

(Published in The Topeka Metro News on August 22, 2016.)

**ORDINANCE NO. 20017**

**AN ORDINANCE INTRODUCED BY CITY MANAGER JIM COLSON  
AUTHORIZING THE ISSUANCE OF \$22,705,000 AGGREGATE  
PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES  
2016-B OF THE CITY OF TOPEKA, KANSAS, UNDER THE  
AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, K.S.A. 12-6a01 ET  
SEQ., AND CHARTER ORDINANCE NO. 89 OF THE CITY, ALL AS  
AMENDED.**

**WHEREAS**, pursuant to K.S.A. 12-6a01 et seq., and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City), and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the City of Topeka, Kansas, (the "City") has authorized and caused those improvements described in Exhibit A attached to this Ordinance (the "Improvements") to be made in the City; and

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

**WHEREAS**, all legal requirements pertaining to the Improvements have been complied with, and the governing body of the City now finds and determines that the total cost of the Improvements, including the payment of a portion of the City's outstanding Series 2015-A Temporary Notes, dated September 15, 2015, which are due and payable October 1, 2016, and related expenses are at least \$23,505,267.42 (the "Improvement Costs") with \$6,985,254.12 of said Improvement Costs to be paid by the owners of the property within the City benefited by the Improvements (\$33,008.28 of which has been paid into the City Treasury on account of the Improvements), and \$767,259.14 to be paid from other legally available of the funds of the City, leaving \$22,705,000.00 to be paid for by the issuance of general obligation bonds; and

**WHEREAS**, in accordance with all of the foregoing, the City deems it necessary and advisable to issue and sell its General Obligation Bonds, Series 2016-B in the aggregate principal amount of Twenty-two Million Seven Hundred Five Thousand Dollars (\$22,705,000) for the purpose of paying a portion of the Improvement Costs and paying the costs of issuing the Bonds.

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

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

47  
48       **Section 2.** That there is hereby authorized and directed to be issued General Obligation  
49 Bonds, Series 2016-B of the City in the aggregate principal amount of Twenty-two Million  
50 Seven Hundred Five Thousand Dollars (\$22,705,000) (the “Bonds”) for the purpose of paying of  
51 the Improvement Costs, and paying the costs of issuing the Bonds as provided by K.S.A. 12-  
52 6a01 et seq., and Charter Ordinance No. 89 of the City (Section A12-1 of the Code of the City),  
53 and Article 1 of Chapter 10, Kansas Statutes Annotated, all as amended and other provisions of  
54 the laws of the State of Kansas applicable thereto. The Bonds shall be dated and bear interest,  
55 shall mature and be payable at such times, shall be in such form, shall be subject to redemption  
56 and payment prior to the maturity thereof and shall be issued in the manner prescribed and  
57 subject to the provisions, covenants and agreements set forth in a resolution of the Governing  
58 Body of the City adopted the same date as the date of the passage and approval of this Ordinance  
59 (the “Resolution”).  
60

61       **Section 3.** That the Mayor or Deputy Mayor and City Clerk or Deputy City Clerk are  
62 hereby authorized to prepare and execute the Bonds and when so executed, the Bonds shall be  
63 registered as required by law and the Governing Body shall annually make provisions for the  
64 payment of the principal of, redemption premium, if any, and interest on the Bonds as the same  
65 shall become due by levying a tax upon all the taxable property of the City.  
66

67       **Section 4.** That the City shall, and the officers, agents and employees of the City are  
68 hereby authorized and directed to, take such action and execute such other documents,  
69 certificates and instruments as may be necessary or desirable to carry out and comply with the  
70 provisions of this Ordinance and to carry out, comply with and perform the duties of the City  
71 with respect to the Bonds and the Resolution all as necessary to carry out and give effect to the  
72 transaction contemplated hereby and thereby.  
73

74       **Section 5.** That if any portion or provision of this Ordinance or the Bonds shall for any  
75 reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion  
76 or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but  
77 this Ordinance and said Bonds shall be construed and enforced as if such illegal or invalid  
78 provision had not been contained herein.  
79

80       **Section 6.** That the Bonds shall be issued and sold to the purchaser thereof in accordance  
81 with both their bid for the purchase thereof and the terms and conditions of this Ordinance.  
82

83       **Section 7.** That this Ordinance shall take effect and be in force from and after its passage  
84 and publication in the official City newspaper.  
85 |

86 Passed and approved by the governing body of the City of Topeka, Kansas, this 16th day  
87 of August, 2016.

88  
89 CITY OF TOPEKA, KANSAS

90  
91  
92  
93 \_\_\_\_\_  
94 Larry E. Wolgast, Mayor

95 ATTEST:

96  
97 \_\_\_\_\_  
98 Brenda Younger, City Clerk

99  
100 (SEAL)

101  
102 **I, BRENDA YOUNGER**, City Clerk of the City of Topeka, Shawnee County, Kansas,  
103 do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 20017  
104 adopted and approved by the governing body of the City on August 16, 2016.

105  
106 (SEAL)

107 \_\_\_\_\_  
108 Brenda Younger, City Clerk  
109  
110

111 **EXHIBIT A**

112

113 Project Number	Authorizing	Project	Amount
114 <u>&amp; Description</u>	<u>Authority</u>	<u>Authorization</u>	<u>Authorized</u>
115			
116 <b><u>Special Assessment Projects</u></b>			
117 Project No. T-151011.00	K.S.A. 12-6a01 et seq.	Res. #8317	\$1,321,850.00 <sup>1</sup>
118 Project No. T-281062.00	K.S.A. 12-6a01 et seq.	Res. #8485	\$ 497,600.00 <sup>1</sup>
119 Project No. T-401039.00	K.S.A. 12-6a01 et seq.	Res. #8684	\$ 779,500.00 <sup>1</sup>
120 Project No. T-601030.00	K.S.A. 12-6a01 et seq.	Res. #8487	\$4,492,200.00 <sup>1</sup>
121			
122 <b><u>Bridge Projects</u></b>			
123 Project No. T-12045.00	Charter Ordinance No. 89	Ord. #19399	\$ 629,960.00
124	(City Code A12-1)		
125			
126 <b><u>Trafficway Projects</u></b>			
127 Project No. T-141012.00	Charter Ordinance No. 89	Res. #8408	\$ 640,000.00
128	(City Code A12-1)		
129 Project No. T-141013.00	Charter Ordinance No. 89	Res. #8494	\$ 640,000.00
130	(City Code A12-1)		
131 Project No. T-141015.00	Charter Ordinance No. 89	Res. #8581	\$ 640,000.00
132	(City Code A12-1)		
133 Project No. T-141021.00	Charter Ordinance No. 89	Res. #8673	\$1,198,800.00
134	(City Code A12-1)		
135			
136 <b><u>Street/Sidewalk Projects</u></b>			
137 Project No. T-601034.00	Charter Ordinance No. 89	Res. #8501	\$ 500,000.00
138	(City Code A12-1)		
139 Project No. T-601036.00	Charter Ordinance No. 89	Res. #8580	\$ 370,000.00
140	(City Code A12-1)		
141 Project No. T-601039.00	Charter Ordinance No. 89	Res. #8577	\$1,400,000.00
142	(City Code A12-1)		
143 Project No. T-601041.00	Charter Ordinance No. 89	Res. #8656	\$1,400,000.00
144	(City Code A12-1)		
145 Project No. T-601042.00	Charter Ordinance No. 89	Res. #8625	\$ 185,000.00
146	(City Code A12-1)		
147 Project No. T-601043.00	Charter Ordinance No. 89	Res. #8625	\$ 100,000.00
148	(City Code A12-1)		
149 Project No. T-601044.00	Charter Ordinance No. 89	Res. #8625	\$ 200,000.00
150	(City Code A12-1)		
151			

152	Project Number	Authorizing	Project	Amount
153	<u>&amp; Description</u>	<u>Authority</u>	<u>Authorization</u>	<u>Authorized</u>
154				
155	Project No. T-601045.00	Charter Ordinance No. 89	Res. #8625	\$1,400,000.00
156		(City Code A12-1)		
157	Project No. T-701008.01	Charter Ordinance No. 89	Res. #8625	\$6,700,000.00
158		(City Code A12-1)		
159	Project No. T-701012.00	Charter Ordinance No. 89	Res. #8625	\$ 600,000.00
160		(City Code A12-1)		
161	TOTAL			<u>\$23,694,910.00</u>
162				
163				
164	<sup>1</sup> Estimated Probable Costs			