pay-as-you-go (maximum is 20 years)? Yes No

c. Estimated dates to commence and complete construction: _____

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: _____

6. Additional Information: NOT APPLICABLE

Any additional information you believe is relevant or helpful to the consideration of this application. *You may also attach separate documentation.* _____

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 to TIF APPLICATION

Documentation of the following will be helpful to the Finance Team:

- As required by Section 2, provide attachments of relevant information on the Applicant's background and development experience. Include resumes of key individuals assigned to the project, as well as other projects completed, including location and contact persons from local governments and bank references. Also, include a copy of the development company's organization structure.
- Evidence of site control.
- Financial information as outlined in the "Project Feasibility" section of the TIF Procedures document
- 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.

Certification of Applicant

Applicant has received and reviewed the City's Tax Increment Financing Policy (Resolution 9016) and the Applicant understands and agrees to the terms of the policy, including payment of the required fees.

As of the date of the Applicant's execution of this application, to the best of the Applicant's knowledge, the information contained within this application is true and correct.

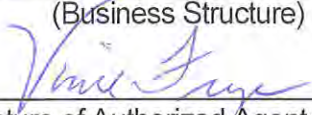
In witness whereof, the undersigned petitioners have executed the above foregoing petition to create the district at the dates set forth opposite their respective signatures below:

Downtown Topeka, Inc.

(Name of Business)

a not-for-profit company authorized to do business in Kansas

(Business Structure)

By: 
Signature of Authorized Agent for Entity

Title: President, Downtown Topeka Inc.

Date: 3-14-19

(Add in a Notary Acknowledgement Page)

AFFIDAVIT

THE STATE OF Kansas)

THE COUNTY OF Shawnee)

ss:

I, Vince Frye, being of lawful age, and having been first duly sworn upon my oath, do hereby state:

1. I am a resident of Topeka, Kansas.

2. As of the date set forth below, I have no financial interest and no entity in which I have any interest has any financial interest in any real property, located anywhere in the state of Kansas, that is delinquent on any special assessments, delinquent on any *ad valorem* taxes, or the subject of any federal, state, or local tax lien.

3. As of the date set forth below, I am not currently delinquent or in default and no entity in which I have any interest is currently delinquent or in default on any debts, responsibilities, or other obligations owed to the City of Topeka, Kansas.



SUBSCRIBED AND SWORN before the undersigned on this 14 day of March, 2019.



Notary Public

My Appointment Expires:



PORTIONS OF THE SOUTHEAST QUARTER OF SECTION 19, PORTIONS OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 20, PORTIONS OF THE NORTHWEST, NORTHEAST, SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 29, PORTIONS OF THE SOUTHEAST QUARTERS OF SECTION 30, PORTIONS OF THE NORTHWEST, SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, PORTIONS OF NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 32, ALL IN TOWNSHIP 11 SOUTH, RANGE 16 EAST; PORTIONS OF NORTHWEST QUARTER OF SECTION 5, PORTIONS OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 6, ALL IN TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF N. KANSAS AVENUE AND NE MORSE STREET; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF NE MORSE STREET TO THE INTERSECTION WITH THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE; THENCE SOUTHWESTERLY ALONG THE EASTERN LIMITS OF THE KANSAS AVENUE BRIDGE TO THE CENTERLINE OF THE SOUTH TOPEKA UNIT FLOOD PROTECTION WALL; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE, 20 FEET, MORE OR LESS; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTER OF VACATED ADAMS STREET TO THE CENTERLINE OF NE 1ST STREET; THENCE SOUTH-SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 217 (ON 1ST STREET) CRANE'S ADDITION; THENCE SOUTHEASTERLY TO A POINT 20 FEET WEST OF THE NORTHEAST CORNER OF LOT 14 (ON ADAMS STREET) CRANE'S ADDITION; THENCE SOUTHERLY TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF VACATED 2ND STREET, (ORDINANCE NO.552) AND THE NORTHERLY PROLONGATION OF THE EASTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (ORDINANCE NO. 552); THENCE SOUTH-SOUTHWESTERLY ALONG SAID PROLONGATED EASTERN RIGHT OF WAY LINE, 80 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF SAID VACATED 2ND STREET; THENCE SOUTH-SOUTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 71 (ON HOLLIDAY STREET) CRANE'S ADDITION, BEING THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET AND THE NORTHERN RIGHT OF WAY LINE OF VACATED 3RD STREET, (ORDINANCE NO. 2489); THENCE SOUTH-SOUTHWESTERLY ALONG THE PROLONGATION OF VACATED HOLLIDAY STREET TO THE NORTHEAST CORNER OF LOT 231 (ON 5TH STREET, VACATED ORDINANCE NO.333) HOLLIDAY ADDITION; THENCE SOUTH-SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (VACATED ORDINANCE NO. 2362) AND IT'S SOUTH-SOUTHWESTERLY PROLONGATION, BEING 25 FEET, MORE OR LESS WEST OF THE BNSF RAILWAY COMPANY TRACK TO THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET TO THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF SW HUNTOON STREET; THENCE NORTH-NORTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTHERN RIGHT OF WAY LINE OF SW 1ST STREET, BEING THE SOUTHEAST CORNER OF THE CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE WESTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE 322 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY LINE OF SW TYLER STREET; THENCE NORTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE, 441 FEET, MORE OR LESS, TO SOUTH LINE OF A PERMANENT RIGHT OF WAY EASEMENT RECORDED IN BOOK 4274, PAGE 567 IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS; THENCE WESTERLY ALONG SAID SOUTH LINE, 135 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF THE UNION PACIFIC RAILROAD COMMON WITH SAID CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE NORTHERLY ALONG SAID

COMMON LINE, A DISTANCE OF 658 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE EASTERLY ALONG SAID SOUTHERLY ORDINARY HIGHT WATER LINE, 343 FEET, MORE OR LESS TO THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO THE CENTERLINE OF THE EARTH LEVEE ALONG THE NORTHERN SIDE OF THE KANSAS RIVER; THENCE WESTERLY ALONG THE CENTERLINE OF SAID EARTH LEVEE TO THE INTERSECTION WITH THE CENTERLINE OF NW TYLER STREET; THENCE NORTHERLY ALONG THE CENTERLINE OF NW TYLER STREET TO THE INTERSECTION WITH NW GORDON STREET; THENCE SOUTH-SOUTHEASTERLY ALONG THE CENTERLINE OF NW GORDON STREET TO THE INTERSECTION WITH THE CENTERLINE OF NW TOPEKA BOULEVARD; THENCE NORTH-NORTHEASTERLY ALONG THE CENTERLINE OF NW TOPEKA BOULEVARD TO THE INTERSECTION WITH THE CENTERLINE OF THE FORMER SOLDIER CREEK DRAINAGE WAY; THENCE EASTERLY ALONG THE MEANDER OF THE CURRENT DRAINAGE WAY TO THE INTERSECTION WITH CENTERLINE OF N. KANSAS AVENUE; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTERLINE OF N. KANSAS AVENUE TO THE PLACE OF BEGINNING.

TOPEKA, KANSAS
TIF DISTRICT
04.01.2019



MORSE ST

KANSAS AVE

NE RIVER RD

TOPIKA BLVD

TOPIKA BLVD

17TH STREET

QUICKREFID	OWNER NAME & MAILING	SITE ADDRESS	ZIP CO MAILING ADDRESS	MAILING ADDRESS32	LANDUSE
R8928	KANSAS DEPARTMENT OF WILDLIFE AND PARKS	NW BELVOIR CT	66606 1020 S KANSAS AVE	TOPEKA KS 66612-1389	9520-Game retreat / wildlife reserve / fishing preserve
R19697	REED PROPERTIES LLC	1260 NW CENTRAL AVE	66608 3206 NW 94TH ST	TOPEKA KS 66618	2102-Retail store
R23815	KANSAS DISTRICT OF THE WESTLEIAN CHURCH INC	1201 NW CENTRAL AVE	66608 5833 SW 29TH ST	TOPEKA KS 66614-5500	6610-Church / place of worship
R23822	SCHOENFELDT, STEVEN & CONNIE	1235 N KANSAS AVE	66608 1235 N KANSAS AVE	TOPEKA KS 66608-1245	2118-Car lot / used car dealership
R23823	MONTAGUE, GREG	115 NW GRANT ST	66608 1325 NW 35TH ST	TOPEKA KS 66618	1101-Single family residence (detached)
R23824	FOOTE, JUSTICE B & GILLIAM, SHANNON D	1226 NW LOGAN ST	66608 1226 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23825	ANDREWS, KATHRYN E	1220 NW LOGAN ST	66608 1220 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23826	LAWRENCE, NANCY	1214 NW LOGAN ST	66608 1214 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23827	WEBB, DONALD D & MARIAN L	1212 NW LOGAN ST	66608 3641 SW DRURY LN	TOPEKA KS 66604-2549	1101-Single family residence (detached)
R23828	WEBB, DONALD D & MARIAN L	NW LOGAN ST	66608 3641 SW DRURY LN	TOPEKA KS 66604-2549	9910-Residential highest and best use
R23829	LUTTERMAN, ERIC J & YELENA	1206 NW LOGAN ST	66608 1214 NE QUINCY ST	TOPEKA KS 66608-1227	1101-Single family residence (detached)
R23830	ABLES, EMMETT L & JANICE K	1202 NW LOGAN ST	66608 1202 NW LOGAN ST	TOPEKA KS 66608-1348	1101-Single family residence (detached)
R23831	CITY OF TOPEKA	NW MORSE ST	66608 215 SE 7TH ST	TOPEKA KS 66603-3914	9965-Institutional highest and best use
R23832	BECKWITH, LYNN	1209 N KANSAS AVE	66608 6690 KIMBERLY DR	TOPEKA KS 66607-4097	3610-Warehouse distribution / storage facility
R23833	EBERT, JOSEPH R	1227 N KANSAS AVE	66608 5446 SW 12th TER	TOPEKA KS 66604	1101-Single family residence (detached)
R23834	BBMI INC	1229 N KANSAS AVE	66608 1824 S Kansas AVE	TOPEKA KS 66612-1435	1101-Single family residence (detached)
R23835	WELLS, ROBERT E & SUSAN J	1243 NE QUINCY ST	66608 1243 NE QUINCY ST	TOPEKA KS 66608-1226	1101-Single family residence (detached)
R23836	HUXMAN, MARK E JR & DONNA D & MARION E	117 NE GRANT ST	66608 117 NE GRANT ST	TOPEKA KS 66608-1206	1101-Single family residence (detached)
R23837	GILBERT, JAMES D & MARSHA S	1236 N KANSAS AVE	66608 1236 N KANSAS AVE	TOPEKA KS 66608	2102-Retail store
R23838	CAMPPOS, ANGELITA	1230 N KANSAS AVE	66608 1230 N KANSAS AVE	TOPEKA KS 66608	1199-Accessory residential support use (garage/shed)
R23839	LEHORO, PATRICK T & STACY A	1226 N KANSAS AVE	66608 4935 STONEBACK DR	TOPEKA KS 66608-1440	1101-Accessory residential support use (garage/shed)
R23840	OGATA, LUIS M	1222 N KANSAS AVE	66608 150 NW EVELYN ST	TOPEKA KS 66608	6140-Technical / trade / specialty school
R23841	DAVIS, EDWARD E & ROBERTA L	1216 N KANSAS AVE	66608 1270 NW HARRISON ST	TOPEKA KS 66608-0310	9910-Residential highest and best use
R23842	THE TOPEKA RESCUE MISSION	1208 N KANSAS AVE	66608 600 N KANSAS AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23843	PENNINGTON, JERRY JOE	1200 N KANSAS AVE	66608 PO BOX 8310	TOPEKA KS 66608-0310	1101-Single family residence (detached)
R23844	PENNINGTON, JERRY JOE	1203 NE QUINCY ST	66608 PO BOX 8310	TOPEKA KS 66608-0310	1101-Single family residence (detached)
R23845	CONNER, KAREN V & MINOTON, PATRICIA	1215 NE QUINCY ST	66608 1215 NE QUINCY ST	TOPEKA KS 66608-1226	1101-Single family residence (detached)
R23846	RICHARDSON, CONNIE & WILSON, ALBERT C	1225 NE QUINCY ST	66608 1225 NE QUINCY ST	TOPEKA KS 66608	1101-Single family residence (detached)
R23847	RAULS, DANIEL E	1229 NE QUINCY ST	66608 3530 NE MERIDEN RD	TOPEKA KS 66617-2431	1101-Single family residence (detached)
R23848	WELLS, ROBERT E & SUSAN J	1233 NE QUINCY ST	66608 1243 NE QUINCY ST	TOPEKA KS 66608-1226	9910-Residential highest and best use
R23923	KAW VALLEY STATE BANK AND TRUST COMPANY	1110 N KANSAS AVE	66608 PO BOX 8009	TOPEKA KS 66608-0009	2210-Bank, credit union, or savings institution
R23924	KAW VALLEY STATE BANK AND TRUST COMPANY	1130 N KANSAS AVE	66608 PO BOX 8009	TOPEKA KS 66608-0009	9950-Commercial highest and best use
R23925	STORMONT-VAL, HEALTHCARE INC	1133 N KANSAS AVE	66608 1500 SW 10TH AVE	TOPEKA KS 66604-1353	6511-Medical / dental office or clinic
R23926	RENFRO PROPERTIES LLC, RENFRO, BOB L & LOIS GENE & GAMBARINO, MARY JO	1135 N KANSAS AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	9910-Residential highest and best use
R23927	VOTAW BARBARA A & JEFFREY R LEWIS	1134 NW CENTRAL AVE	66608 435 NE EDGEWOOD DR	TOPEKA KS 66617	1101-Single family residence (detached)
R23928	RENFRO PROPERTIES LLC	1132 NW CENTRAL AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23929	RENFRO PROPERTIES LLC	1130 NW CENTRAL AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23930	RENFRO PROPERTIES LLC	NW CENTRAL AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	9910-Residential highest and best use
R23931	RENFRO PROPERTIES LLC & RENFRO, DARYLE /	1128 NW CENTRAL AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23932	SAWYER, DONALD A	1123 N KANSAS AVE	66608 1111 N KANSAS AVE	TOPEKA KS 66608	2118-Car lot / used car dealership
R23933	SAWYER, DONALD A & CHERYL L	1111 N KANSAS AVE	66608 404 NE INDEPENDENCE CT	TOPEKA KS 66608-2027	2118-Car lot / used car dealership
R23934	KILLINGSWORTH, MARIAN	1114 NW CENTRAL AVE	66608 1110 NW CENTRAL AVE	TOPEKA KS 66608	9910-Residential highest and best use
R23935	KILLINGSWORTH, MARIAN	1110 NW CENTRAL AVE	66608 1110 NW CENTRAL AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23936	DUNKIN, RICHARD D & DEBORAH L	1106 NW CENTRAL AVE	66608 136 NE 60TH ST	TOPEKA KS 66617-1885	2102-Retail store
R23937	SWOOGGER, LEO GLENN	1101 N KANSAS AVE	66608 5815 SW TURNBERRY CT	TOPEKA KS 66614	2175-Service garage / paint shop / detailing
R23938	SWOOGGER, GLENN JR M.D. REVOCABLE TRUST	1105 N KANSAS AVE	66608 5815 SW TURNBERRY CT	TOPEKA KS 66614-4169	9950-Commercial highest and best use
R23939	COTTONWOOD REAL ESTATE LLC	1127 N KANSAS AVE	66608 1127 N KANSAS AVE	TOPEKA KS 66608-1243	1101-Single family residence (detached)
R23940	RENFRO PROPERTIES LLC	1131 N KANSAS AVE	66608 507 MARINER ST	SILVER LAKE KS 66539-9610	1101-Single family residence (detached)
R23941	JCI CATTLE COMPANY LLC	1125 NW CENTRAL AVE	66608 1912 SW 33RD ST	TOPEKA KS 66611	1101-Single family residence (detached)
R310228	SOMERS, DALE L & LAUBER, GERALD W	NW CENTRAL AVE	66608 1912 SW 33RD ST	TOPEKA KS 66611	1199-Accessory residential support use (garage/shed)
R23942	STADLEY, LARRY L II	NW JACKSON ST	66608 1126 NW Jackson ST	TOpeka KS 66608	9910-Residential highest and best use
R23943	STADLEY, LARRY L II	1126 NW JACKSON ST	66608 1126 NW Jackson ST	TOpeka KS 66608	1101-Single family residence (detached)
R23944	CABELLO, ROBERTO & MERAZ, SILVIA	1122 NW JACKSON ST	66608 434 NE LIME ST	TOPEKA KS 66616-1129	1101-Single family residence (detached)
R23945	STADLEY, GLENDA G	1120 NW JACKSON ST	66608 1120 NW JACKSON ST	TOpeka KS 66608	1101-Single family residence (detached)
R23946	LEWIS, ROGER D JR	1118 NW JACKSON ST	66608 1022 SW BOSWELL AVE	TOPEKA KS 66604-1414	9910-Residential highest and best use
R23947	HOLMES, MARGARET C	1116 NW JACKSON ST	66608 5224 NW ARROYO CT	TOPEKA KS 66618-3152	1101-Single family residence (detached)
R23948	CL SERVICES LLC	1114 NW JACKSON ST	66608 Attn: LEONE HARRIES 5821 SW 22ND	TOPEKA KS 66614	1101-Single family residence (detached)
R23949	CL SERVICES LLC	1110 NW JACKSON ST	66608 Attn: LEONE HARRIES 5821 SW 22ND	TOPEKA KS 66614	1101-Single family residence (detached)
R23950	POPE, MERLE A & KAREN E	1102 NW JACKSON ST	66608 1303 NE MONROE ST	TOPEKA KS 66608-1152	1101-Single family residence (detached)
R23951	JP REO LLC	1103 NW CENTRAL AVE	66608 4445 CORPORAION LN	TOPEKA KS 66608-1152	1101-Single family residence (detached)
R23952	RAAGSDALE, JEFFERY SCOTT	1107 NW CENTRAL AVE	66608 2517 SW Santa Fe CT	TOPEKA KS 66614	1101-Single family residence (detached)
R23953	MCGUIRE, MICHAEL & THOMAS, NORMA	1109 NW CENTRAL AVE	66608 1109 NW CENTRAL AVE	TOPEKA KS 66608	1101-Single family residence (detached)
R23954	HERCULES, VICTOR M	1113 NW CENTRAL AVE	66608 809 SW LINCOLN ST	TOPEKA KS 66606	1101-Single family residence (detached)
R23955	INTERNATIONAL CENTERS WORLDWIDE INC	1117 NW CENTRAL AVE	66608 PO BOX 4857	TOPEKA KS 66604-0857	1160-Manufactured home site
R23956	SEIBERT, STEPHEN THOMAS & BERNIECE C	1117 NW CENTRAL AVE	66608 1117 NW CENTRAL AVE	TOPEKA KS 66608-1311	1101-Single family residence (detached)

R24194	NICOL, MICHAEL R & C M & M D & LANE, MF & FLEMING, DR & LEES, MK & HOLLOWAY, SW,	920 NW VAN BUREN ST	66608 1399 NW 62nd ST	TOPEKA KS 66618	1101- Single family residence (detached)
R24195	ENGERT, JR LEO G	914 NW VAN BUREN ST	66608 920 NW VAN BUREN ST	TOPEKA KS 66608-1373	9910- Residential highest and best use
R24196	KENNEY, ROBERT F & LANA L	220 NW LAURENT ST	66608 7051 SW OLDFENS CT	TOPEKA KS 66614	9910- Residential highest and best use
R24197	DOMA LLC	218 NW LAURENT ST	66608 1301 N TOPEKA BLVD	TOPEKA KS 66608	1101- Single family residence (detached)
R24198	CHAVEZ, MICHAEL L & JEANNE F	216 NW LAURENT ST	66608 1301 N TOPEKA BLVD	TOPEKA KS 66608	1101- Single family residence (detached)
R24199	PEREZ, ELUTERIO D	903 NW JACKSON ST	66608 2410 NE GRANTVILLE RD	TOPEKA KS 66608-1723	9910- Residential highest and best use
R24200	ANGEL-PEREZ, DANIEL & GARAY, BEATRIZ	909 NW JACKSON ST	66608 909 NW JACKSON ST	TOPEKA KS 66608-1332	1101- Single family residence (detached)
R24201	ROGERS MARGARET A TRUST	913 NW JACKSON ST	66608 913 NW JACKSON ST	TOPEKA KS 66608	1101- Single family residence (detached)
R24202	GONZALES, JAVIER & LETICIA	917 NW JACKSON ST	66608 917 NW JACKSON ST	TOPEKA KS 66608-1332	1101- Single family residence (detached)
R24203	NORTH TOPEKA BAPTIST CHURCH	923 NW JACKSON ST	66608 PO BOX 8183	TOPEKA KS 66608-0183	6610- Church / place of worship
R24204	MASSER, BILLY S & WILLIAM G	931 NW VAN BUREN ST	66608 9249 VALLEY VIEW DR	OZAWNE KS 66070	1180- Dwelling converted to apartments
R24205	RAMIREZ, CARMEN GONZALES & LUISA J	927 NW VAN BUREN ST	66608 927 NW VAN BUREN ST	TOPEKA KS 66608-1374	1101- Single family residence (detached)
R24206	MILLER, FRANK E	923 NW VAN BUREN ST	66608 923 NW VAN BUREN ST	TOPEKA KS 66608-1374	1101- Single family residence (detached)
R24207	MASSER, WILLIAM & ZENA	919 NW VAN BUREN ST	66608 919 NW VAN BUREN ST	TOPEKA KS 66608	1101- Single family residence (detached)
R24208	MERILLAT INC	NW VAN BUREN ST	66608 PO BOX 378	TOPEKA KS 66601-0378	9910- Residential highest and best use
R24209	SAUCEDO GARCIA, M I ALBERTO	905 NW VAN BUREN ST	66608 PO BOX 378	TOPEKA KS 66601-0378	3400- Miscellaneous manufacturing
R24210	NORRIS STREET INVESTMENTS LLC	835 NW VAN BUREN ST	66608 835 NW VAN BUREN ST	TOPEKA KS 66608	3610- Warehouse distribution / storage facility
R24211	QUINN, CHARLES M	310 NW NORRIS ST	66608 PO BOX 8066	TOPEKA KS 66608	3216- Millwork / veneer / plywood mfg.
R24212	GRACE, FRANK P	311 NW LAURENT ST	66608 802 E FRONT ST	PERRY KS 66073	1101- Single family residence (detached)
R24213	GRACE, FRANK P	833 NW JACKSON ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1180- Dwelling converted to apartments
R24214	GRACE, FRANK P	215 NW LAURENT ST	66608 1515 NW 3RD ST	ABILENE KS 67410-3513	2102- Retail store
R24215	GRACE, FRANK P	225 NW LAURENT ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1101- Single family residence (detached)
R24216	KECK, GERALD L & GERALD L JR	840 NW VAN BUREN ST	66608 PO BOX 8814	TOPEKA KS 66608-0814	1101- Single family residence (detached)
R24217	KECK, GERALD L SR	0000 NW VAN BUREN ST	66608 300 N CEDAR ST APT 304	ABILENE KS 67410-3606	2102- Retail store
R24218	NORRIS STREET INVESTMENTS LLC	NW VAN BUREN ST	66608 PO BOX 8066	TOPEKA KS 66608	9950- Commercial highest and best use
R24219	TRUSTEES OF THE CARPENTERS JOINT TRAINING FUND OF ST LOUIS	212 NW NORRIS ST	66608 1001 HAARPTON	ST LOUIS MO 63139	6810- Union hall / labor / political organization
R24220	THE TOPEKA RESCUE MISSION	206 NW NORRIS ST	66608 600 N KANSAS AVE	TOPEKA KS 66608	3630- Warehouse-retail combination
R24221	PENNINGTON, JERRY J	807 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608	9950- Commercial highest and best use
R24222	PENNINGTON, JERRY J	815 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608-0310	3610- Warehouse distribution / storage facility
R24223	LOPEZ, GABRIELA	823 NW JACKSON ST	66608 823 NW JACKSON ST	TOPEKA KS 66608	1101- Single family residence (detached)
R24224	GONZALEZ, RAMIRO G & HERNANDEZ PEREZ, ORFELINDA	825 NW JACKSON ST	66608 825 NW JACKSON ST	TOPEKA KS 66608-1330	1101- Single family residence (detached)
R24225	HOWE, MARY G	829 NW JACKSON ST	66608 1125 S 86TH ST	KANSAS CITY KS 66111	1101- Single family residence (detached)
R24226	ROBUCK JEWELERS LLC	845 N KANSAS AVE	66608 845 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24227	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	109 NW LAURENT ST	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24228	KNOX, WILLIAM R & PORTER-KNOX, JAMIE K	115 NW LAURENT ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	3630- Warehouse-retail combination
R24229	KNOX, WILLIAM R	832 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	1101- Single family residence (detached)
R24230	VANCE, LARRY V & DIANA L	830 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	3610- Warehouse distribution / storage facility
R24231	VANCE, LARRY V & DIANA L	828 NW JACKSON ST	66608 4610 NW 62ND ST	TOPEKA KS 66618-3065	9950- Commercial highest and best use
R24232	KNOX, WILLIAM R	822 NW JACKSON ST	66608 209 SW FRANKLIN AVE	TOPEKA KS 66606-1326	1101- Single family residence (detached)
R24233	PENNINGTON, JERRY J	818 NW JACKSON ST	66608 PO BOX 8310	TOPEKA KS 66608-0310	3342- Steel fabrication
R24234	PENNINGTON, JERRY J	116 NW NORRIS ST	66608 116 NW NORRIS ST	TOPEKA KS 66608-1354	3342- Steel fabrication
R24235	CUBIE, DEANA S & ALEX P	122 NW NORRIS ST	66608 3911 NW 44TH TER	TOPEKA KS 66618-3513	3640- Warehouse-office combination
R24236	MILLER, WILLIAM C & AMY L	801 N KANSAS AVE	66608 6021 NW GLENWOOD DR	TOPEKA KS 66617	2101- Downtown row store
R24237	VANCE RENTAL PROPERTIES INC	805 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24238	VANCE RENTAL PROPERTIES INC	813 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24239	VANCE RENTAL PROPERTIES INC	817 N KANSAS AVE	66608 813 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24240	BROWN, GARY W & JOYCE E	821 N KANSAS AVE	66608 1055 E 251 DIAGONAL RD	LAWRENCE KS 66047	2101- Downtown row store
R24241	LINDEWUTH INC	823 N KANSAS AVE	66608 4350 NW GREEN HILLS PL	TOPEKA KS 66618-1631	2101- Downtown row store
R24242	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	831 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24243	PBA LLC	833 N KANSAS AVE	66608 508 NW 62ND ST	TOPEKA KS 66617	2101- Downtown row store
R24244	JACKSON DAVID D & ANNETTE L & GLASGOW JERRY W & LINDA L	835 N KANSAS AVE	66608 193 NW LOWER SILVER LAKE RD	TOPEKA KS 66608-1631	2101- Downtown row store
R24245	TYLER PROPERTIES LLC	837 N KANSAS AVE	66608 631 NW TYLER CT	TOPEKA KS 66608-1799	2101- Downtown row store
R24246	RODRIGON, JERRY J	839 N KANSAS AVE	66608 7481 74TH ST	MERIDEN KS 66512	2101- Downtown row store
R24247	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	841 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24248	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	118 NE NORRIS ST	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	2650- Parking lot (uncovered)
R24249	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	842 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24250	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	840 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24251	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	838 N KANSAS AVE	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950- Commercial highest and best use
R24252	RUDY PROPERTY MANAGEMENT LLC	834 N KANSAS AVE	66608 843 N KANSAS AVE	TOPEKA KS 66608-1210	2101- Downtown row store
R24253	RUDY PROPERTY MANAGEMENT LLC	830 N KANSAS AVE	66608 4911 SE 10TH ST	TECUMSEH KS 66542	2101- Downtown row store
R24254	JACKSON DAVID D & ANNETTE L & GLASGOW JERRY W & LINDA L	828 N KANSAS AVE	66608 4911 SE 10TH ST	TECUMSEH KS 66542	2101- Downtown row store
R24255	JACKSON DAVID D & ANNETTE L & GLASGOW JERRY W & LINDA L	826 N KANSAS AVE	66608 1735 N KANSAS AVE	TOPEKA KS 66608-1254	2101- Downtown row store

R24799	WHITELENS INC	301 NW NORRIS ST	66608 211 NW NORRIS ST	TOPEKA KS 66608-1378	3640- Warehouse-office combination
R24823	THE TOPEKA RESCUE MISSION	621 NW HARRISON ST	66608 600 N KANSAS AVE	TOPEKA KS 66608	9910- Residential highest and best use
R24824	TOPEKA RESCUE MISSION INC	630 NW TOPEKA BLVD	66608 PO BOX 8350	TOPEKA KS 66608-0350	9950- Commercial highest and best use
R24825	TOPEKA RESCUE MISSION	606 NW TOPEKA BLVD	66608 600 N KANSAS AVE	TOPEKA KS 66608	6110- Nursery / kindergarten / preschool
R24826	TOPEKA RESCUE MISSION	601 NW HARRISON ST	66608 600 N KANSAS AVE	TOPEKA KS 66608	6110- Nursery / kindergarten / preschool
R24827	TOPEKA RESCUE MISSION	615 NW HARRISON ST	66608 600 N KANSAS AVE	TOPEKA KS 66608	9910- Residential highest and best use
R24828	RAILROAD HERITAGE INC	620 NW HARRISON ST	66608 200 NW RAILROAD ST	TOPEKA KS 66608-1268	5210- Museum / science & technology center
R24829	CITY OF TOPEKA	324 NW CURTIS ST	66608 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9910- Residential highest and best use
R24830	RAILROAD HERITAGE INC	320 NW CURTIS ST	66608 PO BOX 8792	TOPEKA KS 66608-0792	3610- Warehouse distribution / storage facility
R24831	RAILROAD HERITAGE INC	200 NW RAILROAD ST	66608 PO BOX 8792	TOPEKA KS 66608-0792	5210- Museum / science & technology center
R24882	KANSAS DEPARTMENT OF WILDLIFE AND PARKS	SV 1ST ST	66603 1020 S KANSAS AVE FL 2, STE 200	TOPEKA KS 66612-1389	9520- Game retreat / wildlife reserve / fishing preserve
R25245	CITY OF TOPEKA	601 NW JACKSON ST	66608 620 SE Madison ST STE 203	TOPEKA KS 66607-1118	3610- Warehouse distribution / storage facility
R25246	RAILROAD HERITAGE INC	500 NW VAN BUREN ST	66608 200 NW RAILROAD ST	TOPEKA KS 66608-1268	5210- Museum / science & technology center
R25247	CITY OF TOPEKA	225 NW CURTIS ST	66608 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	3640- Warehouse-office combination
R25248	CITY OF TOPEKA	N KANSAS AVE	66608 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9950- Commercial highest and best use
R25249	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	409 NW CURTIS ST	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950- Commercial highest and best use
R25250	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	415 NW CURTIS ST	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950- Commercial highest and best use
R25251	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	417 NW CURTIS ST	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9950- Commercial highest and best use
R25252	CITY OF TOPEKA	NW CURTIS ST	66608 216 SE 6TH AVE	TOPEKA KS 66603	9950- Commercial highest and best use
R25253	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	520 NW TOPEKA BLVD	66608 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9910- Residential highest and best use
R25259	CITY OF TOPEKA	NW POLK ST	66608 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9965- Institutional highest and best use
R25260	CITY OF TOPEKA	201 NW TOPEKA BLVD	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	4000- Transportation / communication / information / utilities
R25262	CITY OF TOPEKA	NW TYLER ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6000- Education / public admin / health care / other institutions
R25264	CITY OF TOPEKA	322 NW CRANE ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	3332- Glass / glassware products mfg
R25265	DEGGINGER FOUNDRY INC	436 NE CRANE ST	66603 436 NE Crane St	TOPEKA KS 66603	4133- Local transit systems - bus/special needs/other
R25266	TOPEKA METROPOLITAN TRANSIT AUTHORITY	200 N KANSAS AVE	66603 201 N KANSAS AVE	TOPEKA KS 66603-3622	3610- Warehouse distribution / storage facility
R25267	TKG 125 LLC	125 N KANSAS AVE	66603 2420 SW DUANE ST	TOPEKA KS 66606	3630- Warehouse-retail combination
R25268	M & D CLASSICS STORAGE LLC	129 N KANSAS AVE	66603 1808 FOXHIRE DR	LAWRENCE KS 66047-2015	3630- Warehouse-retail combination
R25269	JONES, WILLIAM H TRUST	126 NW JACKSON ST	66603 PO BOX 385	TOPEKA KS 66603	3640- Warehouse-office combination
R25270	JONES, WILLIAM H TRUST	NW JACKSON ST	66603 PO BOX 385	TOPEKA KS 66603	3640- Warehouse-office combination
R25271	JONES, WILLIAM H TRUST	100 NW JACKSON ST #5	66603 PO BOX 385	TOPEKA KS 66603	3610- Warehouse distribution / storage facility
R25272	101 N KANSAS LLC	101 N KANSAS AVE	66603 3718 SW STONEBRIDGE CT	TOPEKA KS 66603	3610- Warehouse distribution / storage facility
R25273	109 N KANSAS LLC	66603 906 S Kansas AVE STE 200	TOPEKA KS 66612-1211	TOPEKA KS 66612-1211	3630- Warehouse-retail combination
R25274	IT & DV INVESTMENTS LLC	121 N KANSAS AVE	66603 5924 NW MELBA DRIVE CT	TOPEKA KS 66618-3269	3610- Warehouse distribution / storage facility
R25275	JIT VENTURES INC	115 N KANSAS AVE	66603 109 N KANSAS AVE	TOPEKA KS 66603	3610- Warehouse distribution / storage facility
R25276	FOX, MICHAEL R TRUST	115 N KANSAS AVE	66603 128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3610- Warehouse distribution / storage facility
R25277	J T LARDNER CUT STONE LLC	134 NW VAN BUREN ST	66603 128 NW VAN BUREN ST	TOPEKA KS 66603-3316	1150- Apartment unit (single family - e.g. condo unit)
R25278	J T LARDNER CUT STONE LLC	132 NW VAN BUREN ST	66603 128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3610- Warehouse distribution / storage facility
R25279	KUEHNLE, FRED J	114 NW VAN BUREN ST	66603 115 NW VAN BUREN ST	TOPEKA KS 66603-3315	3610- Warehouse distribution / storage facility
R25280	USKA, DONALD E	218 SW 1ST ST	66603 2849 SW HEREFORDSHIRE RD	TOPEKA KS 66614-4725	3335- Cut stone and stone products mfg
R25281	LEVIN, JOHN G	109 NW JACKSON ST	66603 115 NW VAN BUREN ST	TOPEKA KS 66603-3315	3115- Beverage products mfg
R25282	ASSOCIATED INVESTMENTS LLC	115 NW JACKSON ST	66603 170 GLENVIEW WEST	LAKE QUINCY KS 66017	3630- Warehouse-retail combination
R25283	SHELINBARGER, BOB D & DEBRA R TRUST	117 NW JACKSON ST	66603 14426 MEADOW CT	OVERLAND PARK KS 66224-396	3630- Warehouse distribution / storage facility
R25284	MIM OF TOPEKA LLC	127 NW VAN BUREN ST	66603 127 NW VAN BUREN ST	TOPEKA KS 66603-3315	2321- Mini-storage warehouse / self-storage
R25285	J T LARDNER CUT STONE LLC	320 SW 1ST ST	66603 128 NW VAN BUREN ST	TOPEKA KS 66603-3316	3640- Warehouse-office combination
R25286	LEVIN, JOHN G & JOAN RIVERS	306 SW 1ST ST	66603 115 NW VAN BUREN ST	TOPEKA KS 66603	3610- Warehouse distribution / storage facility
R25287	HANDLEY, SCOTTIE J & MELISSA J	300 SW 1ST ST	66603 300 SW 1ST ST	TOPEKA KS 66603	3610- Warehouse distribution / storage facility
R25288	LEVIN, JOHN G & JOAN RIVERS	115 NW VAN BUREN ST	66603 115 NW VAN BUREN ST	TOPEKA KS 66603	3630- Warehouse-retail combination
R25289	VANBUREN PROPERTY LLC	117 NW VAN BUREN ST	66603 1048 Brianna CT	Manhattan KS 66503	3610- Warehouse distribution / storage facility
R25290	FIRST AVENUE LEASING LLC	139 NW HARRISON ST	66603 3545 SW 6TH AVE	TOPEKA KS 66606-1985	3610- Warehouse distribution / storage facility
R25291	ROTHFUSS REAL ESTATE LLC	430 SW 1ST ST	66603 430 SW 1ST ST	TOPEKA KS 66603	3640- Warehouse-office combination
R25292	USA POSTAL SERVICE	400 SW 1ST ST	66603 200 SW GARY ORMSBY DR	TOPEKA KS 66624-9998	2175- Service garage / paint shop / detailing
R25293	A & A MEDICAL TRANSPORTATION INC	135 NW HARRISON ST	66603 135 NW HARRISON ST	TOPEKA KS 66603-3013	2175- Service garage / paint shop / detailing
R25314	CARVER, CHARLES G	115 SW HARRISON ST	66603 PO BOX 2605	TOPEKA KS 66601-2605	1101- Single family residence (detached)
R25318	CGC LLC	125 SW HARRISON ST	66603 PO BOX 2605	TOPEKA KS 66601-2605	1101- Single family residence (detached)
R25319	CGC LLC	127 SW HARRISON ST	66603 PO BOX 2605	TOPEKA KS 66601-2605	1101- Single family residence (detached)
R25320	CITY OF TOPEKA	100 SW VAN BUREN ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650- Parking lot (uncovered)
R25322	SHAWNEE WOODWORK INC	103 SW VAN BUREN ST	66603 PO BOX 633	TOPEKA KS 66601-0633	3610- Warehouse distribution / storage facility
R25323	SHAWNEE WOODWORK INC	112 SW HARRISON ST	66603 PO BOX 633	TOPEKA KS 66601-0633	3230- Furniture and related products mfg
R25324	HUTTON, CHRIS A & SUSAN D	124 SW HARRISON ST	66603 201 SW TOPEKA BLVD	TOPEKA KS 66603-3059	3610- Warehouse distribution / storage facility
R25326	CGC LLC	128 SW HARRISON ST	66603 PO BOX 2605	TOPEKA KS 66601-2605	1101- Single family residence (detached)
R25327	YOUNG, CHRISTOPHER	130 SW HARRISON ST	66603 130 SW HARRISON ST	TOPEKA KS 66603	1101- Duplex
R25328	DURST, ROBERT D JR	308 SW 2ND ST	66603 1706 SW 10TH AVE	TOPEKA KS 66604-1306	1101- Single family residence (detached)
R25329	HESTING, BARBARA A TRUST	135 SW VAN BUREN ST	66603 19385 Edgerton RD	Edgerton KS 66021-9724	1101- Single family residence (detached)
R25330	HESTING, BARBARA A TRUST	133 SW VAN BUREN ST	66603 19385 Edgerton RD	Edgerton KS 66021-9724	1101- Single family residence (detached)

R25416	SANDERS, JAMES N & DONNA M	221 SW VAN BUREN ST	66603 1625 SW 26TH ST	TOPEKA KS 66601-1332	1180-Dwelling converted to apartments
R25417	SANDERS, JAMES N & DONNA M	225 SW VAN BUREN ST	66603 1625 SW 26TH ST	TOPEKA KS 66613-1332	1180-Dwelling converted to apartments
R25418	SANDERS, JAMES	213 SW VAN BUREN ST	66603 1625 SW 26th ST	TOPEKA KS 66611-1332	1101-Single family residence (detached)
R25419	SANDERS, JAMES	209 SW VAN BUREN ST	66603 1625 SW 26th ST	TOPEKA KS 66611-1332	1101-Single family residence (detached)
R25420	SANDERS, JAMES N & DONNA M	207 SW VAN BUREN ST	66603 1625 SW 26TH ST	TOPEKA KS 66613-1332	1101-Single family residence (detached)
R25421	CGC LLC	205 SW VAN BUREN ST	66603 PO BOX 2605	TOPEKA KS 66601-2605	1101-Single family residence (detached)
R25422	KOL INC	213 SW JACKSON ST	66603 4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25423	ST JOSEPH CATHOLIC CHURCH	226 SW VAN BUREN ST	66603 227 SW VAN BUREN ST	TOPEKA KS 66603-3319	6610-Church / place of worship
R25424	KOL INC	225 SW JACKSON ST	66603 4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25425	PAUL PROPERTIES LLC	201 S KANSAS AVE	66603 201 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R25426	KOL INC	200 SW JACKSON ST	66603 4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	3610-Warehouse distribution / storage facility
R25427	LINDEMUTH INC	235 S KANSAS AVE	66603 4350 NW GREEN HILLS PL	TOPEKA KS 66618-1631	2401-Generel office building (1-4 stories)
R25428	HCFN TITLE HOLDING CORPORATION	215 SE QUINCY ST	66603 Attn: ROBIN POTTS 3801 TOPPING A	TOPEKA KS 66603-3632	3640-Warehouse-office combination
R25429	LETS HELP INC	200 S KANSAS AVE	66603 215 SE QUINCY ST	TOPEKA KS 66603-3632	2401-Generel office building (1-4 stories)
R25430	CATHOLIC CHARITIES OF NORTHEAST KANSAS INC	224 S KANSAS AVE	66603 9720 W 87TH ST	OVERLAND PARK KS 66212-456	General office buildings (1-4 stories)
R25431	CITY OF TOPEKA	320 S KANSAS AVE	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6222-Correctional Institutions / Jail / prison
R25432	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	2101-Downtown row store
R25433	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25434	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25435	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25436	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25437	WIGGINS BARBARA E	303 S KANSAS AVE #E	66603 3204 VICTORIAN MANOR LN	HOUSTON TX 77047	1150-Apartment unit (single family - e.g. condo unit)
R25438	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #F	66603 301 S KANSAS AVE	TOPEKA KS 66603-3462	1150-Apartment unit (single family - e.g. condo unit)
R25439	HISTORIC LANDMARK DEVELOPMENT INC	303 S KANSAS AVE #I	66603 3103 NW BUTTON RD	TOPEKA KS 66618-1429	1150-Apartment unit (single family - e.g. condo unit)
R25440	TFI LLC	300 SW JACKSON ST	66603 1848 SW HOCH RD	TOPEKA KS 66615	3342-Steel fabrication
R25441	CLUNKINBARD, STEVE	112 SW 4TH ST	66603 120 SW 4TH ST	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R25442	STODS RENTALS	124 SW 4TH ST	66603 5000 KINOSTON ST	TOPEKA KS 66603	2101-Downtown row store
R25443	PERELESS TYRE CO	333 S KANSAS AVE	66603 5001 SE 57TH ST LOT 1	DENVER CO 80239-2522	2175-Service garage / paint shop / detailing
R25444	KRATOCHWEL, PATRICIA A	325 S KANSAS AVE	66603 301 S KANSAS AVE	TOPEKA KS 66619	2101-Downtown row store
R25445	RIVER HILL DEVELOPERS LLC	323 S KANSAS AVE	66603 2942 SW WYANMAKER DR STE A	TOPEKA KS 66614	3640-Warehouse-office combination
R25446	HAGEDORN, JAMES R	311 S KANSAS AVE	66603 PO BOX 751302	TOPEKA KS 66615	2101-Downtown row store
R25447	SMITH, GARY D	309 S KANSAS AVE	66603 2112 SW GLUCK RD	TOPEKA KS 66614-9781	2101-Downtown row store
R25448	FISHER, ROBERT E, Jr	307 S KANSAS AVE	66603 PO BOX 2746	TOPEKA KS 66601	2101-Downtown row store
R25449	TFI LLC	309 SW JACKSON ST	66603 3103 NW BUTTON RD	TOPEKA KS 66618-1429	3342-Steel fabrication
R25450	VAN BUREN STREET DEVELOPMENT LLC	304 SW VAN BUREN ST	66603 301 S KANSAS AVE	TOPEKA KS 66603	6570-Charitable institution
R25451	VAN BUREN STREET DEVELOPMENT LLC	308 SW VAN BUREN ST	66603 301 S KANSAS AVE	TOPEKA KS 66603	6570-Charitable institution
R25452	MCABEE BODY SHOP INC	312 SW VAN BUREN ST	66603 PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25453	MCABEE BODY SHOP INC	316 SW VAN BUREN ST	66603 PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25454	PLUMBERG, TIMOTHY J	318 SW VAN BUREN ST	66603 324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25455	PLUMBERG, TIMOTHY J	324 SW VAN BUREN ST	66603 324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1180-Dwelling converted to apartments
R25456	PLUMBERG, TIMOTHY J	328 SW VAN BUREN ST	66603 324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25457	PLUMBERG, TIMOTHY J	330 SW VAN BUREN ST	66603 324 SW VAN BUREN ST	TOPEKA KS 66603-3330	1101-Single family residence (detached)
R25458	MURPHY, JAMES C & SUSAN D	SW VAN BUREN ST	66603 7157 LAKEVIEW DR	OZAWAIE KS 66607-5176	9910-Residential highest and best use
R25459	WILCOX, CHRISTOPHER J	214 SW 4TH ST	66603 PO BOX 825	EDGEWATER KS 66615	1180-Dwelling converted to apartments
R25460	TREE OF LIFE FELLOWSHIP INC	335 SW JACKSON ST	66603 1830 SW COTTONWOOD LN	TOPEKA KS 66615	2101-Downtown row store
R25461	TREE OF LIFE FELLOWSHIP INC	327 SW JACKSON ST	66603 1830 SW COTTONWOOD LN	TOPEKA KS 66615	9950-Commercial highest and best use
R25462	MCABEE, RUSSELL A & BRENDA A	317 SW JACKSON ST	66603 PO BOX 246	SILVER LAKE KS 66539-0246	2175-Service garage / paint shop / detailing
R25463	MCABEE, RUSSELL A & BRENDA A	317 SW JACKSON ST	66603 PO BOX 246	SILVER LAKE KS 66539-0246	2175-Service garage / paint shop / detailing
R25464	MCABEE BODY SHOP INC	313 SW JACKSON ST	66603 PO BOX 246	SILVER LAKE KS 66539	2175-Service garage / paint shop / detailing
R25465	K P L GAS SERVICE	SW VAN BUREN ST	66603 PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25466	PENCE, GARY L & JUDITH K	300 SW HARRISON ST	66603 1745 SW BURNETT RD	TOPEKA KS 66604-3417	1180-Dwelling converted to apartments
R25467	EKLUND, MARIE LIVING TRUST	302 SW HARRISON ST	66603 2910 SE VIRGINIA AVE	TOPEKA KS 66605	1101-Single family residence (detached)
R25468	WILCOX PROPERTIES LLC	306 SW HARRISON ST	66603 PO BOX 385	EDGEWATER KS 66605	1180-Dwelling converted to apartments
R25469	RIVERA ALFARO, NUOVA Y	314 SW HARRISON ST	66603 314 SW HARRISON ST	TOPEKA KS 66603	1101-Single family residence (detached)
R25470	METCALFE, EDWARD RAWLON	316 SW HARRISON ST	66603 316 SW HARRISON ST	TOPEKA KS 66603-3021	1101-Single family residence (detached)
R25471	BREKATHROUGH HOUSE INC	318 SW HARRISON ST	66603 1195 SW BUCHANAN ST	TOPEKA KS 66604-1172	1320-Rooming and boarding house
R25472	FALTA, PATRICK & BARBARA	334 SW HARRISON ST	66603 334 SW HARRISON ST	TOPEKA KS 66603	1101-Single family residence (detached)
R25473	KANSAS POWER AND LIGHT COMPANY	SW VAN BUREN ST	66603 PO BOX 889	TOPEKA KS 66601	4310-Electric power generation
R25474	K P L GAS SERVICE	335 SW VAN BUREN ST	66603 PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25475	WESTERN RESOURCES INC	325 SW VAN BUREN ST	66603 PO BOX 889	TOPEKA KS 66601-0889	4310-Electric power generation
R25476	FAKHRAI MORGAN M & HIROKO KOMIYA TRUST	301 SW HARRISON ST	66603 6150 SW 24TH TER	TOPEKA KS 66614-5103	9910-Residential highest and best use
R25477	WALKER JOSEPH S & GARTH MARTIN COMBS	409 SW 3RD ST	66603 915 SW Buchanan ST	TOPEKA KS 66606-1429	1101-Single family residence (detached)
R25478	WALKER JOSEPH S & GARTH MARTIN COMBS	411 SW 3RD ST	66603 915 SW Buchanan ST	TOPEKA KS 66606-1429	2800-Retail / office / apartment combination
R25479	A DOUBLE DOLLAR LLP	413 SW 3RD ST	66603 9128 SW WILLOW AVE	TOPEKA KS 66606	1101-Single family residence (detached)
R25480	A DOUBLE DOLLAR LLP	302 SW TOPEKA BLVD	66603 1728 SW WILLOW AVE	TOPEKA KS 66606	1170-Garden apartment complex (1-3 stories)
R25481	A DOUBLE DOLLAR LLP	SW TOPEKA BLVD	66603 1728 SW WILLOW AVE	TOPEKA KS 66606	1170-Garden apartment complex (1-3 stories)

R25552	GDC TOPEKA LLC	555 S KANSAS AVE	66603 4706 BROADWAY STE 240	KANSAS CITY MO 64112	2402-General office buildings (5+ stories)
R25553	TOPEKA AREA ACCESSIBLE HOUSING INDUSTRIES INC	501 SW JACKSON ST	66603 501 SW JACKSON	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R25554	JACKSON STREET PROPERTIES LLC	509 SW JACKSON ST	66603 2408 W 86TH TER	LEAWOOD KS 66206-1520	2401-General office buildings (1-4 stories)
R25555	TOPEKA PUBLIC BUILDING COMMISSION	500 SW VAN BUREN ST	66603 900 SW JACKSON ST RM 107	TOPEKA KS 66612-1246	2401-General office buildings (1-4 stories)
R25556	HERITAGE DEVELOPMENT COMPANY	214 SW 6TH AVE	66603 1229 SW LAKEVIEW DR APT 6	TOPEKA KS 66604	2401-General office buildings (1-4 stories)
R25557	ONE GAS INC	200 SW 6TH AVE	66603 100 W 5TH ST	TULSA OK 74103	2401-General office buildings (1-4 stories)
R25558	ONE GAS INC	523 SW JACKSON ST	66603 100 W 5TH ST	TULSA OK 74103	2401-General office buildings (1-4 stories)
R25559	TOPEKA AREA ACCESSIBLE HOUSING INDUSTRIES INC	519 SW JACKSON ST	66603 501 SW JACKSON	TOPEKA KS 66603	2650-Parking lot (uncovered)
R25560	TRIPTZRETE LLC	305 SW 5TH ST	66603 335 SW YORKSHIRE RD	TOPEKA KS 66606	2101-Downtown row store
R25561	TRIPTZRETE LLC	315 SW 5TH ST	66603 335 SW YORKSHIRE RD	TOPEKA KS 66606	2101-Downtown row store
R25562	DUNBAR, JOHN	500 SW HARRISON ST	66603 1865 N 200 RD	BALDWIN CITY KS 66006-7132	2102-Retail store
R25563	PACIFIC COAST INVESTMENTS LLC	508 SW HARRISON ST	66603 7040 SW GREENVIEW DR	TOPEKA KS 66619	9950-Commercial highest and best use
R25564	PACIFIC COAST INVESTMENTS LLC	512 SW HARRISON ST	66603 7040 SW GREENVIEW DR	TOPEKA KS 66619	9950-Commercial highest and best use
R25565	STATE OF KANSAS	516 SW HARRISON ST	66603 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2650-Parking lot (uncovered)
R25566	HEILMAN, LARRY E & SUSANNE E	310 SW 6TH AVE	66603 523 SW 35TH ST	TOPEKA KS 66614-1618	2101-Downtown row store
R25567	GREGG OTIS N TRUST	300 SW 6TH AVE	66603 6125 SW 39th ST	TOpeka KS 66610	2175-Service garage / paint shop / detailing
R327402	GREGG OTIS N TRUST	300 SW 6TH AVE	66603 6125 SW 39th ST	TOpeka KS 66610	2175-Service garage / paint shop / detailing
R327402	GREGG OTIS N TRUST	300 SW 6TH AVE	66603 6125 SW 39th ST	TOpeka KS 66610	2175-Service garage / paint shop / detailing
R32569	H & M PROPERTIES LLC	523 SW VAN BUREN ST	66603 517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R32570	PIEGAR & SMITH BUILDING LLC	513 SW VAN BUREN ST	66603 PO BOX 555	TOPEKA KS 66601-0555	2401-General office buildings (1-4 stories)
R32571	H & M PROPERTIES LLC	517 SW VAN BUREN ST	66603 517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R32572	H & M PROPERTIES LLC	515 SW VAN BUREN ST	66603 517 SW VAN BUREN ST	TOPEKA KS 66603	2401-General office buildings (1-4 stories)
R32573	SABATINI, JUDITH & FRANK C	521 SW VAN BUREN ST	66603 2423 SE 37TH ST	TOPEKA KS 66605-2310	2401-General office buildings (1-4 stories)
R32574	HEILMAN, LARRY E & SUSANNE E	509 SW VAN BUREN ST	66603 5233 SW 35TH ST	TOPEKA KS 66614-1618	2101-Downtown row store
R32575	CLAY SHERWOOD RENTALS LLC	509 SW HARRISON ST	66603 422 SW 6th AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R32576	WHITE, ALAN J & DAWN N	501 SW HARRISON ST	66603 3722 SW 35TH ST	TOPEKA KS 66614-3558	2175-Service garage / paint shop / detailing
R32577	MIDWEST PROPERTY GROUP LLC	500 SW TOPEKA BLVD	66603 90 SW PEPPER TREE LN	TOPEKA KS 66611	2401-General office buildings (1-4 stories)
R32578	RUFIN PROPERTIES LLC	506 SW TOPEKA BLVD	66603 PO BOX 12087	WICHITA KS 67217	2102-Retail store
R32579	BROOKS JAMES & BULLOCKS-BROOKS ALICIA	516 SW TOPEKA BLVD	66603 516 SW TOPEKA BLVD	TOPEKA KS 66603-3114	2102-Retail store
R32580	CLAY SHERWOOD RENTALS LLC	518 SW TOPEKA BLVD	66603 422 SW 6TH AVE	TOPEKA KS 66603-3391	9910-Residential highest and best use
R32581	CLAY SHERWOOD RENTALS LLC	522 SW TOPEKA BLVD	66603 422 SW 6TH AVE	TOPEKA KS 66603-3391	1180-Dwelling converted to apartments
R32582	CLAY SHERWOOD RENTALS LLC	524 SW TOPEKA BLVD	66603 422 SW 6th AVE	TOpeka KS 66608-1244	2102-Retail store
R32583	CLAY SHERWOOD RENTALS LLC	422 SW TOPEKA BLVD	66603 422 SW 6TH AVE	TOPEKA KS 66603-3391	2101-Downtown row store
R32584	CLAY SHERWOOD RENTALS LLC	410 SW 6TH AVE	66603 422 SW 6TH AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R32585	CLAY SHERWOOD RENTALS LLC	523 SW HARRISON ST	66603 422 SW 6TH AVE	TOPEKA KS 66603-3391	3610-Warehouse distribution / storage facility
R32586	FIRST UNITED METHODIST CHURCH	600 SW TOPEKA BLVD	66603 600 SW TOPEKA BLVD	TOPEKA KS 66603-3202	6610-Church / place of worship
R32587	KANSAS ST GREGORY APARTMENTS	635 SW HARRISON ST	66603 1301 SOVEREIGN ROW	OKLAHOMA CITY OK 73108	1176-High-rise apartment (8+ stories)
R32588	FRIENDS OF KCSBY INC	634 SW HARRISON ST	66603 634 SW HARRISON ST	TOPEKA KS 66603-3706	2401-General office buildings (1-4 stories)
R32589	STATE OF KANSAS	SW VAN BUREN ST	66603 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2402-General office buildings (5+ stories)
R32590	JAYHAWK TOWER PARTNERS LLC	201 SW 6TH AVE	66603 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2402-General office buildings (5+ stories)
R32591	JAYHAWK TOWER PARTNERS LLC	209 SW 6TH AVE	66603 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	9950-Commercial highest and best use
R32593	TOPEKA INCOME TAX SERVICE INC	213 SW 6TH AVE	66603 6466 SW SUFPOIX RD	TOPEKA KS 66610-1402	2101-Downtown row store
R32594	VALLEY INC REALTORS	215 SW 6TH AVE	66603 600 SW VAN BUREN ST	TOPEKA KS 66603-3718	2401-General office buildings (1-4 stories)
R32595	VALLEY INC	600 SW VAN BUREN ST	66603 600 SW VAN BUREN ST	TOPEKA KS 66603-3718	2401-General office buildings (1-4 stories)
R32596	ALEJOS LUIS A & CHARLOTTE A TRUST - L A & C A ALEJOS TRUSTEE	614 SW VAN BUREN ST	66603 1045 SW WAYNE AVE	TOPEKA KS 66604-3940	2101-Downtown row store
R32597	LOWER PROPERTIES LLC	622 SW VAN BUREN ST	66603 501 SE 17th ST	TOpeka KS 66607-6125	2101-Downtown row store
R32598	HEITMANER DANTON C & BRYAN JOHN J & LYKINS R DANIEL	222 SW 7TH ST	66603 222 SW 7TH ST	TOPEKA KS 66603-3717	2401-General office buildings (1-4 stories)
R32599	KENNEY, DENIS M REVOCABLE LIVING TRUST	216 SW 7TH ST	66603 1229 SW LAKEVIEW DR APT 6	TOPEKA KS 66604-1669	2101-Downtown row store
R32600	KANSAS RIVER WATER ASSURANCE DISTRICT 1	212 SW 7TH ST	66603 212 SW 7TH ST	TOPEKA KS 66603-3717	2101-Downtown row store
R32601	CITY OF TOPEKA	635 SW JACKSON ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2660-Parking garage (covered)
R32602	ELKS BUILDING PARTNERS LLC	619 SW JACKSON ST	66603 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2401-General office buildings (1-4 stories)
R32603	JAYHAWK TOWER PARTNERS LLC	615 SW JACKSON ST	66603 700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	2650-Parking lot (uncovered)
R32604	F & B ENTERPRISES LLC	601 S KANSAS AVE	66603 601 S KANSAS AVE	TOPEKA KS 66603-3803	2401-General office buildings (1-4 stories)
R32605	KLATION PROPERTIES LLC	605 S KANSAS AVE	66603 3024 SW WANNAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R32606	SWICKARD, MICHAEL F & AMY J	607 S KANSAS AVE	66603 1700 SW MEDFORD AVE	TOPEKA KS 66604	2101-Downtown row store
R32607	AIMA STRATEGIES LLC	107 SW 6TH AVE	66603 715 SW HARRISON ST	TOPEKA KS 66603-3711	2401-General office buildings (1-4 stories)
R32608	MICHAEL R FOX TRUST	117 SW 6TH AVE	66603 815 NW VALENCIA RD	TOPEKA KS 66615-9265	2101-Downtown row store
R32609	TRAPP, CRAIG L & MELANIE K	608 SW JACKSON ST	66603 6108 SW 4TH ST	TOPEKA KS 66615	2101-Downtown row store
R32610	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	300 SE 6TH AVE	66603 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	6210-Government offices (legislative and executive functions)
R326178	BANK IV KANSAS	700 SW TOPEKA BLVD	66603 C/O Corporate Real Estate Assessmen Charlotte NC 28255	TECUMSEH KS 66542-9805	2213-Branch bank (drive up facility)
R326179	HUBBELL ASSET MANAGEMENT FAMILY LP	728 SW TOPEKA BLVD	66603 6442 SE 61ST ST	TECUMSEH KS 66542-9805	2522-Fast food restaurant
R326180	SIR PROPERTIES TRUST	400 SW 8TH AVE	66603 TWO NEWTON PLACE 255 WASHING	NEWTON MA 02456-1634	2402-General office buildings (5+ stories)
R326181	AIM STRATEGIES LLC	715 SW HARRISON ST	66603 715 SW HARRISON ST	TOPEKA KS 66603-3711	2401-General office buildings (1-4 stories)
R326230	KANSAS INSURANCE DEPARTMENT	420 SW 9TH ST	66612 420 SW 9TH ST	TOPEKA KS 66612-1603	2401-General office buildings (1-4 stories)
R326231	FIRST PRESBYTERIAN CHURCH OF TOPEKA KANSAS	817 SW HARRISON ST	66612 817 SW HARRISON ST	TOPEKA KS 66612-1607	6610-Church / place of worship
R326232	DILTON HOUSE LLC	404 SW 9TH ST	66612 1200 S KANSAS AVE	TOPEKA KS 66612	2401-General office buildings (1-4 stories)

R26415	CLEMMER, MARLENE	709 S KANSAS AVE #306	66603 709 S KANSAS AVE APT 306	TOPEKA KS 66603-3833	1150-Apartment unit (single family - e.g. condo unit)
R26416	ENGSTROM, JOSIAH J & ANDREA D	709 S KANSAS AVE #401	66603 709 S KANSAS AVE # 401	TOPEKA KS 66603	1150-Apartment unit (single family - e.g. condo unit)
R26417	MICHAELIS, PATRICK W & CONNIE M	709 S KANSAS AVE #301	66603 1575 BIRDIE WAY UNIT 401	LAWRENCE KS 66407	1150-Apartment unit (single family - e.g. condo unit)
R300284	DUKE, CRAIG G & DENISE A	709 S KANSAS AVE	66603 709 S KANSAS AVE UNIT 305	TOPEKA KS 66603	1150-Apartment unit (single family - e.g. condo unit)
R304829	PLEHAL, RICHARD & JUDY	709 S KANSAS AVE #304	66603 709 S KANSAS AVE APT 304	TOPEKA KS 66603-3833	1150-Apartment unit (single family - e.g. condo unit)
R324966	HUI INVESTMENTS LLC	709 S KANSAS AVE #405	66603 5104 COODY CT	LAWRENCE KS 66049-5110	1150-Apartment unit (single family - e.g. condo unit)
R325009	PALACE PLAZA INC	709 S KANSAS AVE	66603 709 S KANSAS AVE STE 101	TOPEKA KS 66603-3832	2101-Downtown row store
R26418	BIRN GRILLE THREE REAL ESTATE LLC	705 S KANSAS AVE	66603 715 SW HARRISON ST	TOPEKA KS 66603	2101-Downtown row store
R26419	K1 REALTY INVESTMENT 02 LLC	707 SE QUINCY ST	66603 707 SW RAINOOLPH CT	TOPEKA KS 66611	2401-General office buildings (1-4 stories)
R26420	PMCA OF KANSAS	115 SE 7TH ST	66603 115 SE 7TH ST	TOPEKA KS 66603-3901	2401-General office buildings (1-4 stories)
R26421	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	111 SE 7TH ST	66603 700 S Kansas AVE FL 1	TOPEKA KS 66603-3894	2402-General office buildings (5+ stories)
R26422	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	700 S KANSAS AVE	66603 700 S Kansas AVE FL 1	TOPEKA KS 66603-3894	2402-General office buildings (5+ stories)
R26423	GRAY HORSE FARMS LLC	716 S KANSAS AVE	66603 722 S KANSAS AVE	TOPEKA KS 66603-3808	2401-General office buildings (1-4 stories)
R26424	PRAIRIE BLAZE LLC	718 S KANSAS AVE	66603 Attn: RANDY CLAYTON 716 S KANSAS TOPEKA KS 66603-3808	2101-Downtown row store	2101-Downtown row store
R26425	PRAIRIE BLAZE LLC	720 S KANSAS AVE	66603 Attn: RANDY CLAYTON 716 S KANSAS TOPEKA KS 66603-3808	2101-Downtown row store	2101-Downtown row store
R26426	PRAIRIE BLAZE LLC	722 S KANSAS AVE	66603 722 S KANSAS AVE	TOPEKA KS 66603-3808	2101-Downtown row store
R26427	EARL, JULIANN R	724 S KANSAS AVE	66603 724 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R26428	724 PROPERTIES LLC	726 S KANSAS AVE	66603 724 S KANSAS AVE	TOPEKA KS 66603	2101-Downtown row store
R26429	SPROUT PROPERTIES LLC	728 S KANSAS AVE	66603 728 S KANSAS AVE STE 200	TOPEKA KS 66603-3808	2101-Downtown row store
R26430	MUNOZ, LUZ MARIA & TOMAS A	730 S KANSAS AVE	66603 439 NE EMMETT ST	TOPEKA KS 66616-1206	2101-Downtown row store
R26431	BRIMMAS LEADING JEWELERS INC	734 S KANSAS AVE	66603 734 S KANSAS AVE	TOPEKA KS 66603-3808	2101-Downtown row store
R26432	MIDWEST PROPERTY GROUP LLC	106 SE 8TH AVE	66603 90 SW PEPPER TREE LN	TOPEKA KS 66611	2101-Downtown row store
R26433	GIZMO PROPERTIES LLC	112 SE 8TH AVE	66603 112 SE 8th ST	TOPEKA KS 66611-1710	2101-Downtown row store
R26434	GECIA PROPERTIES LLC	114 SE 8TH AVE	66603 700 S Kansas AVE FL 1	TOPEKA KS 66610-2337	2101-Downtown row store
R26435	WINDIER, MERLE F & LINDA	116 SE 8TH AVE	66603 116 SE 8TH AVE	TOPEKA KS 66603-3905	2101-Downtown row store
R26436	GRAY HORSE FARMS LLC	120 SE 8TH AVE	66603 PO BOX 5318	TOPEKA KS 66603	2101-Downtown row store
R26437	CAPITOL FEDERAL SAVINGS AND LOAN ASSOCIATION	723 SE QUINCY ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2101-Downtown row store
R26438	CITY OF TOPEKA	215 SE 7TH ST	66603 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2101-Downtown row store
R26439	LEADINGAGE KANSAS INC	217 SE 8TH AVE	66603 217 SE 8TH AVE	TOPEKA KS 66603	2101-Downtown row store
R26440	KANSAS HOSPITAL ASSOCIATION	215 SE 8TH AVE	66603 215 SE 8TH AVE	TOPEKA KS 66603-3906	2101-Downtown row store
R26441	CENTRAL NATIONAL BANK	800 SE QUINCY ST	66612 201 N KANSAS AVE	TOPEKA KS 66603-3622	2101-Downtown row store
R26442	TOPEKA METROPOLITAN TRANSIT AUTHORITY	820 SE QUINCY ST	66612 3804 SW 40TH ST	TOPEKA KS 66610-2337	2101-Downtown row store
R26443	MARLOW, HOWARD J JR & KAREN K	214 SE 9TH ST	66612 3804 SW 40TH ST	TOPEKA KS 66610-2337	2101-Downtown row store
R26444	MARLOW, HOWARD J JR & KAREN K	218 SE 9TH ST	66612 3804 SW 40TH ST	TOPEKA KS 66610-2337	2101-Downtown row store
R26445	MARLOW, HOWARD J JR & KAREN K	222 SE 9TH ST	66612 3804 SW 40TH ST	TOPEKA KS 66610-2337	2101-Downtown row store
R26446	KANSAS HOSPITAL ASSOCIATION	817 SE MONROE ST	66612 818 S KANSAS AVE	TOPEKA KS 66612-1203	2101-Downtown row store
R26447	WESTAR ENERGY INC	800 S KANSAS AVE	66612 818 S KANSAS AVE	TOPEKA KS 66612-1203	2101-Downtown row store
R26448	SAND SPRINGS LLC	810 S KANSAS AVE	66612 818 S KANSAS AVE	TOPEKA KS 66612-1203	2101-Downtown row store
R26449	OMEGA GROUP LLC	820 S KANSAS AVE	66612 820 S Kansas AVE	TOPEKA KS 66612-1203	2101-Downtown row store
R26450	KATON PROPERTIES LLC	822 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26451	KANSAN TOWERS LLC	830 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2101-Downtown row store
R323492	JENSEN, BRENDAN R & BECKLEY, AMBER N	826 S KANSAS AVE	66612 1275 SW JEWELL AVE	TOPEKA KS 66604	2101-Downtown row store
R26453	KANSAN TOWERS LLC	826 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2101-Downtown row store
R26454	KANSAN TOWERS LLC	827 SE QUINCY ST	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614	2101-Downtown row store
R26455	KATON REAL ESTATE LLC	823 SE QUINCY ST	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26456	RAVS RED LLC	805 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26457	EIGHTH & JACKSON INVESTMENT GROUP	800 SW JACKSON ST	66612 PO BOX 5318	TOPEKA KS 66605	2101-Downtown row store
R26458	SOUTHWESTERN BELL TELEPHONE CO	812 SW JACKSON ST	66612 909 CHESTNUT ST RM 36-M-1	ST. LOUIS MO 63101	2401-General office buildings (1-4 stories)
R26459	CITY OF TOPEKA	825 S KANSAS AVE	66612 215 SE 7TH ST STE 353	TOPEKA KS 66603-3914	2401-General office buildings (1-4 stories)
R26460	CENTRE CITY DEVELOPERS LLC	825 S KANSAS AVE	66612 555 PONTIAC AVE STE 255	MANHATTAN KS 66502-0129	2401-General office buildings (1-4 stories)
R26462	CAPITOL VIEW PROPERTIES LLC	825 S KANSAS AVE	66612 825 S KANSAS AVE STE 500	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R26463	PPMA LLC	825 S KANSAS AVE	66612 825 S KANSAS AVE STE 510	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R325729	PPMA LLC	825 S KANSAS AVE	66612 825 S KANSAS AVE STE 510	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R325731	CAPITOL VIEW PROPERTIES LLC	825 S KANSAS AVE	66612 825 S KANSAS AVE STE 510	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R26464	KIATON REAL ESTATE LLC	815 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66612-4498	2101-Downtown row store
R26465	KIATON REAL ESTATE LLC	813 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26466	KIATON PROPERTIES LLC	811 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26467	KIATON REAL ESTATE LLC	809 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R319446	KIATON REAL ESTATE LLC	807 S KANSAS AVE	66612 3024 SW WANAMAKER RD STE 300	TOPEKA KS 66614-4498	2101-Downtown row store
R26468	STATE OF KANSAS	300 SW 10TH AVE	66612 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2101-Downtown row store
R26469	MILLS BUILDING LLC	901 S KANSAS AVE	66612 Attn: KS Commercial Real Estate Serv	TOPEKA KS 66603	6210-Government offices (legislative and executive functions)
R26470	STATE OF KANSAS	900 SW JACKSON ST	66612 1000 SW JACKSON ST STE 500	TOPEKA KS 66612-1368	6210-Government offices (legislative and executive functions)
R26471	STATE OF KANSAS	120 SW 10TH AVE	66612 900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	6210-Government offices (legislative and executive functions)
R26472	FLORCZ, PANTALEON JR	933 S KANSAS AVE	66612 933 S KANSAS AVE	TOPEKA KS 66612-1210	2101-Downtown row store
R26473	TIN & TIMBER LLC	931 S KANSAS AVE	66612 931 S KANSAS AVE	TOPEKA KS 66612-1210	2101-Downtown row store

R26929	SOUTHWEST RESOURCE REAL ESTATE GROUP LLC	240 SE JEFFERSON ST	66607	2900 E APACHE ST	TULSA OK 74110	3610-Warehouse distribution / storage facility
R26929	WIN LLC	140 SE JEFFERSON ST	66607	2900 E APACHE ST	TOPEKA KS 66604-3821	3610-Warehouse distribution / storage facility
R26930	CITY OF TOPEKA	300 SE JEFFERSON ST	66607	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	6410-Fire and rescue
R26931	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	330 SE 3RD ST	66603	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9970-Recreational / cultural / entertainment highest and best use
R26932	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	301 SE 2ND ST	66603	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9970-Recreational / cultural / entertainment highest and best use
R26933	HCM TITLE HOLDING CORPORATION	220 SE QUINCY ST	66603	ATtn: ROBIN POTTS 3801 TOPPING AL KANSAS CITY MO 64129	EL PASO TX 79925	3640-Warehouse-office combination
R26934	CHAVIRA, URIEL	200 SE 3RD ST	66603	6767 GATEWAY W BLDG	EMPHIS KS 66801	4133-Local transit systems - bus/sharing needs/other
R26935	TH FAMILY SERVICES INC	308 SE MONROE ST	66607	PO BOX 2224	TOPEKA KS 66603-3788	2401-General office buildings (1-4 stories)
R26936	JEFFERSON STREET HOTEL PARTNERS LLC	420 SE 6TH AVE	66607	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	1332-Hotel high-rise (5+ stories)
R26937	ISG TECHNOLOGY LLC	400 SE JEFFERSON ST	66607	127 N 7TH ST	SALINA KS 67401	4234-Telephone services and data processing
R26938	KENNEY, DENIS M REVOCABLE LIVING TRUST	406 SE JEFFERSON ST	66607	1220 SW LAKEVIEW DR APT 6	TOPEKA KS 66604-1669	3640-Warehouse-office combination
R26939	RAINBOW MOUNTAIN LLC	414 SE JEFFERSON ST	66607	414 SE JEFFERSON ST	TOPEKA KS 66607-1134	3610-Warehouse distribution / storage facility
R26940	RIER REALTY CO INC	520 SE 5TH ST	66607	708 THIRD AVE 1STH FLOOR	NEW YORK NY 10017	2401-General office buildings (1-4 stories)
R26998	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 6TH AVE	66607	PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R26999	JAYHAWK FILE EXPRESS LLC	601 SE 5TH ST	66607	601 SE 5TH ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27000	JAYHAWK FILE EXPRESS LLC	528 SE ADAMS ST	66607	601 SE 5TH ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27001	BROADWING COMMUNICATIONS REAL ESTATE SERVICES LLC	501 SE ADAMS ST	66607	1122 S CAPITAL OF TEXAS HWY	AUSTIN TX 78746-6426	4234-Telephone communication
R27002	WAREHOUSE 536 LLC	536 SE ADAMS ST	66607	700 SW JACKSON ST STE 200	TOPEKA KS 66603	3610-Warehouse distribution / storage facility
R324675	WAREHOUSE 536 LLC	513 SE ADAMS ST	66607	700 SW JACKSON ST STE 200	TOPEKA KS 66603	9950-Commercial highest and best use
R27003	JEFFERSON STREET HOTEL PARTNERS LLC	536 SE JEFFERSON ST	66607	700 SW JACKSON ST STE 200	TOPEKA KS 66603-3788	1332-Hotel high-rise (5+ stories)
R27004	MADISON STREET APARTMENTS LLC	600 SE MADISON ST	66607	404 SW 9TH ST	TOPEKA KS 66612-1603	1175-Mid-rise apartment (4-7 stories)
R27005	CITY OF TOPEKA	620 SE MADISON ST	66607	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2401-General office buildings (1-4 stories)
R27006	MADISON STREET APARTMENTS LLC	600 SE MADISON ST	66607	404 SW 9TH ST	TOPEKA KS 66612-1603	1175-Mid-rise apartment (4-7 stories)
R27007	CITY OF TOPEKA	400 SE 8TH AVE	66607	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650-Parking lot (uncovered)
R27008	MORRIS PUBLISHING GROUP LLC	616 SE JEFFERSON ST	66607	Attn: TAY DEPARTMENT 725 BROAD	TOPEKA KS 66603-3914	4213-Periodical publishing / printing
R27009	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	610 SE 7TH ST	66607	PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R27010	KLATON REAL ESTATE LLC	600 SE ADAMS ST	66607	3024 SW WANAAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27011	KLAUSMAN, JAMES BRETT	634 SE ADAMS ST	66607	4407 SW PINEBROOK LN	TOPEKA KS 66610-1621	3342-Steel fabrication
R27012	STEEL FIXTURE MFG CO	612 SE 7TH ST	66607	612 SE 7TH ST	TOPEKA KS 66610-1621	3342-Steel fabrication
R27095	KLATON IRONWORKS LLC	720 SE ADAMS ST	66607	3024 SW WANAAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R324009	KLATON IRONWORKS LLC	720 SE ADAMS ST	66607	3024 SW WANAAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27096	KLATON IRONWORKS LLC	700 SE ADAMS ST	66607	3024 SW WANAAMAKER RD STE 300	TOPEKA KS 66614-4498	3610-Warehouse distribution / storage facility
R27098	ACRS INVESTMENTS LLC	701 SE ADAMS ST	66607	701 SE ADAMS ST	TOPEKA KS 66607	3610-Warehouse distribution / storage facility
R27099	CITY OF TOPEKA	700 SE JEFFERSON ST	66607	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	2650-Parking lot (uncovered)
R27100	KENNEY, DENIS M REVOCABLE LIVING TRUST	SE 8TH AVE	66607	1229 SW LAKEVIEW DR APT 6	TOPEKA KS 66604-1669	9950-Commercial highest and best use
R27101	TAYLOR, ROBERT C & DEBRA L	711 SE ADAMS ST	66607	711 SE ADAMS ST	TOPEKA KS 66607-1124	3610-Warehouse distribution / storage facility
R27102	ZACK TAYLOR CONTRACTING INC	709 SE ADAMS ST	66607	711 SE ADAMS ST	TOPEKA KS 66607-1124	3610-Warehouse distribution / storage facility
R27103	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	401 SE 8TH AVE	66607	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	6222-Correctional institutions / jail / prison
R27104	HUNTER GLEN LLC	911 SE ADAMS ST	66607	PO BOX 618	TOPEKA KS 66601-0618	3610-Warehouse distribution / storage facility
R27105	DANKSCO HOLDINGS LLC	914 SE JEFFERSON ST	66607	6010 N BROADWAY	WICHITA KS 67219	3610-Warehouse distribution / storage facility
R27106	BROOKS REALTY PARTNERS LP	500 SE 10TH AVE	66607	1825 LAKEVIEW DR STE 700	LEWISVILLE TX 75057-6031	2401-General office buildings (1-4 stories)
R27107	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	818 SE ADAMS ST	66607	200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	2175-Service garage / paint shop / detailing
R27108	HUNTER GLEN LLC	834 SE ADAMS ST	66607	911 SE ADAMS ST	TOPEKA KS 66607-1127	6222-Correctional institutions / jail / prison
R27109	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	900 SE ADAMS ST	66607	PO BOX 961089	TOPEKA KS 66601-0618	4120-Rail transportation
R27110	CAPITAL CITY OIL INC	916 SE ADAMS ST	66607	PO BOX 618	TOPEKA KS 66601-0618	2117-Self-service gas station (may have conv store/food mart)
R320934	CAPITOL CITY OIL INC	605 SE 10TH AVE	66607	PO BOX 618	TOPEKA KS 66601-0618	3610-Warehouse distribution / storage facility
R320935	P&Q ENTERPRISES INC	603 SE 10TH AVE	66607	913 SE SHERMAN AVE	TOPEKA KS 66601-1778	3519-Salvage yard / recycle center
R320936	CITY OF TOPEKA N TOPEKA DRAINAGE DIST	SE 10TH AVE	66607	215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9970-Recreational / cultural / entertainment highest and best use
R320937	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 10TH AVE	66607	PO BOX 1738	TOPEKA KS 66601-1738	4120-Rail transportation
R320938	ATCHISON TOPEKA & SANTA FE RAILWAY COMPANY	SE 10TH AVE	66607	PO BOX 1738	TOPEKA KS 66601-1738	4120-Rail transportation
R320939	PROMETAL FABRICATION LLC	SE JEFFERSON ST	66607	PO BOX 961089	FORT WORTH TX 76161-0089	4120-Rail transportation
R320940	CANO, MARIA C	505 SE 10TH AVE	66607	509 SE 10TH AVE	TOPEKA KS 66607	1101-Single family residence (detached)
R32901	HOLLOWAY, JOHN H D & ROZANNE	1000 SE JEFFERSON ST	66607	PO BOX 210	AUBURN KS 66602-0210	1180-Dwelling converted to apartments
R32902	STONE, THOMAS G	1006 SE JEFFERSON ST	66607	1021 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32903	BANKERS TRUST COMPANY TRUSTEE FOR VENDEE MORTGAGE TRUST 1999-2	1010 SE JEFFERSON ST	66607	1010 SE JEFFERSON ST	TOPEKA KS 66607-1142	1101-Single family residence (detached)
R32904	DELGADO, DULCE R	1014 SE JEFFERSON ST	66607	1014 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32905	RAMIRO RIZO A, JOSE	SE JEFFERSON ST	66607	1711 SE 24TH	TOPEKA KS 66605	1199-Accessory residential support use (garage/shop)
R32906	SOTO, JULIAN ANTONIO DERRAS	1018 SE JEFFERSON ST	66607	1018 SE JEFFERSON ST	TOPEKA KS 66607	1101-Single family residence (detached)
R32907	DELGADO, JESUS	423 SE 10TH AVE	66607	1018 SE JEFFERSON ST	TOPEKA KS 66607	9950-Commercial highest and best use
R32908	KNOEBBER THOMAS J & MARGARET LOUISE TRUST & WM F	417 SE 10TH AVE	66607	417 SE 10TH AVE	TOPEKA KS 66607-1115	3640-Warehouse-office combination
R32909	KDI INC	405 SE 10TH AVE	66607	4125 SW GAGE DR STE 204	TOPEKA KS 66604-1806	2175-Service garage / paint shop / detailing
R32910	BENNING, J W	SE MADISON ST	66607	2214 SW FILMORE ST	TOPEKA KS 66611-1248	9910-Residential highest and best use
R32911	SMITH, TODD E	SE MADISON ST	66607	2235 NW Tyler ST	TOPEKA KS 66608-1953	9910-Residential highest and best use
R32912	WHEAT, RANDY E JR	SE MADISON ST	66607	745 SE GOLDEN AVE	TOPEKA KS 66607-1647	9910-Residential highest and best use

R32980	SHARRETT, LEIGH ANNE	1200 SE QUINCY ST	66612 1200 SE QUINCY ST	TOPEKA KS 66612-1122	1101- Single family residence (detached)
R32981	HESTAND, NINA & STANLEY SR & KATHRYN	1206 SE QUINCY ST	66612 1206 SE QUINCY ST	TOPEKA KS 66605-1941	1101- Single family residence (detached)
R32982	HESTAND, SANDY	1208 SE QUINCY ST	66612 1208 SE QUINCY ST	TOPEKA KS 66612	1101- Single family residence (detached)
R32983	ONEIL, SHEILA	1212 SE QUINCY ST	66612 1212 SE QUINCY ST	TOPEKA KS 66612-1122	9910- Residential highest and best use
R32984	ANGEL, OSCAR	1214 SE QUINCY ST	66612 1214 SE QUINCY ST	TOPEKA KS 66607	1101- Single family residence (detached)
R32985	KIRTDOLL, FRANK L	1220 SE QUINCY ST	66612 1220 SE QUINCY ST	TOPEKA KS 66607-1652	3519- Salvage yard / Recycle center
R32986	VANHOLTEBEKE, STACY & ALAIN H	1231 SE MONROE ST	66612 3411 SE PARK LAKE CT	TOPEKA KS 66605-2340	3610- Warehouse distribution / storage facility
R32987	HEAD, JOHN F & DOROTHY C	SE MONROE ST	66612 2721 SW GAINSBORO RD	TOPEKA KS 66614-4346	9910- Residential highest and best use
R32988	ERLUND, MARGIE L LIVING TRUST	1201 SE QUINCY ST	66612 2910 SE VIRGINIA AVE	TOPEKA KS 66605	1101- Single family residence (detached)
R32989	AGLER, DONALD G	113 SE 12TH ST	66612 PO BOX 4770	TOPEKA KS 66604	1101- Single family residence (detached)
R32990	KANSAS FUNERAL DIRECTORS ASSOCIATION SERVICES INC	1200 S KANSAS AVE	66612 1200 S Kansas AVE	TOPEKA KS 66612-1375	2401- General office buildings (1-4 stories)
R32991	PAUL PROPERTIES LLC	1212 S KANSAS AVE	66612 201 S KANSAS AVE	TOPEKA KS 66603	3630- Warehouse-retail combination
R32992	RAUFIN PROPERTIES LLC	1224 S KANSAS AVE	66612 PO BOX 17087	WICHITA KS 67217	2102- Retail store
R32993	PAUL PROPERTIES LLC	S KANSAS AVE	66612 201 S KANSAS AVE	TOPEKA KS 66603	9950- Commercial highest and best use
R32994	PAUL PROPERTIES LLC	116 SE 13TH ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	9910- Residential highest and best use
R32995	BOYD, DONITA	118 SE 13TH ST	66612 118 SE 13TH ST	TOPEKA KS 66612-1129	1101- Single family residence (detached)
R32996	MULLIGAN, PATRICK M & DONNA S	1235 SE QUINCY ST	66612 3840 SW GAMWELL RD	TOPEKA KS 66610-1400	9910- Residential highest and best use
R32997	SCHROEDER, WILLIAM LEO & MARY ANN	1229 SE QUINCY ST	66612 1225 SE QUINCY ST	TOPEKA KS 66612	1199- Accessory residential support use (garage/ shed)
R32998	SCHROEDER, WILLIAM LEO & MARY ANN	1225 SE QUINCY ST	66612 1225 SE QUINCY ST	TOPEKA KS 66612	1101- Single family residence (detached)
R32999	PAUL PROPERTIES LLC	SE QUINCY ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	9910- Residential highest and best use
R33000	GUTZWILLER, JANICE C	SE QUINCY ST	66612 100 SE 9TH ST APT 907	TOPEKA KS 66612-1219	9950- Commercial highest and best use
R33001	PAUL PROPERTIES LLC	SE QUINCY ST	66612 201 S KANSAS AVE	TOPEKA KS 66603	1101- Single family residence (detached)
R33002	TORRES, GERARDO	1211 SE QUINCY ST	66612 1211 SE QUINCY ST	TOPEKA KS 66608-1653	9910- Residential highest and best use
R33003	BARNES, HAZEL M	1209 SE QUINCY ST	66612 1209 SE QUINCY ST	TOPEKA KS 66612-1121	1101- Single family residence (detached)
R33004	RAISTON, ROBERT L & FELINDA S	1205 SE QUINCY ST	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	2101- Downtown row store
R33005	DOUBLE C LLC	1205 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950- Commercial highest and best use
R33006	DOUBLE C LLC	1115 SW 12TH ST	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950- Commercial highest and best use
R33007	CAMPUS GARDENS LLC	1222 SW JACKSON ST	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	9950- Commercial highest and best use
R33008	TRINIDAD, VICTOR	1228 SW JACKSON ST	66612 809 CONGRESS ST	EMPORIA KS 66801-2839	1150- Apartment unit (single family - e.g. condo unit)
R33009	HEARTLAND LAND & CATTLE LLC	1222 SW JACKSON ST	66612 3201 SW 39RD ST	WAKARUSA KS 66546-9665	1101- Single family residence (detached)
R33010	LITTLE REDBIRD FOUNDATION LLC	1234 SW JACKSON ST	66612 PO BOX 5006	TOPEKA KS 66605-0006	9910- Residential highest and best use
R33011	CITY OF TOPEKA	114 SW 13TH ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9910- Residential highest and best use
R33012	HEARTLAND SYSTEMS LLC	112 SW 13TH ST	66612 PO BOX 5006	TOPEKA KS 66605	9910- Residential highest and best use
R33013	CAMPUS GARDENS LLC	1229 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	2102- Retail store
R33016	RICHARDSON, JANET M	1235 S KANSAS AVE	66612 6801 NW 62ND ST	TOPEKA KS 66618-4202	1101- Single family residence (detached)
R33019	CAMPUS GARDENS LLC	1227 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	3610- Warehouse distribution / storage facility
R33020	CAMPUS GARDENS LLC	1221 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	2540- Bar / Tavern / Lounge
R33021	CAMPUS GARDENS LLC	1211 S KANSAS AVE	66612 823 SW 10TH AVE	TOPEKA KS 66612-1618	6121- Elementary
R33022	USD 501	1301 SE MONROE ST	66612 624 SW 24TH ST	TOPEKA KS 66611-1208	1101- Single family residence (detached)
R33023	GARNER REMODELING AND HOME IMPROVEMENTS INC & GARNER, KEVIN C & NANCY J	1308 S KANSAS AVE	66612 117 SE 25TH	TOPEKA KS 66605-1	2510- Full-service restaurant
R33024	GARNER REMODELING AND HOME IMPROVEMENTS INC & GARNER, KEVIN C & NANCY J	1306 S KANSAS AVE	66612 117 SE 25TH	TOPEKA KS 66605	3630- Warehouse-retail combination
R33025	G E B PROPERTIES LC	1324 S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	9950- Commercial highest and best use
R33026	G E B PROPERTIES LC	S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	9950- Commercial highest and best use
R33027	G E B PROPERTIES LC	S KANSAS AVE	66612 29475 W 95TH ST	DESOTO KS 66018	3630- Warehouse-retail combination
R33028	G E B PROPERTIES LC	110 SE 14TH ST	66612 624 SW 24TH ST	TOPEKA KS 66611-1208	6121- Elementary
R33029	USD 501	SE 14TH ST	66612 624 SW 24TH ST	TOPEKA KS 66611-1208	3610- Warehouse distribution / storage facility
R33030	THORNTON, HARRY J & RUBY E	1300 SE MONROE ST	66612 4647 SE 2ND ST	TECUMSEH KS 66542-9420	9910- Residential highest and best use
R33031	THORNTON, RUBY E	1310 SE MONROE ST	66612 4647 SE 2ND ST	TECUMSEH KS 66542-9420	1101- Single family residence (detached)
R33032	MCKEAL, LOUISE E	1314 SE MONROE ST	66612 1314 SE MONROE ST	TOPEKA KS 66612	9910- Residential highest and best use
R319416	MCKEAL, LOUISE E	SE MONROE ST	66612 1314 SE MONROE ST	TOPEKA KS 66612	9910- Residential highest and best use
R33033	ARNOLD, JOHN	1316 SE MONROE ST	66612 3334 TEDON 1 ST	DENVER CO 80211	1101- Single family residence (detached)
R33034	WARREN, ROBT F OR CHARITA L	1322 SE MONROE ST	66612 1322 SE MONROE ST	DENVER CO 80211	9910- Residential highest and best use
R322154	ARNOLD, JOHN	SE MONROE ST	66612 3334 TEDON 1 ST	DENVER CO 80211	9910- Residential highest and best use
R33035	ARNOLD, JOHN	1324 SE MONROE ST	66612 3334 TEDON 1 ST	DENVER CO 80211	3610- Warehouse distribution / storage facility
R33036	ARNOLD, JOHN	1334 SE MONROE ST	66612 3334 TEDON 1 ST	DENVER CO 80211	3610- Warehouse distribution / storage facility
R33037	HILL & COMPANY INC	1424 SE MONROE ST	66612 1424 SE MONROE ST	TOPEKA KS 66612-1142	3630- Warehouse-retail combination
R33038	EAGLE STORAGE INC	323 SE 13TH ST	66612 PO BOX 326	SILVER LAKE KS 66539-0326	3630- Warehouse-retail combination
R321040	THORNTON, HARRY J & RUBY E	SE 13TH ST	66612 1407 SE 2ND ST	TECUMSEH KS 66542-9420	3630- Warehouse-retail combination
R33039	GALLEGO, MAURICIO	1301 SE MADISON ST	66607 PO BOX 326	TOPEKA KS 66607	1101- Single family residence (detached)
R33040	BAHM DEMOLITION INC	417 SE 13TH ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519- Salvage yard / Recycle center
R33041	HAAG REAL ESTATE LC	326 SE 15TH ST	66607 326 SE 15TH ST	TOPEKA KS 66607-1204	3610- Warehouse distribution / storage facility
R33042	RAW CONSTRUCTION LLC	314 SE 15TH ST	66607 326 SE 15TH ST	TOPEKA KS 66617	3610- Warehouse distribution / storage facility
R33043	HAAG REAL ESTATE LC	340 SE 15TH ST	66607 326 SE 15TH ST	TOPEKA KS 66607-1204	3610- Warehouse distribution / storage facility
R33044	HUYETT, D LLOYD & ALICE MARIE	1435 SE MADISON ST	66607 1170 SW COLLEGE AVE	TOPEKA KS 66604-1453	4215- Commercial printing
R33045	EAGLE STORAGE INC	1417 SE MADISON ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519- Salvage yard / Recycle center
R33046	EAGLE STORAGE INC	1411 SE MADISON ST	66607 PO BOX 326	SILVER LAKE KS 66539-0326	3519- Salvage yard / Recycle center

R33120	RODRIGUEZ, ELIAS GARCIA & SORIA ROMAS	1535 SE QUINCY ST	66612 1535 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33121	SMIECKA, GERALD L	1533 SE QUINCY ST	66612 PO Box 4912	TOPEKA KS 66604	1101-Single family residence (detached)
R33122	WIKERSON, WILLIAM R & SONDRAY	1529 SE QUINCY ST	66612 2020 SE MADISON ST	TOPEKA KS 66607-1240	1101-Single family residence (detached)
R33123	KINNEY, JINDA L	1527 SE QUINCY ST	66612 3108 SE 28TH TER	TOPEKA KS 66605-1802	1101-Single family residence (detached)
R33124	MEDINA-ACOSTA, PERLA LIZETH & VAZQUEZ, RUFINO MEDIA & MARTINEZ, TERESA DE JESUS	1525 SE QUINCY ST	66612 1525 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33125	STEWART, THOMAS N	1523 SE QUINCY ST	66612 2710 SE JEFFERSON ST	TOPEKA KS 66605-1112	1101-Single family residence (detached)
R33126	BROWN FOUNDATION FOR EDUCATION EQUITY EXCELLENCE & RESEARCH	SE QUINCY ST	66612 PO BOX 2338	MISSION KS 66201-2338	9910-Residential highest and best use
R33127	ELMORE, MITCHELL A	1511 SE QUINCY ST	66612 710 S G ST	Wellington KS 67152-2317	1101-Single family residence (detached)
R33128	BULLOCKS, ALICIA DAWN	SE QUINCY ST	66612 2945 SE ADAMS ST	9910-Residential highest and best use	9910-Residential highest and best use
R33129	UNITED STATES OF AMERICA	1515 SE MONROE ST	66612 1709 JACKSON ST	OMAHA NE 68102-2513	6121-Elementary
R33130	BROWN FOUNDATION FOR EDUCATION EQUITY EXCELLENCE & RESEARCH	SE QUINCY ST	66612 PO BOX 2338	MISSION KS 66201-2338	9910-Residential highest and best use
R33131	JACKSON, VICKY M	1507 SE QUINCY ST	66612 1502 SE QUINCY ST	TOPEKA KS 66612-1150	1101-Single family residence (detached)
R33132	CORNERSTONE OF TOPEKA INC	1506 SE QUINCY ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1101-Single family residence (detached)
R33133	HENDRICKS, BRANDON	1510 SE QUINCY ST	66612 1510 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33134	SIGLOW PROPERTY MANAGEMENT COMPANY LLC	1514 SE QUINCY ST	66612 843 N KANSAS AVE	TOPEKA KS 66608-1210	1101-Single family residence (detached)
R33135	ZAMUDIO, ESPINOSA FRANC JAMIE	1516 SE QUINCY ST	66612 1516 SE QUINCY ST	TOPEKA KS 66612-1150	1101-Single family residence (detached)
R33136	JONES, CHALICA	1520 SE QUINCY ST	66612 1520 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33137	MAYS, DEBIA & MICHAEL	SE QUINCY ST	66612 1524 SE QUINCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33138	FORBES, DONIS J	1524 SE QUINCY ST	66612 1524 SE QUINCY ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33139	FORBES, DONIS J	1526 SE QUINCY ST	66612 726 ELM AVE UNIT 103	LONG BEACH CA 90813-4465	1101-Single family residence (detached)
R33140	BOE, NATHAN E	1528 SE QUINCY ST	66612 726 ELM AVE UNIT 103	TOPEKA KS 66605-1225	1101-Single family residence (detached)
R33141	KENYON, GREGORY ALLEN	200 SE 17TH ST	66612 6021 SW 27TH ST	TOPEKA KS 66614-1248	1101-Single family residence (detached)
R33142	FAIRBRAKE PROPERTIES LLC	208 SE 17TH ST	66612 PO Box 8044	TOPEKA KS 66608-0044	9910-Residential highest and best use
R33143	ARREOLA, MARIA JOSEFINA	212 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-9933	1101-Single family residence (detached)
R33144	FAIRBRAKE PROPERTIES LLC	216 SE 17TH ST	66612 2853 SW UNCOMSHIRE CT	TOPEKA KS 66614	1101-Single family residence (detached)
R33145	FAIRBRAKE PROPERTIES LLC	220 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-9933	1101-Single family residence (detached)
R33146	BAILEY, JOE MURL	222 SE 17TH ST	66612 15835 SWITZER RD	OVERLAND PARK KS 66221-9933	1101-Single family residence (detached)
R33147	BENNING, J W	SE MONROE ST	66612 764 MABEL JOSEPHINE DR	THACYS CA 95377-8698	1101-Single family residence (detached)
R33148	UNITED STATES OF AMERICA	SE MONROE ST	66612 2314 SW TILMONE ST	TOPEKA KS 66617-1248	9910-Residential highest and best use
R33149	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	306 SE 17TH ST	66612 1709 JACKSON ST	OMAHA NE 68102-2513	6121-Elementary
R33150	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	SE 17TH ST	66607 601 RIVERFRONT DR	OMAHA NE 68102-4126	5510-General recreation park
R33151	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	SE 17TH ST	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	5510-General recreation park
R33152	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	SE 17TH ST	66607 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	5510-General recreation park
R33153	BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SHAWNEE KS	200 SW 12TH ST	66612 200 SE 7TH ST STE B-11	TOPEKA KS 66603-3933	9970-Recreational / cultural / entertainment highest and best use
R33154	CITY OF TOPEKA	1207 SW JACKSON ST	66612 215 SE 7TH ST STE E 166	TOPEKA KS 66603-3914	5372-Fitness center / / raquetball club
R33155		225 SW 12TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	5372-Fitness center / / raquetball club
R33156		225 SW 12TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	5372-Fitness center / / raquetball club
R33157	JJ & J INCORPORATED	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / / raquetball club
R33158	JJ & J INCORPORATED	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / / raquetball club
R33159	CITY OF TOPEKA	225 SW 12TH ST	66612 913 SE 29TH ST	TOPEKA KS 66605	5372-Fitness center / / raquetball club
R33160	KANSAS BAR FOUNDATION	SW 12TH ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9970-Recreational / cultural / entertainment highest and best use
R33161	MELLOTT, WILLIAM F	1200 SW HARRISON ST	66612 1200 SW HARRISON ST	TOPEKA KS 66612-1806	2401-General office buildings (1-4 stories)
R33162	HLADKY, JOHN C	1218 SW HARRISON ST	66612 1218 SW HARRISON ST	TOPEKA KS 66612-1806	1101-Single family residence (detached)
R33163	YVCA	1224 SW HARRISON ST	66612 1224 SW HARRISON ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33164		1272 SW HARRISON ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	2650-Parking lot (uncovered)
R33165	DAVISON, SCOTT E	SW 13TH ST	66612 225 SW 12TH ST	TOPEKA KS 66612-1345	2650-Parking lot (uncovered)
R33166	BREKTHROUGH HOUSE INC	1273 SW VAN BUREN ST	66612 1273 SW VAN BUREN ST	TOPEKA KS 66612	1180-Dwelling converted to apartments
R33167	TRINITY PROPERTIES LLC	1201 SW VAN BUREN ST	66612 1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	2401-General office buildings (1-4 stories)
R33168	SCHULTZES, ELSIE LOUISE	403 SW HUNTON ST	66612 PO BOX 4243	TOPEKA KS 66604-0243	1170-Garden apartment complex (1-3 stories)
R33169	CITY OF TOPEKA	415 SW HUNTON ST	66612 5029 S 168TH AVE E	TULSA OK 74134-7180	1180-Dwelling converted to apartments
R33170	S AND L PROPERTIES LLC	421 SW HUNTON ST	66612 215 SE 7TH ST STE 166	TOPEKA KS 66603-3914	9950-Commercial highest and best use
R33171	SCHULTZES, ELSIE LOUISE	1248 SW TOPEKA BLVD	66612 5029 S 168TH EAST AVE	TULSA OK 74134-7180	1180-Dwelling converted to apartments
R33172	KANSAS OSTEOPATHIC FOUNDATION	1254 SW TOPEKA BLVD	66612 5029 S 168TH AVE E	TULSA OK 74134-7180	9950-Commercial highest and best use
R33173	KANSAS ASSN OF OSTEOPATHIC MED	1258 SW TOPEKA BLVD	66612 1260 SW TOPEKA BLVD	TOPEKA KS 66612-1815	2401-General office buildings (1-4 stories)
R33174	KANSAS OPTOMETRIC ASSOCIATION	1260 SW TOPEKA BLVD	66612 1260 SW TOPEKA BLVD	TOPEKA KS 66612-1815	2401-General office buildings (1-4 stories)
R33175	KANSAS OPTOMETRIC ASSOCIATION	1266 SW TOPEKA BLVD	66612 1266 SW TOPEKA BLVD	TOPEKA KS 66612-1815	9950-Commercial highest and best use
R33176	PRICE, JUDY J	1270 SW TOPEKA BLVD	66612 1266 SW TOPEKA BLVD	TOPEKA KS 66612-1815	1180-Dwelling converted to apartments
R33177	PRICE, CHARLES & JUDY	1275 SW HARRISON ST	66612 3600 SE ADAMS ST	TOPEKA KS 66605-2839	1180-Dwelling converted to apartments
R33178	ALLMON, NEAL B & CRAWSHAW, JAMES R	410 SW 13TH ST	66612 3600 SE ADAMS ST	TOPEKA KS 66605	1101-Single family residence (detached)
R33179	BRANTLEY, TODD F	1273 SW HARRISON ST	66612 1273 SW HARRISON ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33180	TOVEY, LARRY F	1271 SW HARRISON ST	66612 1271 SW HARRISON ST	TOPEKA KS 66612-1805	1101-Single family residence (detached)
R33181	KANSAS BAR FOUNDATION	1267 SW HARRISON ST	66612 1267 SW HARRISON ST	TOPEKA KS 66612-1805	1101-Single family residence (detached)
R33182	HARRISON STREET INVESTMENTS LLC	1257 SW HARRISON ST	66612 1200 SW HARRISON ST	TOPEKA KS 66612-1806	2401-General office buildings (1-4 stories)
R33183	KANSAS ASSOCIATION OF PUBLIC EMPLOYEES INC	1301 SW HARRISON ST	66612 1250 E 130TH AVENUE #C	THORNTON CO 80241	1170-Garden apartment complex (1-3 stories)
R33184		1300 SW TOPEKA BLVD	66612 1300 SW TOPEKA BLVD	TOPEKA KS 66612-1817	2401-General office buildings (1-4 stories)
R33185		1314 SW TOPEKA BLVD	66612 1314 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)

R33338	LANDRUM, THELMA J	1403 SW VAN BUREN ST	66612	1403 SE WUNCY ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33339	REICHART, DUSTIN	309 SW 14TH ST	66612	1001 SE WUNCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33340	REICHART, DUSTIN	SW 14TH ST	66612	1001 SE WUNCY ST	TOPEKA KS 66612	9910-Residential highest and best use
R33341	MACCEE, PATRICK T	317 SW 14TH ST	66612	317 SW 14TH ST	TOPEKA KS 66612-1319	1101-Single family residence (detached)
R33342	MACCEE, DAVID J	SW HARRISON ST	66612	1404 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33343	MACCEE, DAVID J & SUSAN	1404 SW HARRISON ST	66612	1404 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33344	MACCEE, DAVID J	1406 SW HARRISON ST	66612	1406 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33345	MACCEE, DAVID J	1408 SW HARRISON ST	66612	1408 SW HARRISON ST	TOPEKA OK 66612	1101-Single family residence (detached)
R33346	MACCEE, DAVID J	1414 SW HARRISON ST	66612	1404 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33347	MACCEE, DAVID J	1418 SW HARRISON ST	66612	18420 S US HIGHWAY 75	SCRANTON KS 66537-9138	1180-Dwelling converted to apartments
R33348	GARCIA, JOHN L & PATSY L	1420 SW HARRISON ST	66612	1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33349	CARPENTER, KENNETH L REVOCABLE TRUST	1424 SW HARRISON ST	66612	1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33350	CARPENTER, KENNETH L REVOCABLE TRUST	1426 SW HARRISON ST	66612	1426 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33351	HUSTON, TODD & ANGELA	1430 SW HARRISON ST	66612	1430 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33352	PENNER, SANDRA D	SW HARRISON ST	66612	1430 SW HARRISON ST	TOPEKA KS 66612-1810	9910-Residential highest and best use
R33353	PENNER, SANDRA D	1436 SW HARRISON ST	66612	1430 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33354	IREY, MARVIN W	1441 SW VAN BUREN ST	66612	PO BOX 4102	TOPEKA KS 66604-0102	1180-Dwelling converted to apartments
R33355	COBIN, DAVID & GLORIA V & LEONARD SR	1437 SW VAN BUREN ST	66612	1437 SW VAN BUREN ST	TOPEKA KS 66612	1101-Single family residence (detached)
R33356	COBIN, LEONARD F	1433 SW VAN BUREN ST	66612	1437 SW VAN BUREN ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33357	COBIN, LEONARD F	1429 SW VAN BUREN ST	66612	1437 SW VAN BUREN ST	TOPEKA KS 66612-1339	9910-Residential highest and best use
R33358	RAJAS, OLIVIA & WILLA ROMAN	1427 SW VAN BUREN ST	66612	1427 SW VAN BUREN ST	TOPEKA KS 66612-1339	1101-Single family residence (detached)
R33359	LABILE, LESLIE L & JANE E	1423 SW VAN BUREN ST	66612	2308 SW FAIRLAWN CT	TOPEKA KS 66614-1434	1101-Single family residence (detached)
R33360	SONIA PROPERTY MANAGEMENT LLC	1419 SW VAN BUREN ST	66612	111 RIVERVIEW DR 8B	WANEGRO KS 66547-1932	1101-Single family residence (detached)
R33361	CALDWELL, MARGUERITE M & JONES, ANNETTE & GIBSON, JONATHAN	SW VAN BUREN ST	66612	5422 2ND ST NW	WASHINGTON DC 20011-6624	9910-Residential highest and best use
R33362	COBIN, STEVE A	1411 SW VAN BUREN ST	66612	PO BOX 67364	TOPEKA KS 66667-0364	1101-Single family residence (detached)
R33363	LAUREGUL, FLECA V	1407 SW VAN BUREN ST	66612	537 NE GRATTAN ST	TOPEKA KS 66616	1101-Single family residence (detached)
R33364	CORNERSTONE OF TOPEKA INC	1401 SW HARRISON ST	66612	1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33365	WAGNER S S ETAL	1400 SW TOPEKA BLVD	66612	1400 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R33366	WADE, DENNIS D TRUST	1408 SW TOPEKA BLVD	66612	5145 NW 35TH ST	TOPEKA KS 66618-3616	6511-Medical / dental office or clinic
R33367	PHELPS, FRED W & MARGIE M	1414 SW TOPEKA BLVD	66612	PO BOX 1886	TOPEKA KS 66601-1886	2401-General office buildings (1-4 stories)
R33368	KEAGY, DONALD J	1420 SW TOPEKA BLVD	66612	1426 SW TOPEKA BLVD	TOPEKA KS 66612-1819	1102-Duplex
R33369	KEAGY, DONALD J	1424 SW TOPEKA BLVD	66612	1426 SW TOPEKA BLVD	TOPEKA KS 66612-1819	1102-Duplex
R33370	STATE OF KANSAS	1430 SW TOPEKA BLVD	66612	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2401-General office buildings (1-4 stories)
R33371	STATE OF KANSAS	SW HARRISON ST	66612	900 SW JACKSON ST RM 600	TOPEKA KS 66612-1220	2401-General office buildings (1-4 stories)
R33372	CARPENTER, KENNETH L REVOCABLE TRUST	1423 SW HARRISON ST	66612	1424 SW HARRISON ST	TOPEKA KS 66612-1810	1101-Single family residence (detached)
R33373	POORE, JAY K & SHERIL	1421 SW HARRISON ST	66612	5925 SW 34TH TER	TOPEKA KS 66614-4508	1101-Single family residence (detached)
R33374	WATERS, ALLEN D	1417 SW HARRISON ST	66612	1417 SW HARRISON ST	TOPEKA KS 66612-1809	1101-Single family residence (detached)
R33375	WADE, DENNIS D TRUST	1413 SW HARRISON ST	66612	5145 NW 35TH ST	TOPEKA KS 66618-3616	6511-Medical / dental office or clinic
R33376	CORNERSTONE OF TOPEKA INC	1407 SW HARRISON ST	66612	1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33377	CORNERSTONE OF TOPEKA INC	1405 SW HARRISON ST	66612	1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33378	CORNERSTONE OF TOPEKA INC	1403 SW HARRISON ST	66612	1195 SW BUCHANAN ST STE 103	TOPEKA KS 66604-1172	1102-Duplex
R33379	VILLAGRAN, MARTIN	1501 SW HARRISON ST	66612	1534 SW TOPEKA BLVD	TOPEKA KS 66612	1101-Single family residence (detached)
R33380	STATE OF KANSAS DEPARTMENT OF HUMAN RESOURCES	415 SW 15TH ST	66612	401 SW TOPEKA BLVD	TOPEKA KS 66603-3151	2401-General office buildings (1-4 stories)
R33381	NORTH MARKET COMPANY	1506 SW TOPEKA BLVD	66612	500 N MARKET ST	WICHITA KS 67214-3514	1101-Single family residence (detached)
R33382	NORTH MARKET COMPANY	1508 SW TOPEKA BLVD	66612	500 N MARKET ST	WICHITA KS 67214-3514	2401-General office buildings (1-4 stories)
R33383	HENDERSON, CURTIS L	1516 SW TOPEKA BLVD	66612	1516 SW TOPEKA BLVD	TOPEKA KS 66612	2401-General office buildings (1-4 stories)
R33384	M & M PROPERTIES A PARTNERSHIP	1520 SW TOPEKA BLVD	66612	2238 SW LOWELL LN	TOPEKA KS 66614-5019	6511-Medical / dental office or clinic
R33385	M & M PROPERTIES A PARTNERSHIP	1526 SW TOPEKA BLVD	66612	2238 SW LOWELL LN	TOPEKA KS 66614-5019	9950-Commercial highest and best use
R33386	ALBERT, ALYCE DIANE & EDWARD	1530 SW TOPEKA BLVD	66612	PO BOX 8485	TOPEKA KS 66608	9950-Commercial highest and best use
R33387	VILLAGRAN, MARTIN	1534 SW TOPEKA BLVD	66612	1534 SW TOPEKA BLVD	TOPEKA KS 66612-1845	1101-Single family residence (detached)
R33388	UNISTA, ROSA ELVA	308 SW 16TH ST	66612	1222 SE LONG ST	TOPEKA KS 66607	1101-Single family residence (detached)
R33389	OSUNA, ANA M	1535 SW HARRISON ST	66612	1535 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33390	OSUNA, ANA M	1529 SW HARRISON ST	66612	1529 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33391	UAMS, CLAYTON D	1525 SW HARRISON ST	66612	2238 SW LOWELL LN	TOPEKA KS 66614-5019	6511-Medical / dental office or clinic
R33392	M & M PROPERTIES A PARTNERSHIP	1517 SW HARRISON ST	66612	1516 SW TOPEKA BLVD	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33393	HENDERSON, CURTIS L	1515 SW HARRISON ST	66612	2925 SE AQUARIUS DR	TOPEKA KS 66605-1887	9910-Residential highest and best use
R33394	LOPEZ, ALFREDO & ALMA NAVA	1509 SW HARRISON ST	66612	1509 SW HARRISON ST APT 4	TOPEKA KS 66612-1879	1180-Dwelling converted to apartments
R33395	NAVA, ALMA	1505 SW HARRISON ST	66612	1505 SW HARRISON ST	TOPEKA KS 66612-1811	1101-Single family residence (detached)
R33396	CHASE, CLURTISS L & ISABEL M	1501 SW VAN BUREN ST	66612	1501 SW VAN BUREN ST	TOPEKA KS 66612-1341	1101-Single family residence (detached)
R33397	CHASE, MARY JOSEPHINE & GERALD BURTON	315 SW 15TH ST	66612	1500 SW HARRISON ST	TOPEKA KS 66612-1812	1101-Single family residence (detached)
R33398	CHASE, MARY JOSEPHINE & GERALD BURTON	1500 SW HARRISON ST	66612	1500 SW HARRISON ST	TOPEKA KS 66612-1812	1180-Dwelling converted to apartments
R33399	DORSEY, TELUS J	1504 SW HARRISON ST	66612	PO BOX 1406	TOPEKA KS 66601-1406	1101-Single family residence (detached)
R33400	HERNADEZ, JOSE, JR	1508 SW HARRISON ST	66612	7144 WOODRUFF	PORT LUPITON CO 80621	1101-Single family residence (detached)
R33401	BUNDRIDGE, LEONARD W	1512 SW HARRISON ST	66612	1240 SE LOCUST ST	TOPEKA KS 66607	1101-Single family residence (detached)
R33402	LEE, LEVI V, JR	SW HARRISON ST	66612	1316 NE MADISON ST	TOPEKA KS 66608	9910-Residential highest and best use
R33403	POORE, JAY K & SHERIL	1520 SW HARRISON ST	66612	5925 SW 34TH TER	TOPEKA KS 66614-4508	1101-Single family residence (detached)

R33606	BRADBERRY, AUSTIN, MYRTLE LEE & BRADBERRY, FLOYD	1604 SW TOPEKA BLVD	66612 1604 SW TOPEKA BLVD	TOPEKA KS 66612-1840	1101- Single family residence (detached)
R33607	COTTONWOOD INVESTMENTS	1610 SW TOPEKA BLVD	66612 1610 SW TOPEKA BLVD	TOPEKA KS 66612-1840	2401- General office buildings (1-4 stories)
R33608	LR RENTALS LLC	1620 SW TOPEKA BLVD	66612 5120 SW 34TH ST	TOPEKA KS 66614	1101- Single family residence (detached)
R33609	BBMI INC	1624 SW TOPEKA BLVD	66612 1824 S Kansas AVE	Topeka KS 66612-1435	1101- Single family residence (detached)
R33610	KANSAS TIRE & AUTO INC	1634 SW TOPEKA BLVD	66612 5120 SW 34TH ST	TOPEKA KS 66614-3927	2174- Automobile service center
R33611	LR RENTALS LLC	1631 SW HARRISON ST	66612 5120 SW 34TH ST	TOPEKA KS 66614	9910- Residential highest and best use
R33612	LR RENTALS LLC	1621 SW HARRISON ST	66612 5120 SW 34TH ST	TOPEKA KS 66614	1101- Single family residence (detached)
R33613	POORE, JAY & SHERI	1617 SW HARRISON ST	66612 5925 SW 34TH TER	TOPEKA KS 66614-4508	1101- Single family residence (detached)
R33614	ASBURY, JOSHUA T & ADAM	SW HARRISON ST	66612 6324 SW 28TH ST	TOPEKA KS 66614-5230	9910- Residential highest and best use
R33615	VILLA, AURELIO H & IMELDA	1609 SW HARRISON ST	66612 1609 SW HARRISON ST	TOPEKA KS 66612-1841	1101- Single family residence (detached)
R33616	SHUTES, DANIEL D	1605 SW HARRISON ST	66612 1605 SW HARRISON ST	TOPEKA KS 66612-1841	1101- Single family residence (detached)

TOPEKA, KANSAS
TIF DISTRICT
04.01.2019



MORSE ST

KANSAS AVE

NE RIVER RD

TOPIKA BLVD

TOPIKA BLVD

17TH STREET

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WHEREAS, the City of Topeka, Kansas (the “City”) recognizes that it is essential to stimulate economic growth and development of new commercial enterprise in order to provide services, employment and tax revenues for the benefit of the community; and

WHEREAS, it is further recognized that the stimulation of balanced economic development is a joint responsibility of the private and public sectors, working closely together to create a positive business environment and induce commercial development and expansion in the City; and

WHEREAS, the economic development program goals of the City include economic diversification, broadening of the property tax base, stimulation of private investment, enhancement and support of new development, creation and quality employment opportunities, and increased per capita income; and

WHEREAS, to meet these economic development goals, the City recognizes the need to occasionally assist in the redevelopment of property located within the City by the creation of Tax Increment Financing (“TIF”) redevelopment districts; an economic development vehicle established by K.S.A. 12-1770 et seq. for the financing of qualified redevelopment projects; and

WHEREAS, the City finds it in the best interest of the public it serves to establish certain policies and guidelines for the consideration of proposals that may be presented to the City by private developers requesting TIF assistance; and

WHEREAS, all prospective TIF projects must be carefully evaluated by the City because the character of tax revenues generated by different developments can vary widely, and in most cases will impact other taxing jurisdictions in the Topeka community; and

WHEREAS, the City desires to use TIF for projects that demonstrate the highest public benefit by eliminating blight, financing desirable public improvements, strengthening the employment and economic base, increasing property values, reducing poverty, creating economic stability, upgrading older neighborhoods, facilitating economic self-sufficiency, and implementing the Comprehensive Plan and economic development goals of the City; and

WHEREAS, each TIF application submitted to the City will be evaluated on its own merits, and an evaluation of the proposal will be performed by a TIF Committee comprised of City staff and/or consultants; and

WHEREAS, all projects must demonstrate financial and economic reasons such that but for TIF assistance, conditions of blight, extenuating circumstances regarding the site, location, or other factors preclude the viability of project.

NOW, THEREFORE, THE TAX INCREMENT FINANCING REDEVELOPMENT DISTRICT POLICY FOR THE CITY OF TOPEKA, KANSAS WILL BE AS FOLLOWS:

SECTION ONE: PREFERENCES AND REQUIREMENTS. The following criteria are to be used by members of the City's TIF Committee, with input from appropriate staff, to evaluate applications for the creation of a TIF redevelopment district and/or project plan:

1. The City seeks to encourage the redevelopment of larger scale projects that positively impact multiple land uses and bring economic activity to surrounding neighborhoods.
2. Each TIF project plan application must demonstrate that "but-for" the use of TIF, the project is not feasible and would not be completed without the proposed TIF assistance. The City (through staff or its advisors and consultants; and at its sole discretion) will conduct the but-for analysis and the applicant shall be responsible for providing all information reasonably requested by the City to conduct such analysis.

The City will generally seek to target a level of TIF incentive sufficient to provide the applicant with a market rate of return, including the effects of the incentives, but the City, at its discretion, may choose to provide a greater rate of return to the applicant in exchange for extraordinary benefits to the public.

The City will prefer projects where less than twenty percent (20%) of the project's costs (excluding any interest on private financing) are expected to be paid from public incentives.
3. The City places priority on TIF redevelopment districts in areas of greatest need such as any approved neighborhood revitalization area, redevelopment planning area, and/or other similar areas where significant public/private investment has been directed consistent with the infill growth policies of the comprehensive plan.
4. The City would prefer projects that request utilization of only incremental property taxes generated by the TIF project, not any other taxes.
5. The City will give preference to TIF project plan applications that provide tangible, immediate public benefits (such as constructing high-priority infrastructure at the project's cost, producing high-wage jobs, making quality jobs available in highly-distressed neighborhoods, etc.).
6. The City has a preference for development which brings new businesses. If businesses are to be relocated from other areas of the city to the proposed TIF project plan area, the applicant must provide sufficient justification to indicate why the City should subsidize such relocation.
7. The City will require a negotiated minimum private expense requirement for the developer and a maximum permitted reimbursement amount to the developer.

8. The applicant will include in its TIF project plan application a uses-by-source-of-funding schedule illustrating the project costs that will be reimbursed from TIF and any other incentive program (public or private) for which the applicant has or plans to apply.

9. The City must be reasonably satisfied of the applicant's financial stability and ability to fulfill its obligations under the proposed Redevelopment Agreement. To this end, the City may reasonably request financial information from the application and its guarantors, if any, as a condition of the project's approval.

The City will treat as confidential any such sensitive financial information provided by the applicant or its guarantors to the City's advisors or legal counsel and will, if requested, enter on the City's behalf into a non-disclosure agreement; provided, however, that such advisors or legal counsel must have the right under such agreement to convey their conclusions about the applicant's ability to meet the requirements above based upon its review.

10. For third-party requests to create TIF redevelopment districts, the City will require that the applicant certify that it intends to submit a Redevelopment Plan and begin negotiating a Redevelopment Agreement within a reasonable period of time (generally sixty (60) to ninety (90) days) following creation of the TIF district.

SECTION TWO: DEVELOPMENT AGREEMENT. Concurrent with the City's review of an application for a TIF project plan, the City will negotiate a Development Agreement to be considered and adopted by the Topeka Governing Body concurrent with its consideration of approval of the TIF project plan.

The development agreement will reflect the above preferences, all agreements and requirements to be considered by the Governing Body.

The applicant and/or developer must demonstrate that all real property taxes and assessments currently due on any real property owned by the applicant and located within the City limits have been paid and, furthermore, that the applicant is not indebted to the City. If the applicant is a business entity, this requirement will apply to any owner, member, or partner. If the applicant is a corporation, this requirement will apply to any shareholder holding a five (5) percent or greater interest.

Each TIF redevelopment project plan approved will expire not later than the 20th anniversary of the date upon which the Topeka Governing Body takes action to approve such project plan.

SECTION THREE: FEES.

City Cost Reserve

At the point in time of an application for TIF redevelopment district is initiated by a third-party, such applicant shall deposit \$30,000 with the City to cover the City's Application Fee and its direct costs (including costs related to its outside advisors, consultants and counsel) associated with the review and evaluation of the application for a TIF redevelopment district, the review

and evaluation of the application for the initial TIF project plan or plans and the negotiation of the Development Agreement. Staff may adjust the deposit if the applicant intends to or has submitted an application for consideration of establishment of a community improvement district (CID).

Should an applicant make application within an existing TIF redevelopment district for a new or modified TIF project plan, it shall similarly deposit \$30,000 with the City to cover the costs of such review.

The City shall return any balance from this reserve upon the applicant's withdrawal of all applications then pending, or the conclusion of the approval processes.

Costs charged to the reserve are TIF eligible costs to the extent permitted by law.

Application Fee

The City shall charge a non-refundable application fee, paid from the City Cost Reserve, for each application as follows:

Application to create or modify a TIF redevelopment district	\$5,000
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The application fee is a TIF eligible cost.

TIF Administration Service Fee

During the life of the TIF, the City will charge an administrative fee of two percent (2%) against the tax increment generated from the project prior to disbursement of the increment to the developer or bond trustee to cover the administrative costs incurred by the City for the administration of, and other City costs associated with each approved TIF Project. Such administrative service fee shall be in addition to the TIF application fee and any other fees associated with the TIF Project.

Additional Costs

City bond issuance costs will be paid from proceeds of TIF bonds issued.

City-Initiated Developments

The City reserves the right, at its sole discretion, to reduce or waive the above fees if a redevelopment project is City initiated and/or it is determined to be in the best interest of the City to do so.

Payments in Lieu of Taxes (PILOT)

Where applicable, the City may negotiate a payment in lieu of taxes requirement with the developer.

SECTION FOUR: DESIGN CRITERIA. Development proposals under a TIF application are expected to meet the highest design standards for commercial, industrial, multi-family, and mixed use buildings, as adopted by the Topeka Planning Commission and Governing Body. Development proposals that demonstrate innovative design that exceeds the design standards are encouraged.

SECTION FIVE: METHOD OF FINANCING. The City's general policy is that development should pay for itself. As a result, the City will consider general obligation or general fund support of TIF bonds only in extraordinary cases and typically only on City-initiated projects.

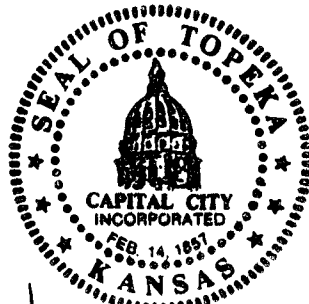
If the method of financing includes special obligation bonds, then the City's costs of executing any bond financing, including the costs of its counsel and advisors, shall be included in the bond financing.

SECTION SIX: AUTHORITY OF GOVERNING BODY. The Governing Body reserves the right to deviate from any policy, but not any procedure set forth in state law, when it considers such action to be of exceptional benefit to the City or extraordinary circumstances prevail that are in the best interests of the City.

SECTION SEVEN: PROCEDURES. The City Manager shall develop procedures for administering the TIF process, including but not limited to the filing and processing TIF applications.

SECTION EIGHT: EFFECTIVE DATE. This Resolution shall take effect May 16, 2018.

ADOPTED and APPROVED by the Governing Body on May 15, 2018.



ATTEST:


Brenda Younger, City Clerk

CITY OF TOPEKA, KANSAS


Michelle De La Isla, Mayor



CITY OF TOPEKA TAX INCREMENT FINANCING DISTRICT ("TIF") PROCEDURES

Effective Date: May 16th, 2018

The City's Tax Increment Financing (TIF) policy can be found at <https://www.topeka.org>. Please review these procedures and complete along with Application for Tax Increment Financing (TIF) District form.

Sections:

- I POLICY APPLICABILITY**
- II DEFINITIONS**
- III APPLICATION PROCESS**
- IV DISTRICT ESTABLISHMENT**
- V PROJECT FEASIBILITY**
- VI DEVELOPMENT AGREEMENT**
- VII METHOD OF PROJECT FINANCING**
- VIII BOND FINANCING GUIDELINES**

I. POLICY APPLICABILITY.

The following procedures are established under the authority of the City Manager and are intended to provide guidance in establishing a Tax Increment Financing District ("TIF" or "District") in accordance with the Governing Body TIF Policy as approved by Resolution No. 9016 on May 15, 2018. The TIF 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.

The TIF Procedures and Application are appropriate for when a TIF project plan occurs simultaneously with a TIF district. If the TIF district alone is being requested, then a modified application and procedures document may be requested.

II. DEFINITIONS.

Capitalized terms (other than proper names) in this procedures document have the meanings shown below:

Finance Team means the City Manager, Deputy City Manager, Finance Director, City Attorney, and the City's financial advisor

III. APPLICATION PROCESS.

- A. TIF Application. An applicant shall make application for a TIF by filing with the City Clerk an electronic copy of the application to cclerk@topeka.org.



B. Fees.

1. **Application Fee.** A non-refundable application fee in the amount of \$5,000.00, made payable to the City of Topeka, shall accompany the TIF Application.
2. **City Cost Reserve.** Once the application is received and reviewed, if the project is proceeding, the City and developer shall execute a funding agreement for a deposit of \$30,000 to cover the City's costs of evaluating the requests which may include but not necessarily be limited to direct costs of the City's financial and legal advisors.
3. **TIF Administrative Fee if District is Approved.** An annual administrative fee of 2% of the annual TIF revenue generated within the District shall be charged by the City to reimburse it for services rendered in the administration and supervision of the Project. Such TIF Administration Fee shall be deducted by the City (a) in the case of property taxes, when the City receives property taxes from the County and (b) in the case of sales tax (or other locally-levied taxes), when the City makes the required transfers into the TIF fund.
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.

C. Preliminary Review and Pre-Application Meeting. Prior to submittal of a formal application, an applicant is encouraged to meet with the Finance Team to discuss a proposed project and possible TIF 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.

The establishment of the district shall generally follow the guidelines established by State statute K.S.A. 12-1770 et seq. The Governing Body will consider setting the required public hearing to create a TIF District once a complete application is delivered to, reviewed by and recommended for action by the Finance Team, and the Applicant has paid any required fees (including entering into the funding agreement).



A. Reviewing and Establishing the Redevelopment District. Upon receiving the recommendation of the Finance Team, including a determination by the City Attorney that the proposed district area potentially qualifies for TIF under Kansas law, the Governing Body shall determine whether to reject the application for creation of a redevelopment district or to further consider the request. The Governing Body must conclude that redevelopment of the proposed area is necessary to promote the general and economic welfare of the City. If such a finding is made the Governing Body may adopt a resolution.

1. Redevelopment District Resolution – Notice of Public Hearing. The resolution shall state that the City is considering the establishment of a redevelopment district; additionally, it shall: (1) give notice that a public hearing will be held to consider the establishment of a redevelopment district and fix the date, hour and place of such hearing; (2) describe the proposed boundaries of the redevelopment district; (3) describe a proposed comprehensive plan that identifies all of the proposed redevelopment project areas and that identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each development project area; (4) state that a description and map of the proposed redevelopment district are available for inspection at a time and place designated; and (5) state that the Governing Body will consider findings necessary for the establishment of a redevelopment district. Such resolution shall be an expression of good faith intent, but shall not in any way bind the City to establishing a redevelopment district.

2. Public Notice and Hearing. No redevelopment district shall be established, nor TIF granted, by the City prior to notice and a public hearing as required by the Act. The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing. The resolution shall be published by the City Clerk once in the official city newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing. A copy of the resolution providing for the public hearing shall be mailed certified mail, return receipt requested by the City Clerk to the Shawnee County Board of Commissioners, and the board of education of any school district levying taxes on property within the proposed district or proposed redevelopment project area, if known. Copies also shall be sent by certified mail, return receipt requested by the City Clerk to each owner and occupant of land within the proposed district or proposed redevelopment project area, if known, not more than 10 days following the date of the adoption of the resolution.

3. Shawnee County Board of Commissioners and Board of Education. No privately owned property subject to ad valorem taxes shall be acquired



and redeveloped under the provisions of the Act and this Policy if the Shawnee County Board of County Commissioners or the Board of Education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the public hearing for the establishment of the redevelopment district will have an adverse effect on such county or school district. If the City has established the redevelopment district prior to receiving such timely notice from the BOCC or School Board, the City shall, within 30 days of receipt of such resolution pass an ordinance terminating the redevelopment district.

4. Establishing the Redevelopment District. Upon the conclusion of the public hearing, the Governing Body may pass an ordinance establishing the redevelopment district. The ordinance shall make findings that the proposed redevelopment district is an eligible area and the conservation, development or redevelopment of such area is necessary to promote the general and economic welfare of the City; contain the district plan as approved, which shall identify all of the proposed redevelopment project areas and identify in a general manner all of the buildings, facilities and improvements that are proposed to be constructed or improved in each redevelopment project area; contain the legal description of the redevelopment district; and establish the redevelopment district. Any addition of area to the redevelopment district or any substantial change to the district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the redevelopment district.

B. Reviewing and Approving the Redevelopment Project Plan.

1. The Redevelopment Project Plan. The City shall prepare a redevelopment project plan in consultation with the City Planning Commission. The Planning Commission must determine that the redevelopment project plan is consistent with the comprehensive general plan for the development of the City and this action must occur before the Governing Body adopts a resolution providing notice of a public hearing to consider adoption of the redevelopment project plan. The Redevelopment project plan shall include: (1) a summary of the feasibility study, described below, which shall be an open record; (2) a reference to the district plan that identifies the redevelopment project area that is set forth in the project plan being considered; (3) a description and map of the redevelopment area to be redeveloped; (4) the relocation assistance plan, if applicable; (5) a detailed description of the buildings, facilities and improvement proposed to be constructed or improved in such area; and (6) any other information the governing body deems necessary to advise the public of the intent of the project plan. Where the Governing Body determines that it will or may issue full faith and credit tax increment bonds to finance the



redevelopment project, in whole or in part, the resolution shall also include notice thereof. Any project shall be completed within 20 years from the date of the approval of the project plan.

2. Notice and Public Hearing. No redevelopment project plan shall be approved by the City prior to notice and a public hearing as required by the Act. The date fixed for the public hearing shall be not less than 30 or more than 70 days following the date of the adoption of the resolution fixing the date of the hearing. The resolution shall be published by the City Clerk not less than one week or more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the project area shall be included with the resolution. A copy of the resolution providing for the public hearing shall be mailed certified mail, return receipt requested by the City Clerk to the Shawnee County Board of Commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment project area. Copies also shall be sent by certified mail, return receipt requested by the City Clerk to each owner and occupant of land within the proposed redevelopment project plan area not more than 10 days following the date of the adoption of the resolution.

3. Governing Body Adoption. Following the public hearing, the Governing Body may adopt the redevelopment project plan by ordinance passed upon a 2/3 vote. Any substantial changes as defined in K.S.A. 12-1770a, as amended, shall be subject to a public hearing following publication of notice thereof at least twice in the official city newspaper.

V. PROJECT FEASIBILITY.

- A. Statutory Feasibility Study. The City will prepare the statutory feasibility study based upon information provided by the applicant.
- B. Demonstration of Financial Capacity to Perform. Each TIF project plan application must include evidence that the applicant:
 - 1. Has a complete capital stack established with sources and uses in balance;
 - 2. Has the financial ability to complete the project, on time, as proposed;
 - 3. Has a firm, demonstrable commitment from a lending institution(s) for any private borrowing required to complete the project;



4. Has the financial wherewithal to make the equity contribution to the project required to secure such borrowing(s);
5. Has a reasonable basis for its project cost estimates, with preference provided to applications that include professionally-estimated project costs; and
6. Has the capacity, for itself or through experienced operators, to operate the project profitably over its lifecycle.

C. But-For Test:

1. Each TIF project plan application must demonstrate that "but-for" the use of TIF, the project is not feasible and would not be completed without the proposed TIF assistance. The City (through staff or its advisors and consultants, at its sole discretion) will conduct the but-for analysis and the applicant shall be responsible for providing all information reasonably requested by the City to conduct such analysis.
2. The City's but-for requirement is a greater burden than the statutory burden for approval of a TIF project plan. The City shall, in its reasonable discretion, select the calculation methodology for such but-for analysis but it shall generally compare the return of the project and/or its developer taking into account TIF and other incentives against market rates of return for similar projects developed on "greenfield" sites (that is, those without the physical and legal impediments leading to the request for TIF). The but-for analysis will use time value of money discounting using reasonable assumptions (at the discretion of the City).
3. The but-for analysis shall take into account all incentives requested by the development from any governmental or other source (such as the Greater Topeka Partnership), not just those benefits provided by the TIF.
4. The City generally will seek to target a level of TIF incentive sufficient to provide the applicant with a market rate of return, including the effects of the incentives, but the City, at its discretion, may choose to provide a greater rate of return to the applicant in exchange for extraordinary benefits to the public.
5. The City will generally agree to permit the applicant to provide sensitive financial information to the City's advisors or legal counsel on the City's behalf under non-disclosure agreement, provided, however, that such advisors or legal counsel must have the right under such agreement to convey their conclusions about the applicant's ability to meet the



requirements above based upon its review.

D. Information to Be Submitted with a Project Plan Application:

1. Information in support of the requirements in paragraph (B) of this section
2. 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)
3. Market studies which identify target markets, analysis of competition, demographics, market rents and sales prices, letters of intent/interest from prospective tenants. The City may reasonably request of the applicant, at the applicant's cost, a thorough, third-party market analysis identifying: (1) the likelihood of success of the business mix proposed for the TIF project plan area; and (2) the potential economic impacts on existing businesses and corresponding tax revenues should the TIF project plan develop as proposed
4. A ten-year detailed operating pro forma for the Applicant/project
5. A schedule describing all incentives requested and/or granted in support of the project from any governmental entity
6. A uses-by-source-of-funding schedule illustrating the project costs that will be reimbursed from TIF and any other incentive program (public or private) for which the applicant has or plans to apply.
7. If businesses are to be relocated from other areas of the city to the proposed TIF project plan area, the applicant must provide sufficient justification to indicate why the City should subsidize such relocation.
8. A schedule identifying whether the TIF project plan is expected to create net new "quality jobs" in the city. The City defines a quality job as one that is (a) full-time (greater than 32 hours per week); (b) pays a wage equal to or greater than the average wage within the Topeka MSA; and (c) provides a basic benefit package including access to affordable health insurance, paid time off and the opportunity to participate in a retirement plan.



VI. DEVELOPMENT AGREEMENT.

- A. Timing. The Governing Body will take action on project plan approval, project planning/zoning approvals and a development agreement concurrently.
- B. Contents. Among other things, the Development Agreement will provide for:
 - a. A minimum private expense requirement for the developer and maximum permitted reimbursement amount to the developer.
 - b. Specific developer performance requirements, matching the proposed improvements provided in the TIF project plan application.
 - c. Consequences for developer non-performance, including reductions in the amount of incentives available, reductions in the maximum permitted reimbursement amount and/or acceleration of the date of expiration of the TIF.
 - d. The mechanics for reimbursement of TIF-eligible expenses.
 - e. The mechanics for establishing base year values for non-ad valorem taxes captured by the TIF.
 - f. Payment-in-lieu-of-tax requirements.
 - g. Conditions under which the applicant could request the City issue special obligation TIF bonds on its behalf.

VII. 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 TIF 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

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.

E. Appeals. 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.

VIII. BOND FINANCING GUIDELINES.

The City's general policy is that development should pay for itself. As a result, the City will consider general obligation or general fund support of TIF bonds only in extraordinary cases and typically only on City-initiated projects. If TIF bonds are issued for the project, the following guidelines shall be applied:

1. The City will give priority considerations to TIF applications that request only pay-as-you-go financing.
2. For third-party applications, the City will generally not consider full faith and credit TIF bonds or TIF bonds with other City credit enhancements.
3. The City will consider providing the applicant with the right to seek permit issuance of "special obligation" bonds (i.e. supported solely from TIF revenues) in the City's sole discretion. The City may include in the development agreement specific conditions precedent to this right becoming



available (minimum leasing commitments, minimum revenue thresholds, etc.).

4. The City's financial advisor will manage the bond issuance process on the City's behalf, including advising the City on the selection of members of the bond financing deal team (to include, but not be limited to, underwriters, trustees, feasibility consultants, etc.).
5. The City's bond counsel will serve as bond counsel on all TIF bond transactions.
6. For any bond financing, all City fees for itself, its counsel and advisors, will be paid from TIF bond proceeds (or by the applicant through an equity contribution to the financing).
7. For any special obligation bond financing, the City may impose an issuance fee of up to \$50,000 to cover its staff costs involved in preparing and managing the financing. Additionally, the City will charge to the TIF fund an additional one percent (1%) annually on all TIF collections for ongoing administration of the bonds.
8. If required by bond counsel, the applicant agrees to be a party to the tax compliance agreement and/or continuing disclosure agreement (if applicable) on any TIF bond transaction.

CITY OF TOPEKA



Brent Trout, City Manager



TOPEKA DYNAMIC CORE

DEVELOPMENT ZONE

HOW THE DYNAMIC CORE CAME TO BE

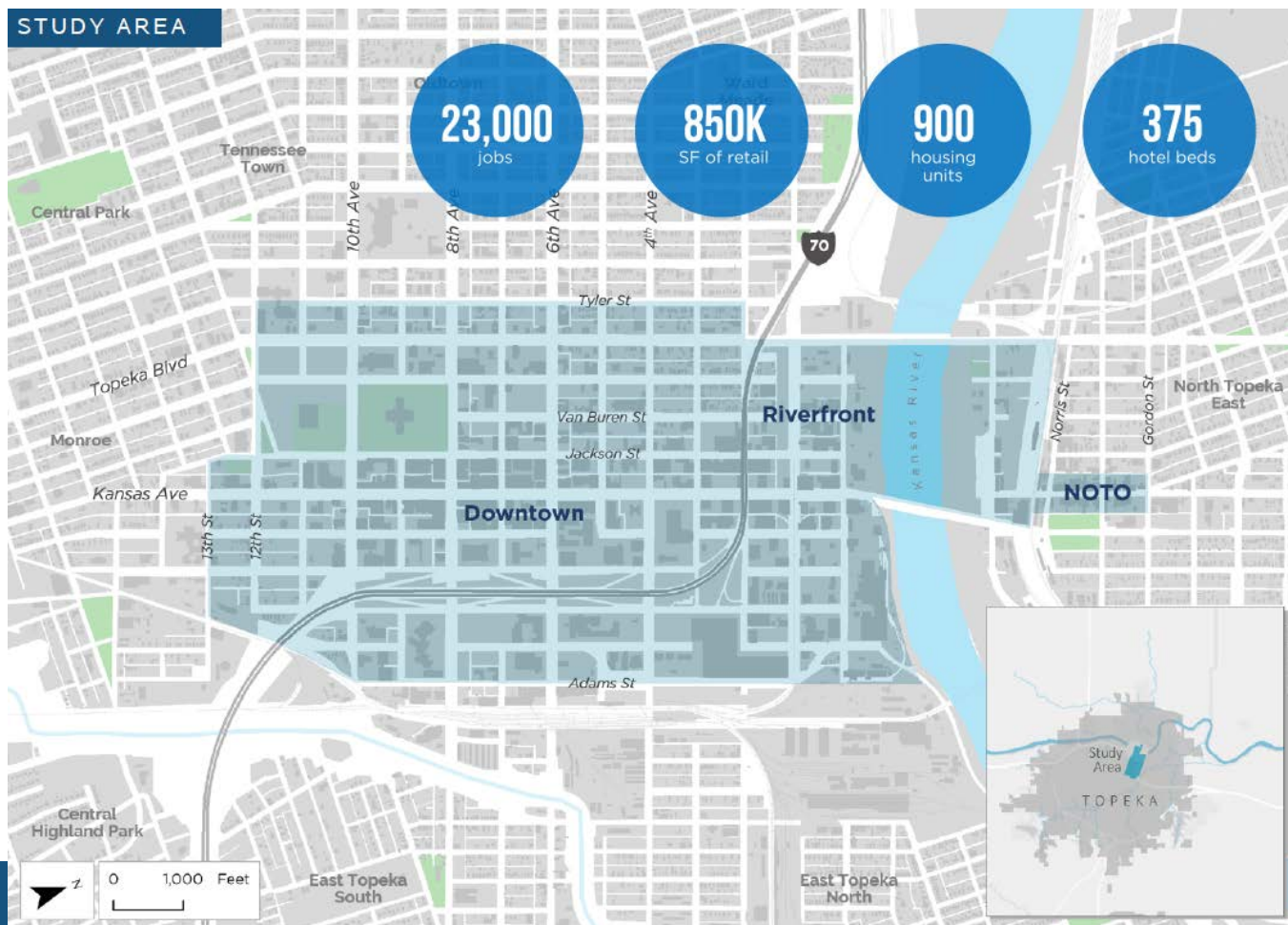
- Heartland Visioning

- Downtown

- NOTO

- Riverfront Authority

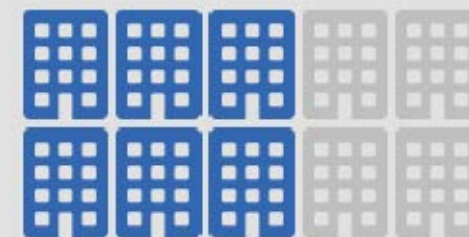




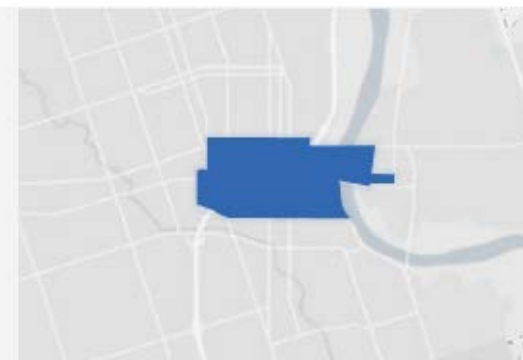
EMPLOYMENT TRENDS

Downtown Topeka

Downtown
contains
60%
of the region's
office space



Average
Downtown
wages are
18%
higher than
the rest of the
region's



Downtown
contains
24%
of the city's jobs
in less than
2%
of the land area



THE POTENTIAL FOR GROWTH IN THE DYNAMIC CORE

MARKET CONCLUSIONS

HOUSING

900

New Housing
Units

RETAIL

690K

Supportable
SF

OFFICE

300K

New/Rehabbed
SF

HOSPITALITY

200

New Rooms

150-250

new hotel rooms
Downtown

20%
regional
capture



OVERVIEW OF TAX INCREMENT FINANCING

Developers in a TIF district can negotiate with the City for reimbursement of certain eligible expenses, such as costs of property acquisition and infrastructure improvements

Reimbursement is paid from the increase in property tax value brought about by the developer's improvements

New City policy is "Pay As You Go" – Developer only gets reimbursed for expenses actually incurred and after the value of the property has increased

TIF is distinct from Community Improvement Districts (CID), STAR Bonds, Historic Tax Credits and other types of development incentives

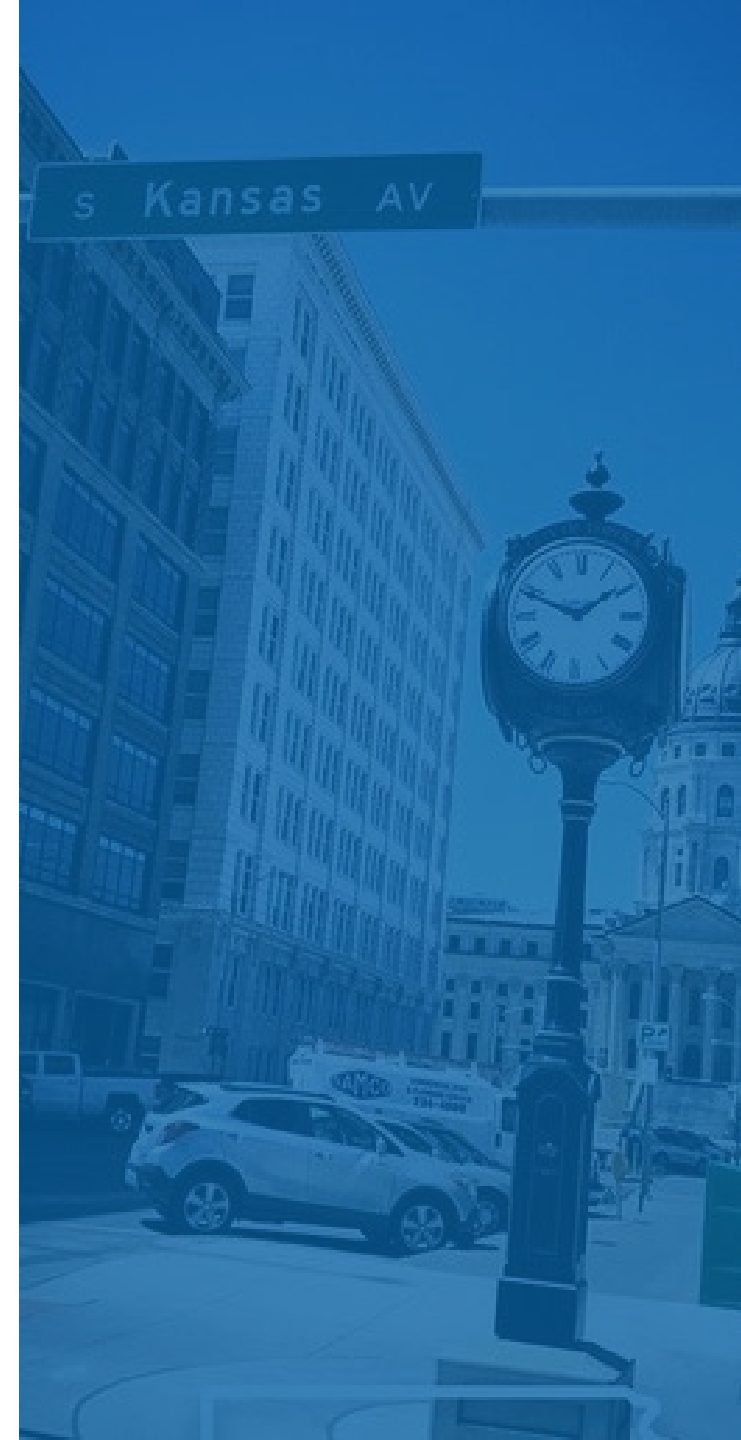
WHERE IS THE DYNAMIC CORE DEVELOPMENT DISTRICT?



- The proposed district runs from 17th street on the South to Soldier Creek on the North side of NOTO; and
- From Adams on the East to Topeka Blvd. on the West
- It includes Downtown, the water tower district, the riverfront and NOTO
- It falls entirely within the 1992 Enterprise Zone – an important consideration
- It encompasses the “Crossroads of Freedom” by incorporating within its boundaries such important heritage assets as the Brown v. Bd. of Education National Historic Site, the historic United States Courthouse, Constitution Hall and Papan’s Landing.
- The boundaries of the zone are the result of numerous discussions with community leaders in downtown and NOTO, affected property owners and others

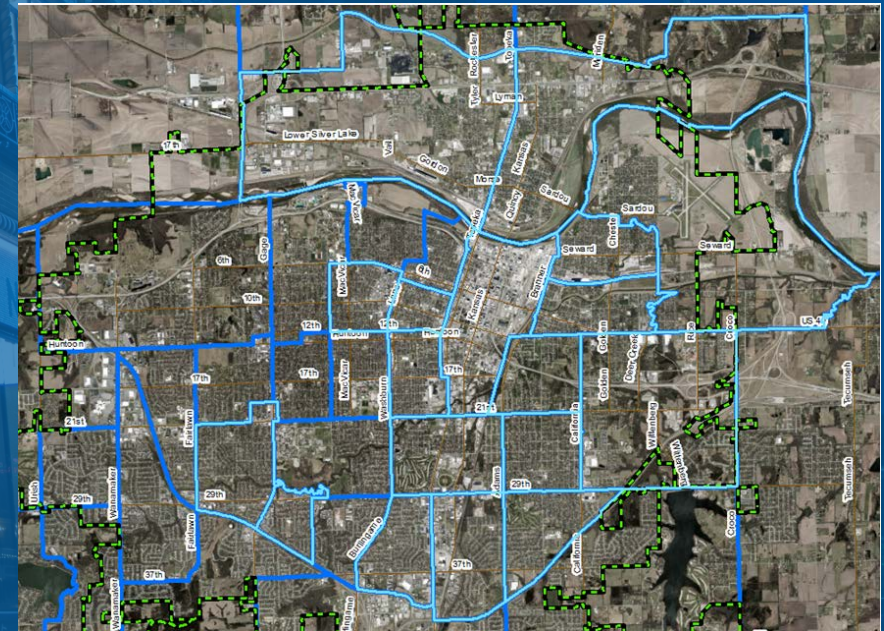
WHY ESTABLISH TIF DISTRICT NOW?

- Establishing the district in advance is a way the City can encourage development in the Dynamic Core.
- Property owners wishing to redevelop will already have several initial steps of the TIF process out of the way – they will not need to establish their own districts and they will not need to conduct blight studies that they otherwise would have
- The Base Value of the properties subject to development will be set – that is the value against which any future increment is measured
- Establishing the District says Topeka is “Open for Business”



OVERVIEW OF OPPORTUNITY ZONES

- Last year, Topeka applied for and received designation of 3 census tracts as federal opportunity zones
- These zones correspond with the area covered by the Dynamic Core Development District
- Investors from across the nation are looking for ways to take advantage of zones like these to potentially receive substantial capital gains tax relief
- Greater Topeka Partnership is working with City, County and State to aggressively market Topeka and attract such new sources of capital
- TIF can be layered with the opportunity zones (and other incentives such as Brownfield grants) to offer an even more inviting suite of financing tools to potential investors



IMPORTANT POINTS TO REMEMBER



By establishing the district, the Council is not bestowing any TIF incentives at this time. Developers will still need to present good, eligible projects and negotiate a fair deal with the City

Under the City's new policy, the taxpayers are not put at risk by TIF. Funding is "Pay as you go"

Policy also requires, among other things, that projects would not have been built "but for" the TIF financing

The Dynamic Core is only a starting point. The benefits of this kind of district could be very useful in encouraging development in other parts of Topeka