

1 (Published in the Topeka Metro News February 16, 2015)

2
3 ORDINANCE NO. 19937

4
5 AN ORDINANCE introduced by City Manager Jim Colson, amending and authorizing
6 the Project Budget approved by Ordinance No. 19555 for
7 Improvement Project No. T-291015.00 which provides for the Oakland
8 Wastewater Treatment Plant biofilter replacement and providing
9 Notice of Intention regarding the issuance of revenue bonds pursuant
10 to K.S.A. 10-1201 *et seq.*
11

12 WHEREAS, Ordinance No. 19555, passed and approved May 3, 2011, authorizing
13 Improvement Project No. T-291015.00 and issuing the Notice of Intention of the City to sell
14 revenue bonds in an amount not to exceed one million one hundred thousand dollars
15 (\$1,100,000.00) for said project; and

16 WHEREAS, the project has exceeded the original budgeted cost; thus requiring
17 approval of the amended project budget by the Governing Body.

18 NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
19 CITY OF TOPEKA, KANSAS:

20 Section 1. That the budget for Project No. T-291015.00 approved by Ordinance
21 No. 19555 in the amount of one million one hundred thousand dollars (\$1,100,000.00) is
22 increased to the amount of one million seven hundred forty-one thousand two hundred
23 ninety-four dollars (\$1,741,294.00), as set forth in the revised project budget attached
24 hereto.

25 Section 2. That this project is described as follows:

26 This project includes the demolition/replacement of the existing earthen bermed
27 biofilter structure and wood media system and installation of a new concrete bermed
28 structure with engineered biofilter media system. This option will provide the optimal level
29 of odor and contaminant control for the influent Pump Station #73 wetwell, and Headworks

Building including screening facility, grit chambers, grit dewatering facilities, clarifiers, and inlet and outlet structures. This option will also help to reduce corrosive chemicals that negatively impact wastewater maintenance cost and overall operation processes at the Oakland Wastewater Treatment Plant (OWWTP).

Section 3. That notice, pursuant to K.S.A.10-1210 and amendments thereto, shall be provided by the Governing Body of its intention to complete the Project in accordance with the revised project budget and to issue revenue bonds to pay the costs. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official City newspaper. Such notice shall describe the nature of the proposed improvements, the estimated cost and amount of revenue bonds proposed to be issued.

Section 4. That the City may commence the improvements described in the revised project budget and issue revenue bonds to pay the costs unless a written protest signed by not less than twenty percent (20%) of the qualified electors of the City is filed with the City Clerk within fifteen (15) days after publication of the Notice of Intention.

Section 5. The City does hereby express its official intent to reimburse any expenditures made in connection with the Project from the City's utility funds, or obligations incurred by, on or after the date which is sixty (60) days before the effective date of this Ordinance from the proceeds of its revenue bonds as aforesaid in the maximum principal amount previously described in accordance with U.S. Treasury Regulation 1.150-2. This Ordinance, as the expression of the governing body's official intent regarding the matters described herein, will be posted on the City's web site at www.topeka.org and is also available for public inspection in the City Clerk's office at City Hall during regular business hours of the City.

Section 6. That the cost estimate and any other part of the project budget approved by Ordinance No. 19555 which is in conflict with this Ordinance and revised project budget is hereby specifically repealed.

Section 7. That this Ordinance shall take effect and be in force from and after its adoption by the Governing Body of the City by at least a two-thirds (2/3) vote of the members thereof and publication in the official City newspaper.

PASSED and APPROVED by the Governing Body February 10, 2015.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk