

Governing Body Minutes – April 18, 2023

CYRUS K. HOLLIDAY BUILDING, Topeka, Kansas, Tuesday, April 18, 2023. 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, Dobler, and Hoferer -7. Councilmembers Ortiz participated remotely -1. Mayor Padilla presided -1. Councilmember Naeger was absent -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 April 18, 2023, 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 April 18, 2023, for attachment to the meeting minutes.

AFTER THE MEETING was called to order Councilmember Kell provided the invocation.

THE PLEDGE OF ALLEGIANCE was recited by meeting participants.

BOARD APPOINTMENT recommending the reappointment of Elizabeth Post to the Topeka-Shawnee County Public Library Board of Trustees for a term ending April 30, 2027, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of Elizabeth Dobler to the Topeka-Shawnee County Public Library Board of Trustees for a term ending April 30, 2027, was presented. (*Council District No. 7*)

BOARD APPOINTMENT recommending the reappointment of William Horn to the NOTO Business Improvement District Advisory Board to fill a term ending May 2, 2025, was presented. (*Council District No. 2*)

Councilmember Emerson moved to approve the appointments. The motion seconded by Councilmember Dobler carried unanimously on roll call vote. The Mayor does not vote. (8-0-0)

A PRESENTATION on the Metropolitan Topeka Airport Authority (MTAA) Board Annual Update was presented by Lisa Stubbs; MTAA Board Chair. Eric Johnson, Director of Operations, was present for questions.

Councilmember Hiller questioned if the Strategic Plan included Philip Billard Airport as well as the Topeka Regional Airport. She referenced the Board's economic development efforts and asked how many sites and/or buildings are available.

Lisa Stubbs reported the Strategic Plan as well as all economic development initiatives include both airport locations. She spoke to the importance of attracting businesses and creating jobs for the Topeka and Shawnee County area. She recognized the desire for air service and confirmed they would continue pursuing the service; however, there are too many variables they cannot control such as pilot shortages, hindering the expansion of airlines. She stated there are approximately 60 buildings in addition to land that will be available for economic development; however, the land use is regulated by the Federal Aviation Administration (FAA).

Councilmember Valdivia-Alcala thanked Eric Johnson for meeting with her and her husband, Kansas State Representative John Alcala, to explain the future plans of the airports.

She requested he attend Oakland NIA meetings to inform residents of the plans.

Mayor Padilla commended Lisa Stubbs for the new energy surrounding the Board's initiatives and expressed his appreciation for the work and consideration being given to infrastructure needs.

CONSENT AGENDA was presented as follows:

APPROVAL of a Professional Engineering Design CONTRACT NO. 51240 between the City of Topeka and Alfred Benesch and Company, in the amount of \$192,005 for the purpose of providing engineering design services on Street Rehabilitation Project T-701040.00, was presented.

MINUTES of the regular meeting of April 11, 2023, was presented.

Councilmember Dobler moved to approve the consent agenda. The motion seconded by Councilmember Kell carried on roll call vote. Councilmember Dobler abstained. (8-0-1)

RESOLUTION NO. 9400 introduced by the Public Infrastructure Committee comprised of Councilmembers Tony Emerson, Neil Dobler and Michelle Hoferer amending the 2023-2032 CIP and the 2023-2025 CIB to increase the project budget and move up implementation for Project No. 701049.02 (SW Topeka Boulevard from SW 15th to SW 21st Streets, Phase 2), was presented.

Stephen Wade, City Manager, reported the SW Topeka Boulevard Project from SW 15th to SW 21st Streets, Phase 2, was scheduled to take place from 2026 – 2029; however, Staff is proposing the project be moved up to take place in 2023 – 2026. He stated the project budget increased from \$4.9 million to \$9.2 million solely due to inflationary adjustments, as there has been no change in the scope of the project.

Councilmember Ortiz questioned why Staff was proposing the change.

Braxton Copley, Public Works Director, stated the request was based on the need for repair due to the low Pavement Condition Index (PCI) ranging from 17-28 along this section of Topeka Boulevard.

Councilmember Duncan asked Staff to explain the difference between Phase 1 and Phase 2 of the project. He questioned if there are waterlines being replaced or other infrastructure as part of the additional costs.

Director Copley reported Phase 1 consists of reconstruction of the intersection located at SW 21 Street & Topeka Boulevard including waterline repair and mill and overlay of SW Topeka Boulevard from SW 21st Street to SW 29th Street with full depth repairs. He noted there were no water or other infrastructure repairs associated with the additional costs.

Councilmember Emerson clarified there would be no construction in 2023.

Councilmember Hiller expressed concern with the low PCI and the need to do a better job of assessing the streets to avoid low PCI ranges.

Councilmember Kell spoke in support of the resolution and noted it was desperately needed as Topeka Boulevard was considered a major thoroughfare.

Councilmember Dobler stated a low PCI does not necessarily trigger plans for immediate repair. He asked Staff to explain the many factors that are considered.

Director Copley stated certain factors are considered such as a low PCI on a residential street with low traffic compared to a high traffic arterial street with a PCI of 70.

Mayor Padilla spoke in support of the much needed repair and noted it was long overdue.

Councilmember Emerson commended Director Copley for finding a solution to repair this portion of Topeka Boulevard as requested by the Public Infrastructure Committee.

Councilmember Ortiz thanked Director Copley for attending the Quinten Heights NIA meeting and finding a solution to the problem.

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

RESOLUTION NO. 9401 introduced by the Public Infrastructure Committee comprised of Councilmembers Tony Emerson, Neil Dobler and Michelle Hoferer amending the 2023-2032 CIP and the 2023-2025 CIB to include Project No. 701063 (NE Curtis Street from Kansas Avenue to NE Monroe Street), was presented.

Stephen Wade, City Manager, reported a local grain elevator located near NE Monroe Street plans to make improvements to the Rail Road spur system causing a significant increase of grain trucks that will deliver to the facility annually. He noted the existing pavement along Kansas Avenue and Monroe Street was at the end of its useful life making the reconstruction of the streets essential and with the additional truck traffic, the improvements of NW Curtis and the exit ramp are warranted. He referenced the proximity of the Topeka Rescue Mission and unsheltered homeless camps as it relates to the addition of a sidewalk on NE Curtis.

Councilmember Valdivia-Alcala thanked Staff for being proactive in this situation and noted area residents are very appreciative.

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

RESOLUTION NO. 9402 introduced by the members of the Public Infrastructure Committee comprised of Council Members Neil Dobler, Tony Emerson and Michele Hoferer recommending an addition to the FIRM projects for 2023 involving the TPD firing range, was presented.

Stephen Wade, City Manager, reported the Governing Body is required by resolution to approve on an annual basis general obligation bonded projects for the Facility Improvements Repair and Maintenance (FIRM) program. He stated Staff was seeking approval of an additional project for the Police Shooting Range to include the replacement of two heating and cooling systems and the installation of rural water service in the amount of \$28,930 to be paid with cash.

Councilmember Hiller asked if the facility generated any revenue.

Bryan Wheelles, Topeka Police Chief, reported no fees are charged; however, mutual aid agreements are signed with all agencies using the facility.

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

ORDINANCE NO. 20417 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 south of SW 6th Avenue and south of SW Governor Place from “O&I-1” Office and Institutional District TO “O&I-2” Office and Institutional District, was presented. (Z23/04) (Council District No. 9)

Stephen Wade, City Manager, reported the request to change zoning was to allow for a larger office building to be built on the site, consistent with the Land Use and Growth Management Plan 2040. He stated the Planning Commission recommended approval by a vote of 7-0-1 on March 20, 2023, and Staff recommends approval.

Dan Warner, Planning Division Director, reported approval would allow for a larger building to be constructed.

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.

Ex parte communication was declared by Councilmember Hoferer.

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

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

ORDINANCE NO. 20418 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 on the south side of US 24 Highway and approximately 622 feet west of Vail Avenue from “R-1” Single Family Dwelling District to “I-1” Light Industrial District, was presented. (Z23/05)
(Council District 2)

Stephen Wade, City Manager, reported the request to change zoning was to allow for industrial or commercial uses, consistent with the Land Use and Growth Management Plan 2040. He stated the Planning Commission recommended approval by a vote of 7-0-0 on March 20, 2023, and Staff recommends approval.

Councilmember Hoferer asked Staff if they have contacted the two remaining residents in an effort to address their concerns.

Councilmember Duncan asked if residential zoning allows Agricultural uses.

Dan Warner, Planning Division Director, reported he believes the residents' concerns have been addressed as Staff has not received any feedback. He stated the Agricultural use for the property is permitted through a grandfather clause.

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 Governing Body members.

Councilmember Valdivia-Alcala 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: Padilla, Hiller, Valdivia-Alcala, Ortiz, Emerson, Kell, Dobler, Hoferer and Duncan -9.

ORDINANCE NO. 20419 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 in the 500 block of SE Alkire Street FROM "R-1" Single-Family Dwelling District and "M-2" Multiple-Family Dwelling District TO "M-1" Two-Family Dwelling District, was presented. (Z23/06) (Council District 3)

Stephen Wade, City Manager, reported the request to change the zoning is consistent with the East Topeka North Neighborhood Plan future land use designations and provides an

appropriate transition from the more intensive uses along 6th Avenue to the single-family residential land use further north. He stated the Planning Commission recommended approval by a vote of 8-0-0 on March 20, 2023, and Staff recommends approval.

Councilmember Ortiz referenced a nearby property that was not allowed to make improvements to their property due to certain restrictions. She questioned if the applicant would encounter the same issue.

Dan Warner, Planning Division Director, reported the property being considered passed an environmental review; therefore, he would assume the applicant would not have any issues with their construction plans.

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.

Ex parte communication was declared by Councilmember Ortiz.

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

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

ORDINANCE NO. 20420 introduced by City Manager Stephen Wade annexing land to the City of Topeka, Kansas, in accordance with K.S.A. 12-520, located 750 feet east of the

intersection of SE 21st Street and SE Cedarwood Drive, 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. (A23/1) (Council District No. 3)

Stephen Wade, City Manager, reported the annexation request would allow the owner to expand his Landscaping business with a new industrial building on the parcel which is consistent with the Topeka Future Land Use Map and designation. He stated the subject property is contiguous to the City and lies in an area where urban infrastructure and services are available. He noted no new public roads were anticipated with the development and the proposed annexation is less than 10 acres and does not require review by the Topeka Planning Commission.

Councilmember Hiller asked if the applicant plans to begin construction right away.

City Manager Wade confirmed the existing business plans to expand.

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

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

ORDINANCE NO. 20421 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 3530 SE 21st Street and adjacent land at SE Cyprus Drive and 21st Street FROM "RR-1" Residential Reserve District and "R-1" Single Family Dwelling District to "I-1" Light Industrial District, was presented. (Z23/07) (Council District 3)

Stephen Wade, City Manager, reported the request would allow for expansion of the business located adjacent to the property, consistent with the Land Use and Growth Management Plan 2040. He stated the Planning Commission recommended approval by a vote of 8-0-0 on March 20, 2023, and Staff recommends approval.

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.

Ex parte communication was declared by Councilmember Ortiz.

Councilmember Ortiz 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: Padilla, Hiller, Valdivia-Alcala, Ortiz, Emerson, Kell, Dobler, Hoferer and Duncan -9.

DISCUSSION regarding the proposed 2024-2033 Capital Improvement Plan (CIP) and 2024-2026 Capital Improvement Budget (CIB).

City Manager, Stephen Wade, reported CIP discussions would continue through the month of May with the intent to approve in June 2023.

Freddy Mawyin, Chief Financial Officer, provided an overview of the CIP and CIB process timeline as well as the City's Policy including project scoring criteria.

Adam Vaughn, City of Topeka Budget Manager, provided an overview of the CIP Project Summary format displaying funding, project description, project justification and history.

Chief Financial Officer Mawyin, continued to provide an overview of the summary and index of all projects and annual programs by funding source; American Rescue Plan Act (ARPA) funded general obligation projects; overall funding source overview; the proposed increase of the CIB bonding cap from \$27 million to \$33 million; debt ratios and utility ratios forecast for years 2024-2027; and general inflation percentage comparisons for routine materials such as asphalt, chlorine, copper, concrete and steel from January 2021 to January 2023.

Councilmember Emerson questioned the Fix Our Streets Sales Tax forecasted project amount in 2024 and noted, it was significantly higher than 2025 and 2026. He expressed the importance of the Governing Body reviewing the CIP and CIB in detail as it provides the only opportunity for discretionary spending.

Councilmember Valdivia-Alcala expressed concern with the stark increases concerning general inflation percentages for routine materials. She questioned if there was a way municipalities could confirm they are getting comparable prices as it relates to the standard of living for their city and not being price gouged.

Budget Manager Vaughn stated in reference to the Fix Our Streets Sales Tax being forecasted for 2024 the Funding Source balance is what is available to spend.

City Manager Wade spoke to the seriousness of the current supply and demand issues that are driving prices up.

Councilmember Kell asked if Staff has considered securing long-term contracts with vendors.

City Manager Wade reported the City has various long-term contracts in place with standardized percentage measurements with variables tied to metrics for pricing.

Councilmember Duncan asked if Department Directors would be providing an update to the Governing Body on their needs. He expressed his desire to approve the CIP and CIB in sections instead of one large document.

Councilmember Valdivia-Alcala expressed concern with not having a more open in-depth dialog with Department Directors supporting transparency in the process. She spoke in support of department presentations.

Councilmember Ortiz stated she concurs with Councilmembers Duncan and Valdivia-Alcala and would support scheduling a CIP Workshop.

Councilmember Hiller spoke to her experience of considering CIPs and CIBs since 2009. She asked Staff to provide the percentages in equivalent dollar amounts to help Governing Body members and citizens truly understand the budget impact of what is being proposed. She challenged Staff to migrate all maintenance and small projects out of the CIP and back into the operating budget.

Councilmember Dobler stated the budget process drives the deadline to approve the CIP, and at some point, the Governing Body may want to consider adjusting how large CIP projects are approved. He suggested the following large project approval process as follows:

1. The 1st approval would take place during the 10-year CIP process;
2. The 2nd approval would take place during the 3-year CIB process; and
3. The 3rd and final approval would be the actual project budget.

Councilmember Duncan asked if Staff reviews the CIP annually to determine if project budgets are being depleted or if there are excess funds that could be allocated towards other projects.

Councilmember Valdivia-Alcala stated she concurs with Councilmembers Dobler and Hiller and supports having multiple opportunities to review and approve projects. She spoke in support of displaying percentages vs equivalent dollar amounts when presenting the CIP.

City Manager Wade reported the Governing Body approved excess reserve funds for the purpose of paying cash for projects on April 11, 2023; and all Department Directors have weighed in on the proposed CIP and will be present to answer questions during all upcoming discussions. He stated Staff has highlighted changes in the CIP book that include subsets to clearly identify what projects are being approved.

Councilmember Hiller stated by approving the Engineering Design Fee Fund via Resolution No. 9399 on April 11, 2023, combined with small projects being removed from the CIP; the City would save money through the spending of cash along with providing disclosure of the budget.

PUBLIC COMMENT was submitted via email by Lazone Grays (Attachment A) and provided by the following individual:

Lazone Grays spoke on behalf of the Digital Equity & Inclusion funding and the documents he emailed the Governing Body (Attachment A). He solicited support from City Staff and the Governing Body to help contact different population groups to help him determine how individuals are affected by the digital equity plan. He spoke to the opportunity to apply and receive grant funding from the Digital Equity Act (DEA) and the importance of digital equity to local businesses.

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

Councilmember Kell encouraged citizens to attend the Old Prairie Town Tulips at Twilight located at 124 SW Fillmore Street, Topeka, and noted the event would be held through April 23, 2023.

Councilmember Hiller announced the NOTO in Bloom event being held at the NOTO Arts & Entertainment District located at 935 N. Kansas Avenue, Topeka, on April 22, 2023, from 6:00 p.m. to 9:30 p.m.

Councilmember Valdivia-Alcala announced the Fiesta Mexicana fundraising food sale from April 17-22, 2023 at the Marlo Cuevas-Baladran Activity Center, located at 224 NE Branner Street, Topeka, from 11:00 a.m. to 7:00 p.m. She also announced the We Are the Keepers Earth event on April 22, 2023, at Oakland Billard Park, located at 801 NE Popler, Topeka. She congratulated Three Shield Boxing Academy participants on their 88th Annual Kansas City Golden Gloves regional boxing championship held April 13-15, 2023.

Councilmember Ortiz announced on April 29, 2023, a free Shred Day was being offered by Fidelity State Bank & Trust Company located at 5926 SW 21st Street, Topeka, from 10:00 a.m. to 12:00 p.m.; and at Capitol Federal Bank located at 1600 NE Quincy Street, Topeka, from 10:00 a.m. to 12:00 p.m. She expressed her appreciation to City Staff for their assistance with constituent complaints. She expressed the importance of having a watchful eye on children in the schools and focusing on their safety.

Mayor Padilla commended Topeka Metro for implementing the new Metro On-Demand (MOD) service in southeast Topeka offering a curb-to-curb, rideshare bus service. He spoke to the importance of the State of Kansas Holocaust Commemoration on April 18, 2023, at the Ramada Inn Downtown Hotel located at 420 SE 6th Street, Topeka.

NO FURTHER BUSINESS appearing the meeting adjourned at 8:20 p.m.

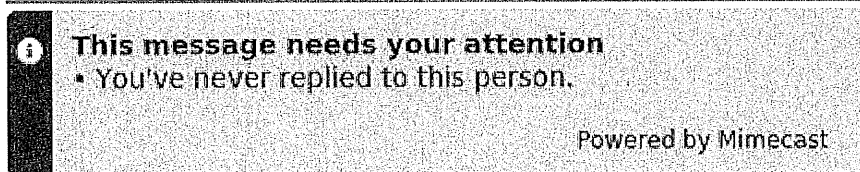
(SEAL)

Brenda Younger City Clerk

Tonya L. Bailey

From: W. Lazone Grays <lazoneg@ibsa-inc.org>
Sent: Tuesday, April 18, 2023 2:00 PM
To: City Clerk
Cc: Mayor; Neil Dobler; Spencer Duncan; Christina Valdivia-Alcala; City Council; Karen A. Hiller; Sylvia Ortiz; Tony Emerson; Brett Kell; Hannah Naeger; Michelle A. Hoferer; Stephen M. Wade; Scott Gowan; Ann Mah; Mary Thomas; IBSA, Inc.
Subject: Upcoming Digital Equity & Inclusion Funding Available: Outlook 2023 – 2024
Attachments: Topeka City Council Handout on Digital Equity Funding.pdf

This message originated from outside your organization



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• You've never replied to this person.

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Mayor Michael Padilla,
Topeka City Council members,
Stephen Wade, City Manager

Greetings,

Now that the Kansas Broadband Roadshow by the Kansas Dept. of Commerce, Office of Broadband Development (KOBD) have concluded for Topeka and the surrounding areas, the strategic work that must be done per locality (city/county) requires a visionary, inclusive and participatory approach.

I say the best vehicle to lend your voice in Topeka, your position or resources that you can bring to the table, and to find a route into the money available... is to join in on the local digital equity consortium TSC Get Digital efforts. And the next would be to get involved in upcoming invitations for the state's contractor (Solarity), to gather information and insight from those that directly work with what's considered 'covered populations'. (*see below*)

The field of broadband development & deployment is wide open; and that which is to address the digital tech skills gap is very alive as well. From changing algorithms to AI... change is imminent.

The **Digital Equity Act** (DEA) will provide \$2.75 billion to establish **three grant programs** that promote digital equity and inclusion. They aim to ensure that all people and communities have the skills, technology, and capacity needed to reap the full benefits of our digital economy.

Download the program info sheet ([English](#) | [Español](#))
<https://www.internetforall.gov/program/digital-equity-act-programs>

Approx. amount of DEA funding under the IIJA Digital Equity Act to be received by Kansas: \$100M
(2024)

Upcoming Digital Equity & Inclusion Funding Available: Outlook 2023 – 2024

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Approx. amount of DEA funding under the IIJA Digital Equity Act to be received by Kansas: \$100M (2024)

The U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA) is responsible for distributing more than \$48 billion in **Bipartisan Infrastructure Law (IIJA)** funding through several different programs.

Approx. amount Kansas will receive under 'BEAD': \$500M Broadband, Equity, Access & Deployment (2024)?

https://ntia.gov/sites/default/files/publications/digital_equity_rfc_final.pdf

Digital Equity: Covered Populations

Groups and communities disproportionately impacted by digital inequity:

Low income households: KS Dept. of Children & Families (DCF), Dept. of Commerce (WIOA), Topeka Housing Authority, USD 501,

Aging populations: Area Agency on Aging (devices & digital literacy training)

Incarcerated individuals:

Veterans: VA Hospital (tele-health)

People with disabilities: Topeka Independent Living Resource Center - TILRC), USD 501,

People with language barriers:

Racial and ethnic minorities: IBSA, El Centro, USD 501,

Rural inhabitants

Stakeholder groups that need to be at the table:

Community anchor institutions: Library, Washburn University, School District,

County and municipal government: City of Topeka, Shawnee County

Local educational agencies: Unified School District 501, Other...

Indian Tribes, Alaska Native entities, or Native Hawaiian organizations, where applicable:

Nonprofit organizations: IBSA, Community Resources Council (CRC), Gil Carter Initiative, Go Topeka?,

Organizations that represent covered populations: IBSA, El Centro, TILRC, SENT, Community Resources Council (CRC),

Civil rights organizations: NAACP,

Entities that carry out workforce development programs: IBSA, DCF (TANF, SNAP, VR), Dept. of Commerce (WIOA), Washburn University, Washburn Tech, USD 501,

State agencies that administer or supervise adult education or literacy activities: KS Dept. of Children & Families (TANF, SNAP, VR, Foster Youth), Dept. of Commerce (WIOA),

Public housing authorities: Topeka Housing Authority, Other...

Upcoming Digital Equity & Inclusion Funding Available; Outlook 2023 – 2024

With **\$20M** on the table right now to begin with, each city in Kansas will have an opportunity to compete for **\$20M** in **American Rescue Plan Act (ARPA)** funds; to begin making a significant impact in their community and targeted neighborhoods.

And we will have to compete to WIN...

Kansas Awarded \$15M for Capital Project Fund

<https://www.govtech.com/civic/kansas-gets-15m-in-digital-equity-funds-from-feds>

The federal government awarded Kansas \$15 million Tuesday for digital equity work, with the money to go toward public Wi-Fi, digital skills training and more, said a U.S. Treasury Department official.

The money was allocated to states for digital equity through the Capital Projects Fund, which is part of the American Rescue Plan. What makes Tuesday's announcement significant is that the Kansas award is **specifically for digital equity — and just digital equity**, not broadband infrastructure, as is more common for grants of this size that involve digital inclusion.

Capital Project Fund

- The Coronavirus Capital Projects Fund (\$10 billion) – Treasury will distribute funds to States, territories, and Tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the pandemic.
- Projects limited to education are not eligible, instead they must directly enable work, education, and health monitoring.
- The critical need can be something that was *made apparent* by COVID. The digital divide was made apparent by COVID! Applicants do not need to prove this, see page 9.
- Funds cannot be used to purchase phones.
- **Digital literacy training, digital navigation, and digital inclusion services are eligible if they are part of a project requesting funds for use of capital assets (property which is owned).**
- Funds can be used to “construct or improve” libraries, community health centers, or full-service community schools — gigabit internet, public Wi-Fi, and lendable computers would be an “improvement” for many libraries, community health centers, and full-service community schools.

Upcoming Digital Equity & Inclusion Funding Available: Outlook 2023 – 2024

Fund Recipients may use grant funds for **projects that directly enable work, education, and health monitoring, including remote options, in response to the public health emergency.** This means the project can be *anything* (with a few exceptions—roads, bridges, transit systems, etc.) that meets the following three criteria:

1. The Capital Project invests in capital assets designed to directly enable work, education, and health monitoring.
2. The Capital Project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency.
3. The Capital Project is designed to address a critical need of the community to be served by it.

Even though a wide net is cast, Treasury anticipates most recipients will use the funds for broadband projects, so they presume three types of projects are eligible:

1. Broadband Infrastructure Projects
2. **Digital Connectivity Technology Projects**
3. **Multi-Purpose Community Facility Projects** (Upcoming)*
*(IBSA/Gil Carter Initiative Neighborhood Resource Center & Computer/WiFi Lab**
*(Community Resources Council - Neighborhood Public Computer/WiFi Labs (5) **

**Awarded funding by the City of Topeka through their federal American Rescue Plan Act (ARPA) funding allocation (2022)*

Primary contacts to refer community stakeholder that can provide insight, comment and input for the state digital equity strategic plan:

Brittany Beyer, Solarity (Contractor to State Broadband Office for State 5-Yr Digital Equity Strategic Plan)

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Connectivity

Digital Equity Grant Program

Focus Area/Need:
Broadband adoption and enablement

Administering Agency:
Kansas Office of Broadband
Development (KOBBD)

Funding Request:
\$5,000,000

Program Description

The purpose of the proposed Digital Equity Grant program is to provide competitive grants to facilitate the development of digital literacy skills and adoption of broadband service. KOBBD is currently working to complete Kansas' federally funded Digital Equity planning process. This proposed program would complement those efforts by providing \$5M toward a competitive grant process for applicants committed to increasing digital skills in historically disconnected communities and programs with a goal to increase the rate of broadband adoption in Kansas.

Goals / Target Outcomes

- Broader internet service adoption in low-income households through campaign to increase participation in connectivity programs/initiatives
- Workforce development through digital literacy programs in underserved populations that may lack digital skills
- Increased access to telehealth, remote work, and distance learning through digital literacy training

Program Parameters/Application Process

- Competitive grant opportunity will be made available to entities seeking to make investments in local broadband infrastructure including political subdivisions, corporations, LLCs, partnerships or other business entities, non-profits, and entities authorized to provide broadband services in a proposed service area
- Application process will mimic existing broadband access programs
- Relevant SPARK Idea Submissions will be notified of this funding opportunity

Additional Considerations

- **Why is it needed?:**
 - Universal broadband connectivity requires investments in both infrastructure access and adoption enablement efforts
- **Compliance/Allowability:**
 - No compliance/allowability issues as proposed, KOBBD will comply with ARPA compliance/reporting requirements as needed
- **Misc:**
 - As proposed, program to launch after completion of Kansas' federally funded Digital Equity planning process

Community Anchor Institution Justification Narrative:

Community Anchor Institutions are defined at a high level as institutions such as schools, libraries, medical and healthcare providers, community colleges and other institutions of higher education, and other community support organizations and entities. The purpose of Digital Equity is to ensure that all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy. Digital Equity is necessary for civic and cultural participation, employment, lifelong learning, and access to essential services.

While there are standard Community Anchor Institutions (CAI) defined, we should consider those the minimum standards to be met to cover a generic population. It is important that each state consider the unique needs of their specific Covered Populations to ensure that CAI are extensive enough to properly provide the foundation of support needed for these individuals to flourish in a digital economy.

Our goal is for all citizens to have universal access to fiber-based broadband services offering them the access to an always-on high-speed connection wherein any barrier to social, economic, educational, or healthcare opportunities are eliminated. This goal will not be met overnight, and we must explore interim steps to enable these opportunities for all citizens until ubiquitous coverage is available. This paper explores the expansion of CAI facility definitions to extend our reach into all Covered Populations via a variety of means so that they can enjoy the benefits of digital connectivity as soon as possible.

Baseline assumption:

All hospitals, libraries, universities, police, fire, and ambulance services are anchor institutions and, as such, must be provisioned for a minimum of 1Gbs symmetrical broadband (upload and download must be always at least 1Gbs.)

For consideration:

Level 1 Expansion of CAI: deemed necessary for public health or safety and educational support:

- Educational institutions should be defined as any location serving K-12, adult education, technical training, professional or trade certification institutions, as well as universities and community colleges.
- Healthcare locations should be expanded to include mental and physical rehabilitation facilities, imaging centers, medical offices, rural clinics, nursing homes, and urgent care locations.
- Community locations used by local populations for meetings, socialization, social services, or emergency support should be included (examples: community centers, emergency shelters, town halls, homeless shelters, food banks, urban community locations, YMCA)

Level 2 Expansion of CAI: deemed important for deeper penetration into rural or urban areas where ROI for providers may prevent rapid expansion.

- Churches that allow for public access to wi-fi
- Volunteer fire locations
- Post Offices
- Civic locations (Elks, Knights of Columbus, etc.)
- Youth and Family-based organizations (Boy's Club, Girl's Club, etc.)
- Job Centers
- Public Parks, Public Recreation Facilities

Level 3 Expansion of CAI: deemed important in areas where affordability may be the primary barrier to broadband adoption.

- Churches
- Anchor retail locations (Walmart, Dollar General, Grocery Stores, etc.)

Addressing the Digital Divide
Digital Equity, Inclusion, Justice

Outdoor
Public WiFi
LMI Neighborhood
Locations

Digital Equity
Policy & Strategic
Plan

Low-Cost Computer & Internet Availability:

Connect2Compete: Unified School District 501 & Cox, ???
Bridging the Gap: IBSA & Dept. of Children and Families

Connectivity Access:

Wired & Wireless Service (*Car ACP, PCs for People, AT&T, Other?*)

LMI Neighborhood Benefit: (*Onsite Access to technology*)

Education: Evening, After-School & Weekend Programs
Employment & Training: Relevant Workshops, Classes, Counseling
Small Business & Entrepreneurship: Courses, Workshops, Events
Nonprofit Development: Program Development & Support Services
Health & Well-Being: Medical Assistance Online (*tele-medicine*)

Digital Stewardship Programs:

Computer Refurbishing, Wireless Network Maintenance, Literacy & Life Skills, Etc..

DRAFT – American Rescue Plan Recommendations (City of Topeka)
Prepared By: Lazone Grays, IBSA, Inc. February 7, 2022

Recommended
\$600,000

Neighborhood
Multi-Purpose
Tech & Learning
Resource Centers

Digital Tech
Skills Training

Areas Impacted:

Workforce
Business
LMI Youth & Adults
Senior Citizens
LMI Neighborhoods

INVESTING IN DIGITAL SKILLS BENEFITS BUSINESSES, WORKERS, AND OUR ECONOMY

The digital divide isn't just about access to broadband and hardware, it's also about access to skills. This digital skill divide impacts businesses of all sizes across every industry.

New investments made through the bipartisan infrastructure law, including the Digital Equity Act,¹ will send billions of dollars to states and localities across the U.S. over the next five years. This funding is a powerful opportunity for states to close the digital skill divide.

Business leaders can draw on new data illustrating the demand for digital skills to help policymakers understand the urgency of tackling this issue. This research, *Closing the Digital Skill Divide*, analyzed 43 million Help Wanted ads to get a real-time look at employers' needs.

KEY FINDINGS:

- **The overwhelming majority of jobs require technology skills.** Specifically, 92% require digital skills, such as Microsoft Excel, or skills that are *likely* to be digital, such as bookkeeping.
- **Younger workers need digital skills training too.** While it's often assumed that younger people are comfortable with technology, research shows that they may not be able to operate specific technologies used on the job.² These workers need opportunities to build bridges from the skills they have — such as using a social media app — to the new skills they need in the workplace, such as navigating electronic medical records or working with collaborative robots.
- **Rural workers face additional barriers in building technology skills.** As new federal funding³ helps to build out broadband infrastructure in rural communities, it will be crucial to ensure that rural workers have opportunities to build the digital skills they need. This is especially important given the fast-growing demand for digital skills in fields

such as agriculture, where equipment such as tractors and harvesters are now commonly equipped with on-board technology.

Closing the digital skill divide has major payoffs for businesses. Workers value upskilling and prefer working for businesses that offer clear pathways to advancement. Turnover has heavy costs; reducing turnover by ensuring that workers have upskilling opportunities could save businesses more than \$25,000 per position.⁴

HOW BUSINESS AND COMMUNITY LEADERS CAN USE THIS DATA TO TAKE ACTION:

- Emphasize the importance of digital skills training in public and policy-related conversations about the digital divide.
- Implement and advocate for policies and practices that support digital upskilling for all workers. If you operate a small business with limited in-house training capacity, consider collaborating in a regional workforce partnership with peer companies and an education or workforce development provider.
- To create awareness and understanding, educate policymakers about the skills mismatch and the kinds of technology skills needed in today's economy.
- Promote public policies that support workforce partnerships between local community colleges and training providers to build industry-driven training programs.

1 Learn more about the Digital Equity Act.

2 Fragmented knowledge refers to people who are comfortable with some technology skills but not comfortable with others.

3 Broadband Equity, Access, and Deployment (BEAD) funding totaling \$42.5 billion dollars is being distributed across the U.S. as part of the Infrastructure Investment and Jobs Act (IIJA).

4 *Closing the Digital Skill Divide* (National Skills Coalition, 2023)