

Governing Body Minutes – June 8, 2021

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, June 8, 2021. The Governing Body members of the City of Topeka met in regular session at 6:00 P.M., with the following Councilmembers present: Councilmembers Hiller, Valdivia-Alcala, Emerson, Padilla, Dobler, and Duncan - 6; and the following Councilmembers participating remotely: Councilmembers Ortiz, Naeger, and Lesser - 3. Mayor De La Isla presided - 1.

Public comment for the meeting was available via Zoom or in-person. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on June 8, 2021, after which the City Clerk's Office provided the Zoom link information and protocols prior to the meeting start time. Written public comment was also considered to the extent it was personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before June 8, 2021, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Joe Mitchell, Prairie Band Potawatomie Nation, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

CONSENT AGENDA was presented as follows:

APPROVAL of the following Cereal Malt Beverage license applications were presented:

<u>Business Name</u>	<u>Address</u>
East Quick Stop	3100 SE 6 th Ave.
Neighborhood Smoke	1700 SW Van Buren St.
Tilton's Oakland Market	1905 NE Seward Ave.

MINUTES of the regular meeting of June 1, 2021, was presented.

Councilmember Dobler moved to approve the consent agenda. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (10-0-0)

APPROVAL of a Real Estate Agreement between Brandon Richard and the City of Topeka in the amount of \$150,000 to purchase the property and residence located at 1420 SW Ward Parkway, was presented. (*Contract No.49578*)

Brent Trout, City Manager, stated during the intense rainstorms of July 2020, the properties at 1420 Ward Parkway, 2913 SW Lane and 2919 SW Lane, suffered flooding and Staff would provide an overview of the flood mitigation plan for the properties.

Braxton Copley, Interim Utilities Director, stated the drainage study determined that a 255-acre drainage area ultimately flows to the channel in the rear yard of property located at 1420 Ward Parkway. He reported other options were considered including construction of substantial detention basins involving removal of approximately 13,000 cubic yards of material in two parks upstream of the residence, however, it would only result in an approximately 7% reduction in total runoff volume. He noted any other option would have a substantial cost associated with it so consequently the recommendation was to purchase the home, demolish it and convert it to greenspace.

Councilmember Lesser moved to approve the real estate agreement. The motion seconded by Councilmember Emersion carried unanimously on roll call vote. (10-0-0)

APPROVAL of a Real Estate Agreement between Charles R. Snow, III and the City of Topeka in the amount of \$137,000 to purchase the property and residence located at 2913 SW Lane Street, was presented. (*Contract No.49579*)

Braxton Copley, Interim Utilities Director, reported the existing system serves a 101.5-acre drainage area that ultimately passes through an enclosed system between the two houses that is subject to surcharging in the 10-year flood event. He stated the proximity of the homes to the storm line and the lack of vertical depth to discharge the stormwater to the storm

structure under 29th Street would eliminate the possibility of upsizing the enclosed system to handle a larger storm event and prevent future damage to the structures. He stated the consultants ultimately concluded that the two parcels at 2913 and 2919 Lane should be purchased, and additionally the report suggests storm system improvements in the basin to meet the City's current standards. He reported the project cost estimates are approximately \$2.5 million, not including the costs of purchase and demolition of the affected structures.

Councilmember Dobler asked how the City plans to fund the flood mitigation project.

Braxton Copley reported because the project was part of a larger flood mitigation program that would last longer than 30 years, the City will fund the project through revenue bonds.

Councilmember Naeger asked if the project would protect other homes from flooding in the area.

Braxton Copley reported the improvement would add an additional layer of safety for the homes in the area; however, they are not aware of any other homes in the area affected by flooding.

Councilmember Duncan stated he would abstain from voting to avoid any possible conflict of interest. He reported there has been no communication between Mr. Snow and himself; however, they have been longtime family friends.

Councilmember Emerson moved to approve the real estate agreement. The motion seconded by Councilmember Padilla carried on roll call vote. Councilmember Duncan abstained from voting. (9-0-1)

APPROVAL of a Real Estate Agreement between Mason Combs and the City of Topeka in the amount of \$132,000 to purchase the property and residence located at 2919 SW Lane Street, was presented. (*Contract No.49580*)

Councilmember Emerson thanked Staff for finding a great solution that saves the City a lot of money as well as offers fair compensation to the property owners.

Councilmember Lesser moved to approve the real estate agreement. The motion seconded by Councilmember Ortiz carried unanimously on roll call vote. (10-0-0)

ORDINANCE NO. 20300 introduced by City Manager Brent Trout, concerning the reorganization of certain city departments, amending various sections of Topeka Municipal Code Chapters 2.20, 2.25, 3.30, 8.60, 8.65 and 8.80, was presented.

Brent Trout, City Manager, reported the original proposal was divided into multiple components due to past discussions of the Governing Body. He stated the specific component that Staff was able to conduct a complete review relates to the Neighborhood Relations Department reorganization, as well as some other code language revisions resulting from the reorganization. He reported he conducted a meeting with the Citizens Advisory Council (CAC) as it relates to the proposed changes and received a great deal of input; he surveyed NIAs and received 13 responses, as well as met with eight NIAs in a Town Hall meeting to discuss the various issues. He reported the following:

- NIAs have not seen a significant change in the provision of services; however, they would have preferred to be notified about the reorganization prior to the act so they could have provided input and been involved in the changes.
- NIAs would like to have more access to Planning and Engineer Staff members as it relates to SORT projects, the transitioning into the DREAMS program, and an overall understanding of needs in the neighborhoods.
- NIAs would like to receive more information on the Brownfield Program Grants and if those grants are going to be used in the neighborhoods.
- NIAs want continued communication from various departments as needed.

- NIAs reported they continue to have good communication with the Community Engagement Division; and the ombudsman continues to evolve and has met with some successes thus far, without reducing the services provided by the Community Engagement Division Staff.

City Manager Trout stated the comments from NIA members would help him have a better understanding of how to interact with NIAs. He referenced the other components of the ordinance related to the CAC and noted he would meet with them on July 7, 2021, to discuss those changes. He stated Staff concurs with Councilmember Hiller's proposed amendments in addition to his request to amend line 218 by adding "or designee" after "Planning and Development Director" as it relates to the Committee members. He noted it was his intent to have the Planning and Development Director Chair the Committee; however, there may be times a designee will be needed in his or her absence.

Councilmember Valdivia-Alcala spoke in opposition of the ordinance as proposed specifically as it relates to support for the neighborhoods and the dismantling of the Department of Neighborhood Relations. She noted the ordinance seems reactive instead of proactive and reported Oakland NIAs continue to feel like there is a lack of communication with City Staff members as well as the need to acknowledge neighborhoods that are still suffering in the city. She stated she believes the current department restructure as proposed will not be effective.

Councilmember Hiller distributed language amendments (Attachment A) to Section 2.25 070(f)(14) starting on line 434, and Section 2.25.090(c) starting on line 500. She explained the rationale behind her amendments and requested approval by the Governing Body.

Councilmember Dobler asked if the ordinance as proposed would essentially eliminate the Stages of Resource of Targeting (SORT) Program. He expressed concern with the effectiveness of allocating funds in many different areas compared to concentrating funds in one specific area in the same manner as the SORT Program.

Councilmember Ortiz reported many of her constituents were concerned neighborhoods would lose SORT Program funding if the ordinance was approved.

Brent Trout reported SORT Program funding would remain in place with the approval of the ordinance; however, as they move forward with proposals for the remaining components of the reorganization, the SORT Program will be reviewed to determine the effectiveness of the Program.

Councilmember Hiller moved to amend the ordinance as distributed (Attachment A) and include the amendment on line 218 as proposed by the City Manager. The motion seconded by Councilmember Ortiz carried on roll vote. Councilmember Valdivia-Alcala voted “no”. (9-1-0)

Councilmember Hiller moved to adopt the ordinance as amended. The motion seconded by Councilmember Padilla carried. Councilmember Valdivia-Alcala voted “no”. (9-1-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Ortiz, Emerson, Padilla, Naeger, Dobler, Duncan, Lesser and Mayor De La Isla -9. Nays: Valdivia-Alcala -1

RESOLUTION NO. 9228 introduced by City Manager Brent Trout supporting the expansion of Amtrak Passenger Rail Service in Oklahoma and Kansas, was presented.

Councilmember Duncan reported that Amtrak eliminated the ticket agent position in 2018 reducing important services for patrons at the Topeka Station; therefore, he proposes to amend the resolution as follows:

- Line 75: “WHEREAS, Amtrak eliminated the ticket agent, also called the customer service representative from Topeka 2018, and such elimination has reduced important services for patrons at the Topeka station”.
- Line 95: “SECTION SEVEN: The City of Topeka urges Amtrak to restore to the Topeka station a full-time customer services representatives to serve the traveling public.”

Councilmember Ortiz concurred with the amendments as proposed. She stated she has been working a long time to regain customer service representatives for the Topeka station in order to increase ticket sales.

Councilmember Duncan moved to amend the resolution as stated. The motion seconded by Councilmember Ortiz carried unanimously on roll call vote. (10-0-0)

Councilmember Ortiz moved to approve the resolution as amended. The motion was seconded by Councilmember Hiller.

Councilmember Hiller reported on the changes to the route and noted it would be a huge improvement for rail service in Topeka. She spoke in support of improving customer service by assigning a train stationmaster to the Topeka location.

Councilmember Emerson offered a friendly amendment to distribute the resolution to all State and Federal representatives in addition to those listed in the resolution.

Councilmember Ortiz accepted the friendly amendment. The second concurred.

The motion to approve the resolution as amended carried unanimously on roll call vote. (10-0-0)

DISCUSSION regarding an update on the Neighborhood Health Map, was presented.

Dan Warner, Planning and Development Department, reported the City of Topeka has measured the "health" of its neighborhoods since 2000 to determine priorities for planning and investment decisions. He stated the maps are based on a medical treatment theme of five "vital signs" (poverty, crimes, residential property values, homeownership, and unsafe structures) used as indicators of the overall "health" classification for a neighborhood and include (1) Healthy - optimal conditions; (2) Out Patient - favorable conditions; (3) At Risk - emerging negative conditions; and (4) Intensive Care - seriously distressed conditions. He stated the health ratings

provide insight and measure progress, which in turn can be used to improve neighborhood conditions. He stated many investment programs and initiatives are based on health ratings including the Neighborhood Revitalization Program, SORT program, Pedestrian Master Plan, and other community initiatives. He stated the health ratings actually measure Census block groups, which may overlap established neighborhood boundaries with each neighborhood possibly containing one or more block groups. He stated the Planning Department created the original health map in 2000 with updates in 2003, 2007, 2011, 2014 and 2017, and the most recent update uses 2020 data.

Mayor De La Isla thanked Staff for their presentation. She referenced a recent press conference held by the Greater Topeka Partnership regarding the improvement and quality of life designated by changes in the level of poverty in the community. She reported many organizations throughout the city are rehabilitating properties in various neighborhoods.

Councilmember Duncan stated serious conversations should occur about what steps the City needs to take to address unsafe structures in the future, and noted ratings would improve by addressing this issue alone.

Councilmember Lesser asked from a proactive standpoint, if Staff has the data that shows how many foreclosures the city has at this time. He stated he wants to make sure the City was prepared for the influx of foreclosures that may occur due to the recession.

Councilmember Valdivia-Alcala stated she concurs with Councilmember Lesser and expressed the importance of the City being proactive regarding anticipated foreclosures. She referenced poverty percentages being outdated and if the document reflects the most recent United States Census numbers. She asked what factors play into NIA Health. She stated she

would like to see the actual health of the NIAs as relevant information. She challenged the City as an organization to improve outreach and reinvigorate NIAs by thinking “outside of the box”.

Dan Warner stated the numbers reflected on the document are a five-year average and updated every three years with the most current U.S. Census information. He noted they average all NIA factors to use as a composite score to create neighborhood snapshots.

Councilmember Emerson stated NIAs have requested that community police officers participate in NIA meetings. He stated he believes many neighborhood issues could be resolved if community officers participate in NIA meetings.

Councilmember Hiller questioned how they calibrate the neighborhood areas with low count populations and noted a net gain of 13% improvement is low considering the City has invested over \$30 million over the past 20 years to improve neighborhoods. She encouraged Governing Body members to communicate with their NIAs and determine what they want to see for change.

Councilmember Naeger stated the City must clearly define roles within the resources needed to improve overall safety and quality of life.

Councilmember Valdivia-Alcala stated there are many factors to address in order to improve the health of the neighborhoods; citizens have to revegetate their neighborhoods and take pride in corresponding activities such as NIAs, neighborhood watches and community gardens. She spoke in opposition of eliminating the SORT Program.

Councilmember Hiller stated it was her understanding a future mortgage crisis would not take place due to the rental and mortgage funding assistance that has occurred through the State and Federal governments.

Councilmember Padilla stated he concurs with comments made and believes the report was a call for action by all citizens to improve the neighborhoods they live in as well as City officials and Staff. He asked people seeking resources to look to each other and address these issues. He expressed the importance of stronger enforcement of zoning requirements and agreed that the amount of money invested in neighborhoods should result in a much larger improvement overall. He encouraged community members to be a true partner with the City to make things happen.

Councilmember Valdivia-Alcala inquired on the need for improved interaction with all City departments, specifically Topeka Police Department, Code Enforcement and the Topeka Fire Department, to work with average citizens and the need for ongoing conversations to improve the situation.

Dan Warner stated the City does not track foreclosures and neighborhood maps are measured by composite scores.

Brent Trout stated Staff receives foreclosure information from ProChamps and the U.S. Census Bureau should provide additional poverty data soon.

DISCUSSION regarding the renewal and adoption of the Neighborhood Revitalization Program for years 2022-2024, was presented.

Brent Trout, City Manager, stated the intent of the program is to promote the revitalization of a neighborhood area through the rehabilitation, conservation and redevelopment of the area through tax rebate housing incentives.

Bill Fiander, Planning and Development Director, reported the plan and program have had variations throughout the years and continuously administered by the City since 1995, resulting in \$464 million of new investment (approximately \$355 for commercial and \$109

million for residential); taxing entities rebating \$56 million over that time; and the program has leveraged \$8 of private investment for every public dollar rebate. He stated the next steps would be to address any comments and begin presenting a Plan to other taxing entities in July and August with final approval prior to December 31, 2021.

Councilmember Emerson asked why the State of Kansas Hospital grounds located at 1700 SW 7th Street has been targeted and questioned at what point is it determined that maximum development has occurred on a property.

Bill Fiander reported the area needs redeveloped; however, it also needs incentives to do so, as it now only covers the USD 501 property.

Councilmember Hiller stated the tax abatement offsets the special assessment for this area and she questioned the need for incentives. She stated the City's incentive package was very generous compared to other cities and suggested Staff consider a new concept for the program in comparison to other cities. She asked if Staff has increased efforts to promote the program to neighborhood residents; if statistics on the results of program could be included in the information distributed to the Governing Body along with an investment location map. She encouraged Staff to use the advertisement of the CHOOSE Topeka Program to the City's advantage.

Councilmember Dobler spoke in support of the plan and stated these are the type of incentives needed to promote economic development in Topeka and applying incentives to the buildings will be essential to add to the overall plan. He expressed the importance of competing with other communities as the population declines in the Topeka-Shawnee County area.

Bill Fiander stated Staff continues to communicate with other cities in regards to incentives offered; Staff will work with as many neighborhoods realtors as possible; and a survey

was conducted a few years ago for individuals who were approved through the incentive program and most commented that they were in need of the assistance.

PUBLIC COMMENT was provided by the following individual:

Deborah Edwards suggested the City educate the public on the city noise ordinance.

PUBLIC COMMENT was submitted via electronic mail by Joseph Ledbetter

(Attachment B).

ANNOUNCEMENTS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL;

Brenda Younger, City Clerk, provided an overview of the June 15, 2021, Governing Body agenda.

Brent Trout, City Manager, announced David Huckabee would begin employment as the new Topeka Police Department Legal Counsel on June 14, 2021. He also announced the Topeka Fire Department would host Camp Courage, a program used to introduce 20 young women between the ages of 14-20 to the career of a firefighter during the week of June 14-18, 2021, from 9:00 a.m. to 3:00 p.m. He reported the Topeka Fire Department has administrated COVID-19 vaccinations to over 117 Topeka residents who are homebound. He stated he completed an interview for the Bill and Melinda Gates Foundation and as a result, the City received a \$300 honorarium that he dedicated to the Affordable Housing Trust Fund.

Councilmember Hiller asked if the State of Kansas had changed the laws regarding the reinstatement of a driver's license.

Councilmember Valdivia-Alcala reminded the children who will participate in sports camps this summer to stay hydrated, eat well and get plenty of rest. She also reminded pet owners of the City's leash laws; to make sure the animals have water and shade while in their

yards; and to educate themselves on the repercussions for a dog at large citation. She stated there have been a number of dogs running loose in the Oakland Neighborhood in the past 6-8 weeks that have resulted in incidents. She announced the Juneteenth Parade on June 12, 2021. She thanked Staff member Sylvan Coles, Utilities Department, for his support through the City's Sustainability Advisory Board in assisting with printing of 50 children's coloring book called "We are the Keepers" that will be available at the Utilities Department. She stated Native American Mona Cliff from the Aaniiih Nation of Florida created the coloring book.

Councilmember Naeger announced June is Alzheimer's and Brain Awareness month. She announced the Topeka 2021 Walk to End Alzheimer's would be held September 25, 2021. She also announced upcoming Juneteenth and LQTBQ community events.

Councilmember Ortiz thanked the residents in East Topeka who have been cutting their grass and asked those who have not to please mow their lawns. She thanked the Police Department for their assistance in removing litter located in the middle of SE 9th Street and stressed the importance of organizing NIA cleanups in the neighborhoods. She asked people to take pride in their neighborhoods and be a responsible property owner.

Councilmember Duncan announced he attended the Topeka Zoo "Giraffe and Friends" Groundbreaking Ceremony on June 8, 2021. He referenced the financial report the Governing Body received on June 8, 2021, from the City Manager detailing the COVID-19 relief funds. He encouraged the Governing Body and Staff to watch the CBS Sunday morning show that aired on June 6, 2021, which included a segment about community policing and how communities allocate their resources.

Councilmember Dobler moved to recess into executive session for a period of time not to exceed 15 minutes to discuss upcoming employer-employee negotiations, as justified by KSA

75-4319(b)(3). In order to aid the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Chief of Staff, Bill Cochran; Administrative & Financial Services Director, Jessica Lamendola; Human Resources Director, Jacque Russell; Utilities Director, Braxton Copley; Senior Assistant City Attorney, Catherine Walter; Budget and Performance Manager, Stephen Wade; and City Attorney, Lisa Robertson. No action is anticipated to be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (10-0-0)

Following a 15-minute time period the meeting reconvened into open session and Mayor De La Isla announced no action was taken.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 30 minutes to discuss upcoming employer-employee negotiations, as justified by KSA 75-4319(b)(3). In order to aid the discussion, the following individuals were present: Members of the Governing Body; City Manager, Brent Trout; Chief of Staff, Bill Cochran; Administrative & Financial Services Director, Jessica Lamendola; Human Resources Director, Jacque Russell; Interim Police Chief, Bryan Wheelles; Senior Assistant City Attorney, Catherine Walter; Budget and Performance Manager, Stephen Wade; and City Attorney, Lisa Robertson. No action is anticipated to be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Padilla carried unanimously on roll call vote. (10-0-0)

Following a 30-minute time period the meeting reconvened into open session and Deputy Mayor Padilla announced no action was taken.

Mayor De La Isla left the meeting at this time. Deputy Mayor Padilla presided.

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 15 minutes to continue the discussion on upcoming employer-employee negotiations,

as justified by KSA 75-4319(b)(3). In order to aid the discussion, the following individuals should be present: Members of the Governing Body; City Manager, Brent Trout; Chief of Staff, Bill Cochran; Administrative & Financial Services Director, Jessica Lamendola; Human Resources Director, Jacque Russell; Fire Chief, Craig Duke; Senior Assistant City Attorney, Catherine Walter; Budget and Performance Manager, Stephen Wade; and City Attorney, Lisa Robertson. No action is anticipated to be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

Following a 15-minute time period the meeting reconvened into open session and Deputy Mayor Padilla announced no action was taken.

Councilmember Ortiz moved to extend the meeting past 10:00 p.m. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (9-0-0)

Councilmember Emerson moved to recess into executive session for a period of time not to exceed 25 minutes to discuss upcoming employer-employee negotiations, as justified by KSA 75-4319(b)(3). In order to aid the discussion, the following individuals should be present: Members of the Governing Body; City Manager, Brent Trout; Chief of Staff, Bill Cochran; Administrative & Financial Services Director, Jessica Lamendola; Human Resources Director, Jacque Russell; Fire Chief, Craig Duke; Senior Assistant City Attorney, Catherine Walter; Budget and Performance Manager, Stephen Wade; and City Attorney, Lisa Robertson. No action is anticipated to be taken when the open meeting resumes in the Governing Body Chambers. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

Following a 25-minute time period the meeting reconvened into open session and Deputy Mayor Padilla announced no action was taken.

NO FURTHER BUSINESS appearing the meeting adjourned at 10:10 p.m.

(SEAL)

Brenda Younger
City Clerk

Attachment A

PROPOSED AMENDMENTS TO REORGANIZATION ORDINANCE

Amendment #1

Section 2.25.070(f)(14)

Lines 434-435 – Page 19

(f) Review of Applications. Each application requesting an allocation of monies held in the housing trust fund must be fully completed, with any required documentation attached. The Affordable Housing Review Committee shall review any fully completed application within thirty (30) days of the date on which it is submitted. The following factors will be considered as part of such review:

(1) Would the project increase the supply of affordable rental housing, including the funding of rental assistance programs, for qualified households earning ~~80~~eighty percent (80%) or less AMI? Funding for projects that will serve households at ~~50~~fifty percent (50%) or less and ~~30~~thirty percent (30%) or less AMI are preferred, to the extent possible.

(2) Would the project increase the supply of for-sale housing for qualified households earning ~~80~~eighty percent (80%) or less of AMI?

(3) Would the project support homebuyer assistance programs, including by way of example down payment and mortgage assistance programs, for qualified households earning ~~80~~eighty percent (80%) or less of AMI?

(4) Would the project preserve rental housing, including the funding of rental assistance programs, for qualified households earning ~~80~~eighty percent (80%) or less of AMI? Funding for projects that will serve households at ~~50~~fifty percent (50%) or less and ~~30~~thirty percent (30%) or less AMI are preferred, to the extent possible.

(5) Would the project provide for the development of permanent supportive housing for homeless persons, and for supportive services associated with such housing?

(6) Would proposals for supportive services, in combination with categories in subsections (f)(1) through (f)(5) of this section or stand-alone, enhance access to or success in safe affordable housing for households at ~~80~~eighty percent (80%) or less AMI?

(7) Would the project be a strategic investment leading to the stabilization or revitalization of a neighborhood or promote a mixed-income approach to affordable housing either by project or location?

(8) Would the project, if new construction, be compatible with the design character of the neighborhood and/or advance high-quality design standards including "crime prevention through environmental design?"

(9) Have total development and project costs and courses of funds been submitted?

(10) Have future operational costs and provision for any applicant-provided or partner-provided supportive services been submitted and satisfactorily addressed?

(11) Does the experience and financial stability of the applicant indicate likely project success?

(12) Do all elements of the proposal comply with City ordinances and other applicable laws and regulations?

(13) Are there other sources available that could fund this proposal (i.e., are housing trust fund dollars really needed)?

(14) ~~How does the request meet a priority need identified in the Citywide Housing Market Study and Strategy or any addendums and updates? Does the request meet a priority identified for the particular funding cycle?~~

Amendment #2

Section 2.25.090(c)

Lines 500-503 – Page 22

(c) Topeka's approved neighborhood plans establish the general framework for which funding decisions are considered. ~~The Department will establish~~ including written criteria for how a target area should be defined in order to be considered for funding. The criteria shall include, but not be limited to, existing condition analysis by block, neighborhood plans, the neighborhood health map as published by the City Planning and Development Department and the comprehensive plan and any amendments thereto. The Housing Services Division of the Planning and Development Department will ~~concentrate~~ intentionally direct resources geographically to maximize collaborative investment from public and private funding sources. The major emphasis of funding decisions will be to promote identifiable impacts and enhance neighborhood wealth. ~~The Department shall invest its resources in areas where other recent and ongoing financial investment is present to further enhance current and future success.~~ To the extent allowable by funding sources, multiple-year commitments may be made to address needs identified in the five-year consolidated plan or the annual consolidated action plan. The concentration of resources into areas that have a reasonable potential for positive change will be a major consideration for investment strategies that will be outlined in the annual consolidated action plan. In addition, resources will be primarily concentrated in the "intensive care" and "at risk" areas as defined in the neighborhood health map published by the City Planning and Development Department, as being the areas where the majority of HUD resources will be allocated.

2.25.070 (f) (14) (page 10 Tracking)

Recommendation:

Delete the language as proposed for this section.

Substitute with “Does the request meet a priority identified for the particular funding cycle?”

Rationale:

Reference to a 2019 Housing Study is too limiting for the City Code. Studies come and go, implementation plans come and go, priorities for spending can be spread out in funding rounds at different times of a year or over a period of years and opportunities sometimes arise. If the intent of this proposed new section was to be able to prioritize funds for priorities identified at the time, the substitute sentence will do that better.

2.25.080 (c) (page 13 Tracking, last sentence)

Recommendation:

Delete the last sentence.

Rationale:

Saying that all resources addressed by the 5-year and 1-year Consolidated Plans (which, the way Topeka does it, includes all regular HUD funding as well as local government and private funding) will be primarily concentrated in “intensive care” and “at risk” neighborhoods is unnecessarily, and perhaps dangerously, limiting.

The sentences before the last one in (c) cover what needs to be said for HUD and City purposes about targeting – neighborhood plans and agreed criteria will define target areas to be considered for funding....intentionally direct resources geographically to maximize collaborative investment with private sources...promote identifiable impacts and enhance neighborhood wealth...and concentrate resources into areas that have a reasonable potential for positive change. The last sentence unnecessarily restricts the majority of all HUD funding that might come to Topeka to primarily “intensive care” and “at-risk neighborhoods. HUD funds are targeted at low and moderate income (LMI) citizens and minorities as well. The restriction, as stated, ignores the fact that sometimes it’s not just money investments that make the difference in neighborhoods and that corresponding priorities of HUD are to prevent decline of neighborhoods, and to make sure that LMI and minority persons are assisted with thriving and opportunities in all parts of the city, not just in the most-declined neighborhoods.

Unintended consequences?? It is almost like reverse redlining – targeting all of the money and opportunities for low income and minority residents into the most challenged districts...as if those are the only districts where they would live or benefit or where strategic investments could make a difference. Such limitations could limit development of LMI housing and opportunities in more prosperous districts. Those limitations could also mean that Oakland could possibly never get funding, as its income and overall health scores are too high.

213 (30%) of household income for gross housing costs, including utilities.

214 “Affordable Housing Review Committee” or “Committee” means a nine-member
215 committee established for the purpose of administering the manner in which funds held
216 in the housing trust fund are accepted and allocated. The Committee shall be made up
217 of the following individuals: (1) Director of Administrative and Financial Services, or
218 his/her designee; (2) Director of ~~Neighborhood Relations~~ Planning and Development, or
219 designee; (3) Division Director of Planning and Development Housing Services; (4)
220 Housing and Credit Counseling, Inc. (HCCI) representative; (5) Kansas Housing
221 Resource Corporation (KHRC) representative; (6) Federal Home Loan Bank (FHLB)
222 representative; (7) Citizen’s Advisory Council Chairperson, or his/her designee; (8) an
223 affordable housing provider recommended by the Mayor and appointed by the
224 ~~Governing Body~~ City Council; and (9) a poverty advocate recommended by the Mayor
225 and appointed by the ~~Governing Body~~ City Council. The Director of ~~Neighborhood~~
226 ~~Relations~~ Planning and Development, or his/her designee, will serve as the Chairperson
227 of the Committee.

228 “Area median income” or “AMI” means the area median income, adjusted for
229 household size, for Shawnee County as determined by the U.S. Department of Housing
230 and Urban Development.

231 “Blighted property” means any property adversely affected by detrimental
232 environmental conditions, topographic problems, uncontrolled vegetation, inaccessibility
233 or substandard structures.

234 “Citizen Advisory Council (CAC)” refers to an advisory group consisting of a
235 representative from each neighborhood improvement association and three at-large

Attachment B

Kelly L. Bogner

From: Joseph Ledbetter <joe@josephledbetter.com>
Sent: Tuesday, June 08, 2021 4:14 PM
To: City Clerk; Karen A. Hiller; Tony Emerson; Michael Lesser; Spencer Duncan; Sylvia Ortiz; Michelle De La Isla
Subject: Ref. Supp. 6 of CIP REPORT These are my words and analysis, only.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I FINALLY GOT A COPY I COULD ACTUALLY READ FROM CLERK'S OFFICE.

SUPP. 6 POORLY DONE, LACKING PAGE NUMBERS ON THE WATERLINE REPLACEMENT PAGES OF SAID SUPP.6 OF CIP REPORT.

VERY LITTLE OF THE BUDGETED \$6.5 MILLION 2021 IS IN ACTUAL CONSTRUCTION THIS YEAR. UNDER 50%.

* KORA REQUEST, IS 12TH STREET WATERLINE BEING PAID FOR BY COUNTRY SALES TAX MONEY? IF NOT, WHY NOT? A \$2,MILLION PROJECT.

ONLY \$700,000 IN CURRENT CONSTRUCTION NOW, BESIDES THAT PROJECT. >FAILING! The rest is in 'DESIGN'!! SUMMER IS ALREADY HERE FOR CONSTRUCTION! >RIDICULOUS LACK OF PERFORMANCE.

PROJECT ON NOTTINGHAM WAS 'IN DESIGN' LAST YEAR I WAS TOLD-BECAUSE I ASKED ABOUT IT LAST YEAR! STILL "IN DESIGN" THIS YEAR!

IT'S ONLY 6-8" PIPE, FOR 4 BLKS, OR 1/2 MILE! STILL IN DESIGN?

Joseph Ledbetter, JD, MPA