

Governing Body Minutes – November 15, 2022

CITY COUNCIL CHAMBERS, Topeka, Kansas, Tuesday, November 15, 2022. 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, Kell, Duncan and Dobler -6; and Councilmember Ortiz participated remotely -1. Mayor Padilla presided -1. Absent: Councilmember Naeger -1. (Council District 9: Vacant)

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 November 15, 2022, 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 November 15, 2022, for attachment to the meeting minutes.

AFTER THE MEETING was called to order, Councilmember Karen Hiller, provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

BOARD APPOINTMENT recommending the reappointment of Keith Finney to the Board of Building and Fire Appeals for a term ending December 31, 2024, was presented. (*Council District No. 6*)

BOARD APPOINTMENT recommending the reappointment of Nelda Henning to the Board of Building and Fire Appeals for a term ending December 31, 2024, was presented. (*Council District No. 1*)

BOARD APPOINTMENT recommending the reappointment of Tim Carkhuff to the

Topeka Board of Zoning Appeals to fill an unexpired term ending December 31, 2025, was presented. (*Council District No. 8*)

BOARD APPOINTMENT recommending the appointment of Doug Snook to the Board of Plumbing Examiners for a term ending December 31, 2024, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the appointment of John Nave to the Washburn University Board of Regents to fill an unexpired term until June 30, 2024; and for additional term expiring November 15, 2026, was presented. (*Council District No. 4*)

Councilmember Dobler moved to approve the appointments. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. The Mayor does not vote. (7-0-0)

Councilmember Naeger joined the meeting remotely.

A PRESENTATION on City of Topeka Winter Operations was presented by Tony Trower, Deputy Director of Public Works.

CONSENT AGENDA was presented as follows:

ORDINANCE NO. 20385 introduced by City Manager Stephen Wade authorizing initiation of condemnation proceedings to acquire an easement for a storm water improvement project in South Topeka, was presented. (*Project No. T-501081.11*)

ORDINANCE 20386 introduced by City Manager Stephen Wade, allowing and approving City expenditures for the period October 1, 2022 to October 28, 2022 and enumerating said expenditures therein, was presented.

APPROVAL of a professional services CONTRACT NO. 50771 between the City of Topeka and BT and Co., P.A. for Municipal Audit Services, was presented.

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

Business Name

Glory Days Pizza
Glory Days Pizza
Hooters of Topeka
Odin's Lair

Address

1033 SW Gage Blvd
3310 SE 29th St, Ste 600
6100 SW 10th Ave
921 N Kansas Ave

MINUTES of the regular meeting of November 1, 2022, was presented.

Councilmember Dobler moved to approve the consent agenda. The motion seconded by Councilmember Hiller carried unanimously on roll call vote. (9-0-0)

APPROVAL of LABOR AGREEMENT NO. 50769 of a one-year labor agreement between the City of Topeka and the Water Division of AFSCME Council 61, Local 1294, was presented.

Steven Wade, City Manager, reported the agreement aligns with the current utility rate increases beginning January 1, 2023, including an 8.83% pay matrix increase.

Councilmember Naeger moved to approve the agreement. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

ACCEPTANCE of Land Dedications in the Final Plat for Miller's Reserve Subdivision No. 2, the final phase of the Miller's Reserve and Miller's Glen Development located south of SW 21st Street and west of SW Indian Hills Road., was presented.

Steven Wade, City Manager, reported Staff and the Planning Commission recommends approval of the final plat and annexation and zoning ordinances for Miller's Reserve No. 2.

Councilmember Emerson moved to accept the dedications of land in the final plat for Miller's Reserve Subdivision No. 2. The motion seconded by Councilmember Naeger carried unanimously on roll call vote. (9-0-0)

ORDINANCE NO. 20387 introduced by City Manager Stephen Wade, annexing land to the City of Topeka, Kansas, in accordance with K.S.A. 12-520, located approximately 450 feet west of SW Indian Hills Road, approximately 1,175 feet south of SW 21st Street, within unincorporated

Shawnee County, Kansas and adjacent to the City of Topeka corporate limits, and said land being annexed for all City purposes, was presented. (A22/1) (Council District No. 8)

Councilmember Dobler moved to adopt the ordinance. The motion seconded by Councilmember Kell carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdiva-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, and Mayor Padilla -9.

ORDINANCE NO. 20388 introduced by City Manager Stephen Wade amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at west of SW Indian Hills Rd. and south of Miller’s Glen Subdivision from “PUD” Planned Unit Development with “M-1” Two-family Dwelling District and “C-1” Commercial District uses to “R-1” Single Family Dwelling District, was presented. (Z22-04) (Council District No. 8)

Mayor Padilla stated prior to proceeding with the vote, each member of the Governing Body who has engaged in ex parte communication with any individual either in favor of, or against, the matter being considered, must state that the communication occurred and indicate that even in light of having engaged in the communication they were able to fairly, objectively, and impartially consider the measure based only upon the evidence provided on the record. The record includes the Planning Commission minutes, the Staff report and its attachments, the public comments made during the Planning Commission hearing and similar relevant information related to the matter.

No ex parte communication was declared by members of the Governing Body.

Councilmember Emerson moved to adopt the ordinance. The motion seconded by Councilmember Hiller carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdiva-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, and Mayor Padilla -9.

PUBLIC HEARING

Public Hearing regarding the advisability of issuing Health Care Facilities Revenue Bonds for Brewster Place.

RESOLUTION OF INTENT NO. 9367 of the Governing Body of the City of Topeka, Kansas determining the advisability of issuing Health Care Facilities Revenue Bonds (Brewster Place), in one or more series, to provide funds for the purpose of financing or refinancing improvements to health care and retirement facilities owned and operated by the Congregational Home; and authorizing execution of certain related documents, was presented.

Steven Wade, City Manager, reported approval authorizes the issuance of \$21.3 million in Industrial Revenue Bonds (IRB) for Brewster Place with no financial risk or increase of debt by the City. He noted the issuance has been approved by the City of Topeka Industrial Revenue Bond (IRB) Committee.

Mayor Padilla opened the public hearing and asked if there was anyone present who would like to speak to the matter. Upon no one appearing, the Public Hearing was closed.

Councilmember Dobler moved to approve the resolution. The motion seconded by Councilmember Duncan carried unanimously on roll call vote. (9-0-0)

ORDINANCE NO. 20389 authorizing the City of Topeka, Kansas, to issue its Health Care Facilities Revenue Bonds (Brewster Place), in one or more series, to provide funds for the purpose of financing and refinancing improvements to health care and retirement facilities owned and operated by the Congregational Home; and approving certain documents and actions in connection with the issuance of said bonds, was presented.

Councilmember Dobler moved to adopt the ordinance. The motion seconded by Councilmember Duncan carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, and Mayor Padilla -9.

ORDINANCE NO. 20390 introduced by Councilmembers Sylvia Ortiz and Tony Emerson authorizing taxable general obligation temporary note proceeds to be used for construction of private housing and housing rehabilitation in the Hi-Crest Neighborhood Improvement Association, was presented.

Steven Wade, City Manager, reported the request was a result of discussions earlier in the year in regards to the NIA proceeds where the Governing Body authorized the issuance of internal bonds. He stated the Hi-Crest NIA was requesting the money be used for the construction of private housing and housing rehabilitation; and the NIA request would replace the previous authorization to use the proceeds for street repair. The resolution and corresponding ordinance are needed procedurally for legal authorization of the use of the bonds for housing. He reported there would be no change in budgetary impact and the funding was authorized as part of the Series 2022-A Taxable General Obligation Temporary Notes approved in April 12, 2022 (Resolution No. 9297) for an amount not to exceed \$612,105.

Councilmember Valdivia-Alcala stated she believes this was a novel approach to using the approximate \$6.1 million of NIAs funding and asked if the other three NIAs were provided the same opportunity. She stated it was her understanding the definition of “CHDO” was a Community Housing Development Organization with the capacity of developing affordable housing for the community it serves. She referenced the \$100,000 being used towards gap funding for two new builds to be sold, and asked Staff to provide a base definition of gap funding.

City Manager Wade reported Staff contacted all four NIAs that were effected and the other three NIAs stated they did want to use the funds for the infrastructure items that had previously been requested when the bonds were initially approved.

Rachelle Matthews, Administrative and Financial Services Interim Director, stated they would need to obtain the definition of gap funding from the Hi-Crest NIA and report back to the Governing Body.

Councilmember Duncan stated the traditional definition of “gap funding” was the difference in the amount of dollars owed on the project verses the amount of dollars in hand.

Councilmember Hiller stated the term was often used as in relates to affordable housing to cover the difference in cost between what it cost to build or rehab the house compared to what the house will be sold to the Low to Moderate Income (LMI) homeowner.

Councilmember Valdivia-Alcala questioned how they would confirm this was how the \$100,000 would be expended, specifically as it relates to being a CHDO property. She asked how the City plans to guarantee the CHDO property would be sold at a fair market price on the open market.

Interim Director Matthews reported before funding would be disbursed proof of documentation would have to be submitted to the City to substantiate the dollar amount being requested.

Councilmember Valdivia-Alcala stated because the property was a fairly new CHDO she would like to have more information specifically relating to the expenditure of \$100,000 before making a decision.

Councilmember Valdivia-Alcala moved to defer the resolution until December 6, 2022. The motion was seconded by Councilmember Ortiz.

Councilmember Kell spoke to the difficulty of providing good affordable housing. He stated the intent of the NIA was to build a good quality home that will last for years while providing much needed housing for LMI families.

Councilmember Ortiz reported the Hi-Crest NIA has finished all projects but one bridge and wanted to do something different with the funds by investing in affordable housing. She spoke in support of the other three NIAs spending the funds they are owed.

Councilmember Valdivia-Alcala stated she does not have an issue with the Hi-Crest NIA receiving the money they are owed; however, she does have basic questions related to the oversight of funding due to the strict guidelines of CHDO properties. She spoke to unintended consequences of SENT Topeka losing their CHDO status if guidelines are not followed.

City Manager Wade confirmed before any funding would be released CHDO guidelines would be reviewed by Corrie Wright, Housing Division Manager.

Councilmember Valdivia-Alcala stated because City Manager Wade confirmed the CHDO guidelines would be reviewed before the \$100,000 in funding was distributed to ensure SENT Topeka does not lose their CHDO status, she would withdraw her motion to defer. The second concurred.

Councilmember Kell moved to adopt the ordinance. The motion seconded by Councilmember Ortiz carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdivia-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, and Mayor Padilla -9.

RESOLUTION NO. 9368 introduced by Councilmembers Sylvia Ortiz and Tony Emerson amending Resolution No. 9297 which authorizes and directs the issuance, sale and delivery of taxable general obligation temporary notes, Series 2022-A, was presented.

Councilmember Ortiz moved to approve the resolution. The motion seconded by

Councilmember Naeger carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9369 introduced by the Policy and Finance Committee recommending approval of the expenditure of American Rescue Plan Act (ARPA) proceeds for social services, was presented.

Councilmember Ortiz moved to approve the resolution. The motion was seconded by Councilmember Naeger.

Alicia Walker spoke on behalf of Helping Empower Adolescents Reject Thoughts of Suicide (HEARTS) and the approval of funding to help build growth, hope and resilience in youth.

Sandra Lassiter spoke on behalf of Community First, Inc. She stated she was impressed with the review and approval process of ARPA funds and spoke in support of the allocations of funds and urged the City to distribute funding before the end of the year.

Steven Massy, Founder and Director of It Takes A Village, Inc. spoke in support of approving the funding to provide performing arts opportunities for underserved youth in the community

Michael Bell spoke in support of the Policy and Finance Committee recommendations specifically as it relates to the allocation of funds to assist the Central Topeka Grocery Oasis initiative.

Christine Smith spoke on behalf of Community First, Inc. and stated funding would help expand educational opportunities for the organization.

Councilmember Duncan, Policy and Finance Committee Chair, reported the process began one-year ago when the City discovered ARPA funds would be available. He stated it was determined by a vote of the Governing Body the \$10 million of ARPA funding would be made available to the community through a grant process. The task of allocation of funds was assigned to the Policy and Finance Committee resulting in a four-month process including several rounds of

evaluation beginning with 85 applications requesting \$35 million, with nearly every request serving a need in the community and all were considered viable applications. It was discovered through the process that \$10 million will do a lot of good in the community; however, it was not enough. There are wonderful citizens and organizations in the community working hard to improve the neighborhoods, and not moving forward through the process was not a reflection of the work they do and the importance of them to the community the Committee simply had to make choices. He thanked everyone that applied and went through the process with them and noted, he learned a great deal about the community and the contributions of the people. He expressed his appreciation for what was happening in the community, and those who are doing the work on behalf of others has only grown. Several grantees that did not move forward have received assistance from City Staff in finding alternative funding for either the programs they applied for or other services they offer. There were no specific guidelines passed by the Governing Body that the Committee was directed to follow; however, the federal guidelines attached to the funds were broad for these one-time dollars. The process did not follow the City's traditional grant program methodologies; however, the Committee listened closely to what the members of the Governing Body wanted in regards to how to allocate the funds to include social services and community programs over for-profit businesses; favor those with established programs over those immediate startups; emphasize long-term sustainability; focus on the most pressing needs the community faces at this time; as well as federal mandate that these funds be committed to programs by the end of 2024. Once approved, each organization will have to sign an agreement with the City; the contracts will have requirements included in the language ensuring guarantees that the dollars are being spent as intended and meeting the outcomes outlined in each proposal. Failure to do so in the time frames provided will allow the City to have recourse to recoup funds before federal spending deadlines pass so the City can reallocate if necessary. This will include audits in 2024.

Organizations will also be asked to track the demographics of how they are assisting and show specifically how dollars are spent.

The following categories were approved unanimously by the Committee to receive funding allocations. Each application was discussed individually in more than one meeting, and each application received the support of each Committee member before it moved on in the process. Nearly every applicant made changes to their application to help the Committee get to the \$10 million limit, with several organizations making cuts more than once. He noted the goal of the Committee was to make sure as many applicants as possible received dollars that could help their programs. The funds were allocated as follows:

- Senior Care approximately \$500,000
- Food Insecurity approximately \$1 million
- Job Development approximately \$145,000
- Child Care approximately \$1.4 million
- Health Care approximately \$200,000
- Addiction Treatment Services approximately \$465,000
- Housing approximately \$3 million
- Internet Connectivity approximately \$214,000
- Mental Health Services approximately \$1.2 million
- LBGTQ Plus Services approximately \$340,000
- Legal Assistance approximately \$221,000
- Veterans Care approximately \$60,000
- Disability Care approximately \$300,000
- Performing Arts for Youth approximately \$200,000
- Human Trafficking Prevention approximately \$100,000
- Public Safety approximately \$32,000
- Domestic Violence Prevention approximately \$300,000
- Suicide Prevention approximately \$45,000

In closing, the Committee spoke individually with grantees, asking questions during meetings and explaining to others why their applications did not move forward. The Committee responded to more than 100 emails, and allowed and welcomed public comment during several Committee meetings. He stated he stands behind the recommendations and supports the contracts that are ready to be signed and he appreciates the guidelines and requirements Staff established for

each group. He offered to answer any questions about the applicants and the process.

Councilmember Valdivia-Alcala stated she was honored to be involved in the process. She spoke to the intention of the process and stated she believes strongly the money will help lessen the pain of the underserved communities. She recognized racism as a public health crisis as well as social determinacy; however, she believes there was a solid collective effort to address the needs in the community and she fully supports the recommendations.

Councilmember Naeger commended Councilmember Duncan for his compassion and rationale to make sure the Committee was being productive. She commended Staff for their assistance with the recommendations and corresponding agreements. She stated she fully supports the proposed recommendations and thanked the community for their efforts in making the community better.

Councilmember Dobler commended the Committee for honoring the funding priorities as set by the Governing Body. He spoke in full support of the recommendations.

Councilmember Ortiz thanked Committee members and Staff for their hard work and making sure all areas of funding priorities were included.

Councilmember Kell commended the Committee for their hard work. He stated his only concern was not using a scoring rubric; however, he would support the recommendations as presented. He requested that in the future, they adapt this system so all City grant processes have the same guidelines.

Councilmember Hiller commended the Committee, Applicants and Staff for implementing a great process that targets funding as much as possible. She spoke in full support of the funding recommendations.

Mayor Padilla spoke to the commitment of the Committee and the Governing Body as it relates to the betterment of the community. He thanked the community for giving them their trust.

Councilmember Duncan clarified the goal of the Committee was to approve funding before the end of the year; however, before the funds are disbursed corresponding contracts must be executed.

Councilmember Duncan moved to approve City of Topeka ARPA funding allocations in the amount of \$10,000,000. The motion seconded by Councilmember Valdivia-Alcala carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9370 introduced by City Manager Stephen Wade amending the Capital Improvement Program for 2023-2032 and the Capital Improvement Budget for 2023-2025 (Resolution No. 9318) to increase the amount of funding for improvements to the public garages, was presented. (Project No. 131081.00).

Stephen Wade, City Manager, reported Staff recommends approval of \$22.3 million in capital improvements for public parking facilities which also includes improvements to the Uptowner Parking Garage. Recommendations were as followings:

- City maintains ownership and management of all parking assets
- Install paid parking on Kansas Avenue and the surrounding 100 blocks
- Increase parking rates and citations
 - First increase since 2010
 - Provide for minimum and maximum pricing range to enable demand based pricing and inflation based increases
- General fund support for initial capital repairs
 - \$22.3 million of bonding for repairs of all garages with ongoing maintenance covered in the rate structure, including the Uptowner Parking Garage
 - Rate proposals allow for flexibility to establish limited based pricing and inflationary based increases moving forward

Greg Braden, Centre City Parking Garage, spoke in support of approving the funding for much needed improvements. He commended Staff for establishing a good private-public partnership.

Councilmember Ortiz asked if courtesy tickets have been eliminated.

City Manager Wade confirmed courtesy tickets have been eliminated.

Councilmember Kell moved to approve the resolution. The motion was seconded by Councilmember Naeger.

Councilmember Duncan commented on parking hours and the need to make certain parking options were being utilized appropriately along Kansas Avenue and not being abused by downtown employees while accommodating the needs of businesses. He spoke to the importance of uniform signage as it relates to parking usage in downtown to clarify time limits and hours of operations. He asked Staff to continue to research ways to improve parking systems. He spoke in support of the proposal as presented and noted, decades of deferrals have forced this Governing Body to address the financial challenges of the City's parking system.

Councilmember Dobler referenced the many Public Infrastructure Committee discussions that have taken place regarding options to address public parking infrastructure needs. He referenced the pro forma included in the agenda packet and noted as the pro forma plays out, there would be no scenario of selling City parking garages that would not result in a financial loss to the City – not even in 20 years. He reported the Governing Body also asked Staff to research the possibility of outside management and all responses were unwilling to take on the risk. He commended Staff for proposing to implement paid parking along Kansas Avenue, including the surrounding 100 blocks as it will generate a tremendous amount of revenue that has not been realized since 1986. He expressed his appreciation to Staff for all the work involved in addressing requests by the Governing Body. He stated he will support the parking plan as proposed.

Councilmember Hiller stated she was pleased to see the proposal fit well with the original parking plan proposed and approved by Downtown Topeka, Inc. She expressed her appreciation to the City Manager for his boldness in bringing forward the many capital infrastructure needs they have been dealing with for a long time. She noted she spent a substantial amount of time researching each proposal and plans to support the next several items on the agenda because the

proposals are in her view, the type of projects that should be bonded and will provide a return on investment longer than the life of the bonds. She commented on what she expects to evolve in the next CIP process and operating budget and hopes all maintenance items such as the FIRM Program will be removed from the bonding budget and placed in the operation budget; as well as remove all prevention items and place those items in the operating budget, such as crack sealing and mill and overlay projects from the Half-Cent Sales Tax so the funds could be used as intended to build streets and alleys. She hopes this type of project planning will decrease the City's overall indebtedness and avoid the need to raise the mill levy.

Councilmember Emerson stated he would echo the comments of Councilmember Dobler. He commended Staff for the intensive research and work they have conducted in developing a solid parking plan proposal. He stated he will support the parking proposal as presented and believes the City needs to maintain and support the infrastructure they own.

Councilmember Kell stated he concurs with comments regarding the importance of addressing deferred maintenance and the need to continue to take a serious look at all City buildings so they can avoid increasing infrastructure costs in the long-term.

Councilmember Duncan questioned if the proposed funding structure would allow the City to complete repairs appropriately to avoid deferred maintenance issues in the future.

City Manager Wade stated the proposal provides sufficient flexibility to make the appropriate decisions over the next several years as part of the CIP process.

The motion to approve the resolution carried unanimously on roll call vote.

Councilmembers Hiller, Valdivia-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan and Mayor Padilla voted "yes." (9-0-0)

A RESOLUTION introduced by the members of the Public Infrastructure Committee comprised of Council Members Tony Emerson, Neil Dobler and Mike Lesser authorizing certain

life safety upgrades to the Uptowner Garage, was presented. (*Deferred from the meeting of October 18, 2022*),

Stephen Wade, City Manager, requested to withdraw the resolution from the agenda. He reported the improvements to the Uptowner Parking Garage were authorized in the previous resolution approved concerning public parking garages (Resolution No. 9370).

Upon hearing no objections, Mayor Padilla announced the resolution would be withdrawn from the agenda.

ORDINANCE NO. 20391 introduced by City Manager Stephen Wade, concerning downtown parking fees and rates for meters, garages and lots, amending Sections 10.05.010, 10.60.010, 10.60.200, 10.60.220 and 10.60.390 of the Topeka Municipal Code and repealing original sections, was presented.

Stephen Wade, City Manager, stated the ordinance would address the concerns related to the need to perform regular maintenance in order to prevent the City from continuing to enter into extended maintenance issues.

Mayor Padilla expressed his support of the ordinance as presented.

Councilmember Hiller moved to adopt the ordinance. The motion seconded by Councilmember Kell carried unanimously. (9-0-0)

The ordinance was adopted on roll call vote as follows: Ayes: Hiller, Valdiva-Alcala, Ortiz, Emerson, Kell, Naeger, Dobler, Duncan, and Mayor Padilla -9.

RESOLUTION NO. 9371 introduced by City Manager Stephen Wade recommending an amendment to Resolution No. 9318 which adopted the Capital Improvement Program for 2023-2032 and the Capital Improvement Budget for 2023-2025 to include the Highway 24 Frontage Roads reconstruction project, was presented. (*Public Infrastructure Committee recommended approval by a vote of 3-0-0 on November 1, 2022*)

Stephen Wade, City Manager, reported approval would authorize \$1.7 million to be allocated from the Half-Cent Sales Tax funds as part of the rerouting of traffic for the Polk-Quincy Viaduct project. He noted this was not part of the \$20 million already obligated in the CIP for the City's portion of the Polk-Quincy Viaduct project.

Councilmember Kell moved to adopt the resolution. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9372 introduced by City Manager Stephen Wade amending the Capital Improvement Program for 2023-2032 and the Capital Improvement Budget for 2023-2025 (Resolution No. 9318) to amend the SE 29th Street Kansas Turnpike Authority Interchange Project No. 701053.00, was presented. *(Public Infrastructure Committee recommended approval by a vote of 3-0-0 on November 1, 2022)*

Stephen Wade, City Manager, reported approval would authorize \$125,000 to be allocated to KTA to cover the City's portion of the cost to conduct a new study. He noted the study should be completed in March 2023.

Councilmember Hiller referenced discussions she had with the City Manager related to concerns she had about financing the cost of studies that have not yet been conducted with bonds. She asked if Staff intends to pay cash for the study and if so, should the language in the resolution be amended to reflect the different funding source.

City Manager Wade stated he believes they could pay cash for project.

Councilmember Ortiz inquired on the initial study that was conducted by the KTA and if the initial recommendations would be used.

City Manager Wade stated it was his understanding KTA would expand on the old study and look at revenue streams and traffic.

Braxton Copley, Public Works Director, reported there was no intent to disregard the old

study; however, estimated project costs have increased significantly since 2016, as well as KTA plans to completely automate the K-Tag system eliminating the need for toll booths and public comment should be solicited for all projects.

Councilmember Emerson stated it was his understanding due to the changes of the toll stations it will change configurations of exits as well as economics.

Amanda Stanley, City Attorney, stated the current language of the resolution allows the Staff the ability to use cash if available in the budget.

Councilmember Hiller moved to approve up to \$125,000 and give direction to the City Manager to fund the study with cash. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9373 introduced by City Manager Stephen Wade recommending an amendment to Resolution No. 9318 which adopted the Capital Improvement Program for 2023-2032 and the Capital Improvement Budget for 2023-2025 to include the Elevation Parkway project, was presented. (*Public Infrastructure Committee recommended approval by a vote of 3-0-0*)

Stephen Wade, City Manager, reported the timing of the request was based on the City being approached by several developers to make this part of the City more accessible.

Councilmember Ortiz asked when the last study was conducted for the area.

City Manager Wade reported the last study was conducted in 1997.

Councilmember Emerson stated it was his understanding the funds would cover the cost of the study as well as the design plan.

Braxton Copley, Public Works Director, reported the funding would cover the cost of the study and up to 90% of the design plan.

Councilmember Dobler moved to approve the resolution. The motion seconded by

Councilmember Naeger carried unanimously on roll call vote. (9-0-0)

RESOLUTION NO. 9374 introduced by the Public Infrastructure Committee amending the Capital Improvement Program for 2023-2032 and the Capital Improvement Budget for 2023-2025 (Resolution No. 9318) to amend the Municipal Building and TPAC HVAC System Repair and Replacement Project, was presented.

Stephen Wade, City Manager, reported following the assessment of the HVAC system of the Municipal Building it was determined it would cost approximately \$22.3 million in total with \$13.5 million for TPAC, \$5.6 million for City Hall, \$3 million for Municipal Court Chambers and \$400,000 for the City Hall Fitness Center. He stated the Public Infrastructure Committee requested Staff research what it would cost to condense City Hall and the Cyrus K. Holliday Building and it was determined it would require significant changes to the Holliday Building. The HVAC system for Municipal Court and the Fitness Center rated much better than the other systems; therefore, approval of the resolution would authorize funding for the HVAC system improvements for TPAC only. He noted the resolution would have to be amended to include the City Hall side of the building.

Councilmember Duncan inquired on the connectivity savings that could be realized if they approve HVAC improvements to the entire Municipal Building (TPAC and City Hall). He stated at some point they will have to address HVAC System needs for City Hall as well as the employees working in the building deserve to be taken care of. He expressed his continued support of improving the entire Municipal Building.

Ashley Charest, Ballet Midwest Board member, spoke to the diminished HVAC system and the effects it has on the daily operations of TPAC. She urged the Governing Body to approve funding to make the improvements.

Jeff Parker, TPAC Board of Trustees President, spoke to the revitalization efforts of

Topeka and the strong community support of a performing arts culture with diverse programming for local and surrounding communities. He spoke to routine unpleasant heat spikes that take place during performances and the bad air quality of the auditorium. He urged them to help save the building and secure a promising future for TPAC.

Roger McKinley, TPAC Board of Trustees President Elect, stated upon approval of the funding they will begin to run a capital campaign to remodel the interior of the building.

Councilmember Kell asked if a dehumidifier system was included in the HVAC assessment to address the concerns expressed by Ashley Charest.

Hannah Uhrig, Public Works Deputy Director, stated the upgrades should adequately address humidity issues.

Councilmember Dobler stated that he believes City Hall was considered an iconic building of the community and the consolidation of City Hall and the Cyrus K. Holliday building would not realize a significant enough savings to justify moving forward with consolidation at this time; therefore, he would support the approval of the funding needed to repair the HVAC system on the City Hall side of the Municipal Building. He spoke to the importance of taking care of the employees currently working in City Hall and the need for them to be comfortable and feel safe. He expressed the importance of Staff continually seeking ways to consolidate all City office buildings in the future. He noted he was not asking for a study to be conducted but instead, for Staff to begin considering where employees and City office buildings could be consolidated.

Councilmember Dobler moved to amend the resolution to include funding to repair the HVAC system for the City Hall side of the Municipal Building. The motion was seconded by Councilmember Kell.

Councilmember Dobler asked Staff to clarify if approval of the resolution would encompass the 11 recommendations outlined on page 3 of the Bartlett & West HVAC Systems

Assessment for the Topeka Municipal Building (Exhibit A of the resolution).

City Manager Wade clarified recommendation 7, the City Hall Fitness Center, scored well so it was not recommended for work at this time as well as recommendations 8-10 were not being recommended at this time.

Mayor Padilla asked the City Clerk to restate the motion.

Brenda Younger, City Clerk, stated the motion was to amend the resolution to include funding for the HVAC system for the City Hall side of the Municipal Building and include the 11 recommendations listed.

Councilmember Dobler asked staff to clarify what the original recommendations were in the proposed resolution and then he would add the items needed to include the City Hall HVAC System in Exhibit A of the proposed resolution.

Deputy Director Uhlrig reported it was her understanding the amendment would include recommendations 1-6 as part of the new proposal. The original proposal from the Public Infrastructure Committee included recommendations 2-6 which included the TPAC system and the items City Manager Wade stated were excluded, recommendation 7 (City Hall Fitness Center); recommendations 8-10 (Municipal Court/City Council Chambers); and recommendation 11 was potential code related improvements not discussed in depth by the Public Infrastructure Committee.

Councilmember Dobler stated he believes the amendment would add recommendation 1, City Hall HVAC improvements to Exhibit A of the proposed resolution.

Deputy Director Uhlrig agreed the amendment would add recommendation 1 to Exhibit A of the proposed resolution.

City Manager Wade stated the amendment would bring the total to \$19.2 million and noted there was \$5 million already slated for City Hall HVAC improvements in the 2023 published CIP.

Councilmember Kell spoke in support of completing the HVAC improvements to the entire Municipal Building at one time to avoid increased costs associated with deferred maintenance over time.

Councilmember Hiller asked when the system would need to be replaced in Municipal Court and if it would extend beyond the 3-year capital budget cycle.

Deputy Director Uhlrig reported there are some parts of the HVAC systems that are rated higher and not connected to the other HVAC components that need to be replaced at this time. She also reported replacement of the higher rated systems would be well beyond the 3-year capital budget cycle.

Mayor Padilla suggested amending the resolution to spend up to a certain amount to cover Municipal Court/City Council Chambers if needed at later time. He stated he believes they have to move forward with improving the HVAC system in TPAC and City Hall.

Councilmember Dobler stated he would support spending up to \$20 million with the intent to address recommendations 1-6 as a priority and any additional funds could be applied to other needs such as Municipal Court and consolidation of City offices. He expressed his discomfort in exceeding \$20 million.

Councilmember Naeger spoke in support of a \$20 million cap with the intent to continue working on recommendations 7-10 in capital budget out years.

City Manager Wade stated the remaining recommendations could be addressed as part of regular CIP process over the next two cycles.

Councilmember Hiller spoke in support of making HVAC system improvements to TPAC, Municipal Court and City Hall. She expressed the need to analysis the fitness center and the cost to sustain it before they allocate funding for this area. She stated she would support amending the resolution to include \$5.7 million to provide improvements to City Hall.

Councilmember Duncan stated he would like to consider providing some level of fitness services to employees.

The motion to amend the resolution by including recommendation 1, the HVAC system for the City Hall side of the Municipal Building carried unanimously on roll call vote (9-0-0)

Councilmember Kell moved to approve the resolution as amended. The motion seconded by Councilmember Emerson carried unanimously on roll call vote. (9-0-0)

AUTHORIZING a public hearing for December 13, 2022, for the purpose of hearing and answering objections of taxpayers relating to the proposed amendments to the 2022 Operating Budget.

Stephen Wade, City Manager, reported Information Technology, Fleet, Facilities, Federal Funds Exchange, KP&F Rate Equalization, Neighborhood Revitalization and Opioid Settlement funds would be amended.

Councilmember Hiller requested a detailed summary of the proposed amendments.

Councilmember Kell moved to approve the public hearing date of December 13, 2022. The motion seconded by Councilmember Ortiz carried unanimously on roll call vote. (9-0-0)

PUBLIC COMMENT was submitted via email by Joseph Ledbetter and Lazione Grays (Attachment A) and provided by the following individuals:

Erma Forbes thanked the Governing Body for approving the ARPA funding allocations. She spoke to the importance of addressing childhood obesity and expressed concern with the narratives of approved grants being posting on the City's website and copied by other grant applicants. She stated she believes privacy needs to be considered when the next round of grant applications are being considered.

Marijo Mastroianni expressed concern with pedestrian safety near SW Villa West Road from 25th to 29th Streets due to the overflow of traffic. She requested a traffic signal be installed at

the SW 29th Street and Villa West intersection and for the Police Department to increase patrolling of the area.

Lazone Grays referenced an email he distributed to the Governing Body November 15, 2022, and stated grant funds will be available until January 2027. He spoke to the importance of supporting funding for human infrastructure and educating the community on the many grant funding opportunities offered from the City and State providing long-term benefits to the community.

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

Stephen Wade, City Manager, referenced the new City of Topeka Equity Access Shelter Program and reported the City has received calls from 397 households with nearly 200 already entered into the system. He reported Topeka Police Lt. Manuel Munoz has begun working on the Spanish translation of the applications for the City of Topeka Identification (ID) Program. He also reported the Topeka Police Department memorial was destroyed on November 14, 2022, and they are working on a plan to reestablish the memorial.

Councilmember Hiller thanked Governing Body members for approving the many capital projects on the agenda they have been discussing for a long time. She recognized Councilmember Duncan for being highlighted in the League of Kansas Municipality Staff Briefing. She commented on the many events and ribbon cutting ceremonies happening in the community. She stated she was pleased that a table was reserved for NIA members at the State of Community Address on November 10, 2022.

Councilmember Valdivia-Alcala offered her condolences to the family of Brandon J. Harries. She announced on November 21, 2022, the CRC will be distributing fresh hot green tomato bread at Lundgren Elementary School located at 1020 NE Forest Avenue. Call 785-235-

7110 to schedule a pickup. She recognized the many Native Indian Tribes to Kansas and reminded everyone to remember their struggles during the holiday season. She expressed her angry with the lack of safe, decent affordable housing conditions for multi-family dwellings that many times result in retaliatory evictions in Topeka. She referenced an 11 page document she received from a tenant outlining terrible living conditions, just reinforcing in her opinion, the importance of the City of Topeka Changing Our Culture of Property Maintenance initiative that will work to remove the layers of systemic issues to solve the real underlining problems of the lack of safe and affordable housing in the community.

Councilmember Kell asked citizens to be mindful of fire safety during the upcoming holidays and to reach out to the people who do not have anywhere to go during the holidays.

Councilmember Duncan encouraged neighbors to check on each other during the severe cold weather. He announced the 2022 Community Thanksgiving Dinner and the need for more volunteers. He also highlighted the Council District 9 Vacancy process and application deadline.

Mayor Padilla encouraged Governing Body members to recruit those who may be qualified to serve as the District 9 Council representative.

NO FURTHER BUSINESS appearing the meeting adjourned at 9:12 p.m.

(SEAL)

Brenda Younger City Clerk

Brenda Younger

From: Joe Ledbetter <joe_ledbetter@yahoo.com>
Sent: Tuesday, November 15, 2022 6:19 PM
To: City Clerk; City Council; Mayor; Sylvia Ortiz; Spencer Duncan; Tony Emerson; Neil Dobler
Cc: Nellie Hogan
Subject: Ordinance G. Housing in Hi Crest NIA

I support this item as past a President of Hi Crest NIA. This money is greatly needed and will help improve housing in the Hi Crest NIA. Thank you. Joseph Ledbetter JD, MPA.

Sent from my iPhone

Brenda Younger

From: W. Lazone Grays <lazoneg@ibsa-inc.org>
Sent: Tuesday, November 15, 2022 4:30 PM
To: Brenda Younger
Cc: IBSA, Inc.
Subject: Re: Topeka City Council Meeting - 11/15/22
Attachments: Topeka City Council Handout for Public Comment Nov 2022.pdf; IBSA ARPA Grant Funding Overview for City of Topeka Nov 2022.pdf; Future Federal Funding Opportunities for Topeka - Copy.pdf



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City of Topeka
City Clerk

Greetings,

I am sending this email to sign up for the public comment section of tonight's City Council meeting. Attached are documents for council members and related staff.

Thank you in advance.

Lazone Grays,
President/CEO
(913) 735-4272
www.ibsa-inc.org

Topeka City Council Meeting
11/15/22

Advocacy Outcome

- **Completed**
- **Unfinished**

10% of countywide half-cent sales-tax shall be used for the economic development of socially & disadvantaged businesses and individuals.

AMOUNT
\$500,000 per year 2001
2002 – 2031
(\$14M+ over 29yr period)

Public Policy
- Building Blocks to Progress -

Pass Ban-The-Box Policy

- City of Topeka
- Shawnee County
- State of Kansas

Renewed funding for the City of Topeka Summer Youth Employment Program

Additions to JEDO definition of Economic Development

Added to Interlocal Agreement

- Urban Economic Development
 - Youth employment

Create LMI Skill Trade Centers
Mayors Neighborhood Taskforce 2013
End Result: Washburn Tech East

Unfinished Businesses:

Supplier Diversity

- ✓ Set vendor goals as required (city)
- Establish a business advantage policy favoring local businesses
- Mentor / Protégé Program
- Create, Publish, Update Supplier Diversity Opportunity Booklet
- Negotiate M/W/DBE Goals for all public-funded or supported projects over \$2M (good faith waivers)

Bridging the Digital Divide
Workforce Broadband Initiatives

-----Community Impact-----

- *Connectivity
- *Adoption
- *Digital Literacy
- *Digital Skills Training (Youth/Adult)
- *LMI Neighborhood Tech-Hubs
- *Tele-medicine
- *Job Search
- *Access to Devices

AMOUNT SECURED
\$250,000 for WBI 2016
\$250,000 by KHF 2021

Create More Workforce Development & Training Opportunities

- Pre-apprenticeship Program ^
- Transitional Jobs Program ^
- Community Service Projects
Neighborhood Programs?
 - Mowing, Graffiti, Etc.?
 - Weatherization ^
 - Property Maintenance ^

Prepared By Lazone Grays, IBSA, Inc. Topeka Kansas on December 5, 2019
Shared with Joint Economic Development Organization 'JEDO' (February 12, 2020)
Revised Sept. 2022

Urban Economic Revitalization & Re-Development Considerations

Workforce Training, Re-Training & Development

Pathway into formal apprenticeship, entry-level employment

Adult Trade Skills / Job Training

- NCCER Training Modules – Certification & Credentials
- OSHA & CPR Instruction & Certificate
- Lead Paint: Safe Work Practices and/or Abatement Credentials (*worker/supervisor*)
- Asbestos & Mold Removal & Remediation

Transitional Jobs Program+

- City funded projects & contract opportunities
- State funded projects & contract opportunities
- Contract work on private developments/projects+
- Projects receiving federal funding (HUD, EPA, DoL)
- State Older Workers Program & Federal SER Program (*age 55yrs & older*)

Tech Training, Certification

- Digital Literacy & Life Skills (adults)
- Basic Web Design (WordPress), video, social media (youth)
- Other: 3D Printers, Digital Stewardship, Etc...

Youth Employment, Entrepreneurship, and Enterprise Development

- City of Topeka Youth Employment Program+
- Training/Instruction on Industry/Workplace Technology
- Programs & Services offered under DoL WIOA legislation
- Salesmanship, Financial Literacy, Digital Tech Skill Training

Transportation to Jobs & Training Opportunities

- i.e. Frito Lay, Mars, Forbes Field, Etc... Montara Residents?

Technology & Innovation +

- Neighborhood Wi-Fi Mesh Networks, Cowork Spaces?
- Neighborhood Workshops, Training, Support Services (*low-income, disadvantaged, impoverished neighborhoods*)

Disadvantage Business Development, Support Services & Resources (10% of Countywide Sales-Tax)

- Focus on HUD Section 3 eligible microenterprises for primary development, support services and bid brokering assistance
- Stempel Plan (mentor / protégé partnerships in construction)
- Other+

Prepared By: Lazone Grays, Jr.
Topeka, Kansas / January 2016

(Revised: Dec. 2021)

Trade Skill Target Population:

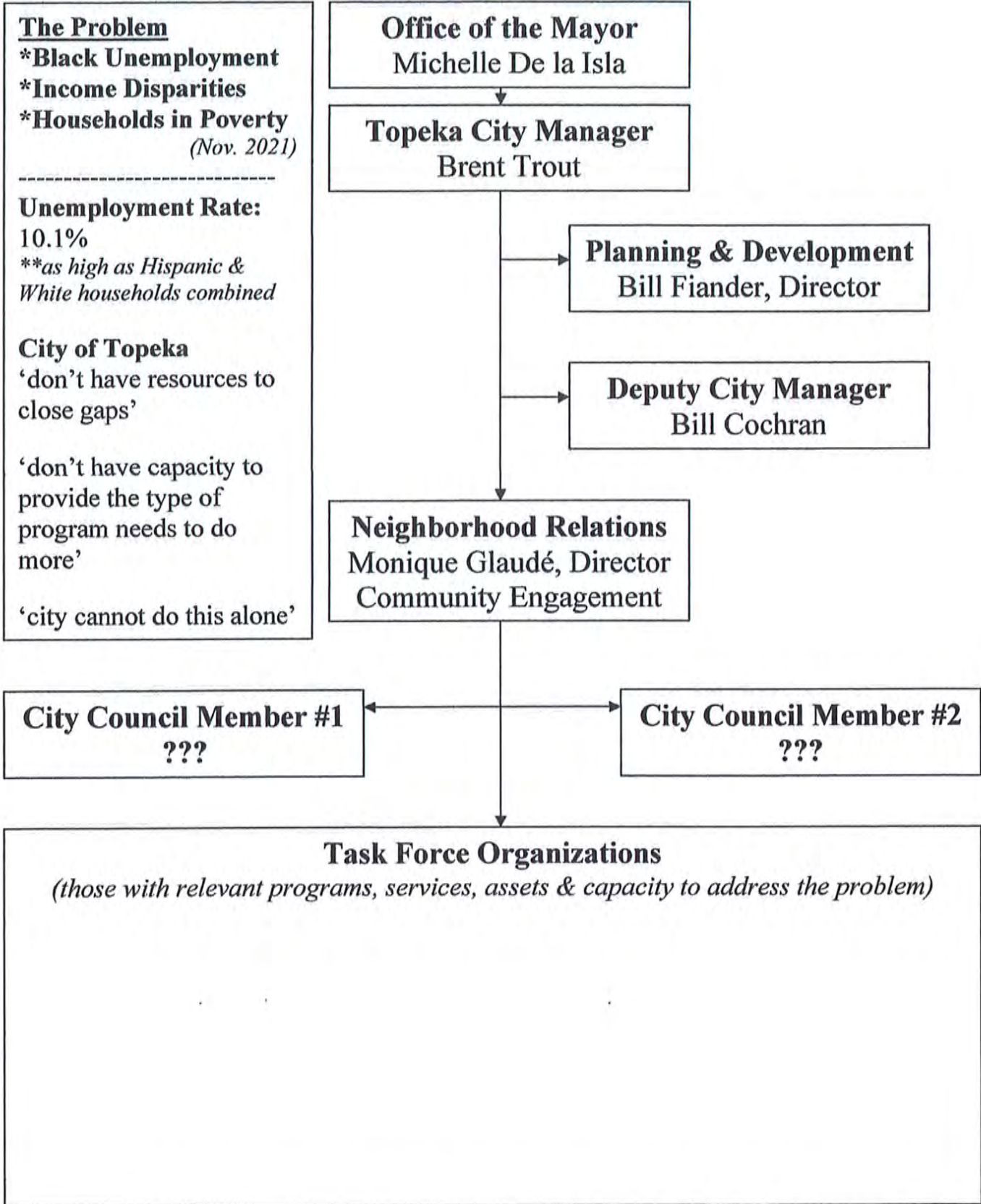
- LMI* – HUD Section 3
- Non-custodial Parents
- Ex-felons & Offenders
- Behind in Child Support
- No Marketable Skills
- Gaps in Employment & Work history
- WIOA Opportunity Youth

**Low to-Moderate Income may include individuals eligible for TANF, Voc. Rehab (VR), Public Housing, Free or Reduced Lunch, Etc...*

Stakeholders & Resources:

- KS Dept. of Commerce: MWDBE, Workforce Center & LWIB Board
- Workforce Innovation Opportunity Act
~~• Kansas Broadband Initiative+~~
- Dept. of Children & Families: (*TANF, VR, SNAP Recipients, Child Support Services, A-OK Program*)
- KS Apprenticeship Council
Heartland Works (WIOA Training)
KS Contractors Association (NCCER)
Associated General Contractors (AGC)
- Federal Reserve Bank - Kansas City
- HUD Regional Office (apprenticeship, pre-apprenticeship, Step-Up Programming, CDBG)
- City of Topeka / Shawnee County
Joint Economic Development Organization
- Unified School District 501
- Washburn Tech/Washburn University
- Go Topeka / Greater Topeka Partnership
- KS Dept. of Corrections
- Community Corrections
- Other:
~~Work for Success Program (Mirrors, Inc.)~~
- Neighborhood Improvement Assoc.
Other Service/Training Providers
Other Community-Based Nonprofits...

Topeka City Council Meeting 11/15/22



Collaboration Between City Departments & Community Organizations

Topeka City Council Meeting
11/15/22

Highland Acres Neighborhood Resource & Family Center
2620 SE 23rd Topeka, Kansas 66605

<p>Onsite Classes or Workshops: Job Club (Workshop) Computer & Technology Use Web Development: WordPress Virtual Tools, 3D-Printing, Etc. Basic Typing & Advanced Use Nutrition, Health & Wellness Parenting Pre-apprenticeship Other... financial literacy, etc....</p>	<p>Onsite Services: Self-Serve Computer Access Online Job Search Assistance Document Preparation Direct Assistance Completing Tasks <i>Referral to other Community-based Services, Programs & Organizations</i> <i>Food, Housing, Clothing, Appliances, Education, Employment, Job Training, Volunteering, Impact Avenues...</i></p>	<p>Meeting Space Use: One-On-One Virtual Job Fairs & Interviews Meetings for Mentoring Confidential Meetings with Clients Coworking, Other... Small Groups Workshops, Classes, Planning High School Students (HPHS) Washburn University Students NIA's, Other Compatible Nonprofits</p>
<p>Off-site Partner Invites...? Topeka / Shawnee County Public Library Computer Classes Create node for center computers to access library computer City of Topeka (<i>use by digital/tech navigators</i>) Community Resources Council (CRC) Go Topeka Small Business Workshops (LMI) (HUD Section 3) Support for Youth Enterprise Development Support Workforce Initiatives (Youth & Adult) Washburn University <u>Student Groups:</u> BSU, Nursing, Law School, School of Business IBSA @ Washburn, Other...?</p>		<p>IBSA Programs, Services, Activities: Adult Job Coaching, Development, Support Services Office/Clerical Worksite Training, Transitional Jobs Disadvantaged Business Development (LMI) Document Preparation & Support Services Online Marketing, Networking Opportunities Youth Streets University WordPress Training & Salesmanship *<i>Neighborhood Holiday Greeting Card Sales</i> Digital Stewardship, Community Planning Activities Community Service (court referred) Office/Clerical, Building Maintenance <i>Referral to other community-based services</i></p>
<p>Onsite Program & Service Partners: Erma Forbes (Gil Carter Initiative) Tara James-Wallace</p>		<p style="text-align: right;">Prepared 11/11/2022 <i>Target Pop: DCF TANF, SNAP & VR Recipients WIOA Client &, HUD Section 3 Participants</i></p>

Funded by the City of Topeka (American Rescue Plan Act (ARPA))
 *A Project of IBSA, Inc.

Future Federal Funding Opportunities

State of Kansas ARPA Funds

Capital Project Funds

- Digital Connectivity Technology (can pay for devices and public wifi networks)
- Multi-Purpose Community Facilities (can pay for facility construction/rehabilitation) *

Emphasis is on:

- unserved & under-served neighborhoods,
- under-served target populations

City & State Allocations: Infrastructure Investment & Jobs Act. (IIJA)

(Bi-Partisan Infrastructure Bill)

- Emphasizes 'Human-Infrastructure'
- Digital Equity Act. (*available in 2023*)?
- Equity-Driven

Equity includes

amply procurement opportunities for disadvantaged, women, veteran, minority-owned businesses for the work to be done under the IIJA...

amply opportunities for workforce and job training for target populations, so they may take full advantage of the jobs paid for under the IIJA...

Hopefully recipients of the City ARPA (or IIJA) funds will proactively seek out; and do business first, with the local small community in our city.

Prepared By: Lazone Grays

Submitted to Topeka City Council

11/15/2022