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City Council Agenda

City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 19, 2008
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Buntten

Councilmembers

Lana Kennedy	District No. 1	Deborah Swank	District No. 6
John Alcala	District No. 2	Brett Blackburn	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Preisner	District No. 8
Jack Woelfel	District No. 4	Richard Harmon	District No. 9
Bill Haynes	District No. 5		

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council.

Persons addressing the City Council will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room 166 and on the City's web site at <http://www.topeka.org>)

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"None scheduled at this time."

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Building and Fire Appeals

BOARD APPOINTMENT recommending the re-appointment of Keith Finney to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. *(Council District No. 8)*

B. Board Appointment - Building and Fire Appeals

BOARD APPOINTMENT recommending the re-appointment of Matthew Werner to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. *(Council District No. 8)*

C. Board Appointment - Building and Fire Appeals

BOARD APPOINTMENT recommending the re-appointment of Toby Taggart to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. *(Council District No. 8)*

D. Board Appointment - Board of Electrical Appeals

BOARD APPOINTMENT recommending the re-appointment of Jim Grunewald to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 5)*

E. Board Appointment - Board of Electrical Appeals

BOARD APPOINTMENT recommending the re-appointment of Dave Krug to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 6)*

F. Board Appointment - Board of Electrical Appeals

BOARD APPOINTMENT recommending the re-appointment of D. L. Smith to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 7)*

G. Board Appointment - Board of Electrical Appeals

BOARD APPOINTMENT recommending the re-appointment of Allen Rathke to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 7)*

H. Board Appointment - Board of Electrical Appeals

BOARD APPOINTMENT recommending the re-appointment of Dode Lesser to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 9)*

I. MINUTES of the regular meeting of August 12, 2008

J. APPLICATIONS:

K. Resolution - Karen Panuco

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Karen Panuco an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. (Council District No. 3)

This item was added at the meeting.

L. Resolution - El Shaddai Ministries

 [ATTACHMENTS](#)

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting El Shaddai Ministries an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. (Council District No. 3)

This item was added at the meeting.

5. PUBLIC HEARINGS:

A. Public Hearing and Ordinance - Kansas Medical Mutual Insurance Co. and Blue Cross and Blue Shield of Kansas (V08A/1)

 [ATTACHMENTS](#)

A PUBLIC HEARING relating to vacation request V08A/1 by Kansas Medical Mutual Insurance Company and Blue Cross and Blue Shield of Kansas to vacate a 20-foot public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street in the Original Town of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a 20-foot public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street, City of Topeka, Shawnee County, Kansas. Final Reading. (V08A/1) (Council District No. 1)

(Approval would allow for private parking lots associated with Blue Cross and Blue Shield and the Kansas Medical Mutual Insurance Company.)

B. Public Hearing and Ordinance - Ronald Bergquist (V08S/6)

 [ATTACHMENTS](#)

A PUBLIC HEARING relating to vacation request V08S/6 by Ronald Bergquist to vacate a platted street right-of-way in Garden Park Addition located south of NE State Street and either side of NE Michigan Avenue, City of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted street right-of-way in Garden Park Addition located south of NE State Street and either side of NE Michigan Avenue, City of Topeka, Shawnee County, Kansas. Final Reading. (V08S/6) (Council District No. 2)

(Approval would vacate a 50-foot wide platted street right-of-way and establish a necessary channel maintenance easement.)

C. Public Hearing and Ordinance - Sanitary Sewer Improvement Project No. 40928-00 - Special Assessment

 [ATTACHMENTS](#)

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer Improvement Project No. 40928-00, authorized by Resolution No. 7552, adopted and approved November 23, 2004.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in Shawnee County, Kansas, for Sanitary Sewer Improvement Project No. 40928-00, as defined and described in Resolution No. 7552, adopted and approved November 23, 2004. . Final Reading. (Deferred from the meeting of August 12, 2008.)

(Approval would apportion and levy a special assessment on the property located at 3624 SE 2nd Street for sanitary sewer improvements. The property is located outside the city limits.)

6. UNFINISHED BUSINESS:

A. Project Budget and Ordinance - Zoo Improvement Project No. 30273-00

 [ATTACHMENTS](#)

A REVISED PROJECT BUDGET in the amount of \$392,406 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and authorizing as amended Improvement Project No. 30273-00 which provides for the design and construction of a new zoo exhibit as more specifically described herein, pursuant to Section A12-1 of the Code of the City of Topeka, and rescinding City of Topeka Resolution No. 7924. **Final Reading.** *(Council District No. 9)*

(Approval would provide for the construction of the Mountain Lion and River Otter exhibit at the Zoo. The City would provide \$75,000 and the Friends of the Topeka Zoo would provide the remaining \$317,406 needed to finance the project.)

B. Project Budget and Ordinance - Trafficway Improvement Project No. 70123-01

 [ATTACHMENTS](#)

A PROJECT BUDGET in the amount of \$2,372,381 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 70123-01, which provides for rebuilding of the intersection at SW Fairlawn and SW 29th Street and I-470 ramps, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. **Final Reading.** *(Council District Nos. 7 and 8)*

(Approval would provide for the rebuilding of the intersection at SW Fairlawn and SW 29th Street and I-470 ramps.)

C. Ordinance - Taxicab Fare Rates - Amendment

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, amending City of Topeka Code Section 154-121, as amended by Ordinance No. 19115, concerning rates of fare offered by taxicabs in the City of Topeka and specifically repealing said original section. **Final Reading.**

(Approval of the amendment would revise the taxi meter rate to eliminate meter readings with a fraction of a cent. Meter rates must be divisible by sixths.)

7. NEW BUSINESS:

A. Petition, Project Budget and Resolution - Street Improvement Project No. T-601008.00

 [ATTACHMENTS](#)

A PETITION, A PROJECT BUDGET in the amount of \$428,758 and **A RESOLUTION** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Street Improvement Project No. T-601008.00 (HTE 606450) which provides for street improvements in the Vineyard and Kansas Heritage Park Subdivisions as more specifically described herein. *(Council District No. 9)*

(Approval would allow for the paving of SW Kingsrow Road from the intersection of SW Huntoon Street north to the north line of The Vineyard Subdivision. Improvement will be paid 100% by the Improvement District.)

B. Resolution - 2008-2009 Capital Improvement Budget Amendment

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8039.

(The amendment would shift funding among general obligation bonds to increase financing for the SW 29th and Fairlawn Road project and the Mountain Lion and River Otter Exhibit project while decreasing funding for Elevation Parkway and Traffic Signal Replacement projects.)

C. Resolution - 2008-2012 Capital Improvement Program Amendment

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing and adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8040.

(The amendment would shift funding among general obligation bonds to increase financing for the SW 29th and Fairlawn Road project and the Mountain Lion and River Otter Exhibit project while decreasing funding for Elevation Parkway and Traffic Signal Replacement projects.)

D. Resolution - Softball/Sports Facilities Reserve Fund

 [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Softball/Sports Facilities Reserve Fund for ongoing maintenance at any Parks and Recreation of Topeka softball facilities, pursuant to City of Topeka Ordinance No. 16269.

(Approval would authorize the transfer of \$14,760 plus accrued interest from the Softball/Sports Facilities Reserve Fund to the Topeka Parks and Recreation Foundation, Softball Improvement Account.)

E. FY 2009 Consolidated Action Plan

 [ATTACHMENTS](#)

APPROVAL of the FY 2009 Consolidated Action Plan and budget.

(The total funding under the 2009 Consolidated Action Plan is \$4,850,827. Funding includes \$1,921,423 new CDBG funds; \$677,918 HOME funds; \$87,994 ESG funds; \$263,463 Program Income and Reprogrammed funds; \$280,029 City Social Service Funds, and a \$200,000 Affordable Housing HOME Fund Match; \$20,000 for Shelter Plus Care Administration; and \$1.4 million for the Neighborhood Infrastructure Capital Improvement Program.)

F. Ordinance - City of Topeka 2009 Operating Budget

 [ATTACHMENTS](#)

AN APPROPRIATION ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., approving and adopting the operating budget for the City of Topeka, for the year 2009, and appropriating the amounts for the purpose as set forth therein. First and Final Reading.

(Approval establishes the City of Topeka 2009 Operating Budget.)

G. Ordinance - Attesting Increase In Taxes Levied - 2009 Budget Year

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., attesting to the increase in taxes levied for budget year 2009 necessary to finance public services for the City of Topeka. Final Reading.

(K.S.A 79-2925b requires taxing subdivisions to pass a special ordinance recognizing an increase in property tax dollars to fund the 2009 budget.)

H. Ordinance - Weekly Expenditures - July 28-August 3, 2008

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of July 28, 2008, through August 3, 2008, and enumerating said expenditures therein. First and Final Reading.

I. Board Appointment - Riverfront Authority Board

BOARD APPOINTMENT recommending the re-appointment of Doug Kinsinger to the Topeka/Shawnee County Riverfront Authority Board for a term that would expire on August 31, 2011.

8. FIRST READINGS:

A. Charter Ordinance - Exemption of 2008 House Bill 2217 - Board Appointments

 [ATTACHMENTS](#)

A CHARTER ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., exempting the City of Topeka from the provisions of 2008 House Bill 2217, specifically Section 4, in accordance with the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, and providing for the method of appointment of members to statutory and non-statutory boards and amending Section 24 of Charter Ordinance No. 94, codified at Section A2-72 of the Code of the City of Topeka, and repealing said original section. First Reading.

(Currently, the City Council is required to make a finding by passage of a resolution that a person appointed by the Mayor to a board or commission is not fit to hold the office of position. Approval of the Charter Ordinance would allow the City of Topeka to be exempt from the nonuniform State requirement.)

B. Ordinance - City Manager Evaluation Process

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner amending Section 1 of Ordinance No. 18841 concerning the establishment of annual goals and objectives for the City Manager and the establishment of a procedure for the evaluation of the performance of the City Manager. First Reading.

(Approval would eliminate quarterly reviews from the evaluation process of the City Manager.)

C. Ordinance - Designation of Deputy City Manager Randy Speaker

 [ATTACHMENTS](#)

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, designating Deputy City Manager Randy Speaker to exercise the powers and duties of the City Manager in the absence or inability of the City Manager and authorizing him to execute contracts on behalf of the City pursuant to Charter Ordinance No. 94, codified at Section A2-52 and Section A2-55 of the Code of the City of Topeka. First Reading.

(Per City Charter, the City Council shall designate a qualified employee to act during any temporary absence or disability of the City Manager.)

D. Ordinance - College Hill Public Parking Lot Improvement Project No. T-861000.00

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-861000.00 (HTE862590), which provides for an additional public parking lot benefiting the College Hill Redevelopment District, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. First Reading. *(Council District No. 6)*

(Authorizing \$397,057 to provide for the construction of a public parking lot of 50 additional parking spaces to benefit the College Hill Redevelopment District at SW 16th and Lane Street.)

9. MISCELLANEOUS:

-

10. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

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DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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PROJECT #:

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ACTION OF COUNCIL:

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PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Topeka, Kansas 66603

July 22, 2008

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DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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July 22, 2008

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DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 21, 2008

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DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Building and Fire Appeals
CATEGORY/SUBCATEGORY: 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Keith Finney to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. (Council District No. 8)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Keith Finney, 6452 SW 24th St., to the Board of Building and Fire Appeals for a two year term that will end August 31, 2010. Mr. Finney was nominated by Councilman Preisner. There is no official attendance policy, however, Mr. Finney attended all the meetings.

BACKGROUND:

Ordinance 18382. The Board of Building and Fire Appeals determines the suitability of alternate materials, methods and types of construction, and has the power to permit exceptions, variances or waivers that meet the intent of the adopted TCC.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #6

ATTACHMENTS:

No Attachments Available



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214 SE 8th Street
Topeka, Kansas 66603

July 21, 2008

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DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Building and Fire Appeals
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Matthew Werner to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. *(Council District No. 8)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Matthew Werner, 6401 SW 24th St., to the Board of Building and Fire Appeals for a two year term that will end August 31, 2010. Mr. Werner was nominated by Councilman Preisner. There is no official attendance policy, however, Mr. Werner attended all the meetings.

BACKGROUND:

Ordinance 18382. The Board of Building and Fire Appeals determines the suitability of alternate materials, methods and types of construction, and has the power to permit exceptions, variances or waivers that meet the intent of the adopted TCC.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #7

ATTACHMENTS:

No Attachments Available



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July 21, 2008

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DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Building and Fire Appeals
CATEGORY/SUBCATEGORY: 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Toby Taggart to the Board of Building and Fire Appeals for a term that would expire on August 31, 2010. (Council District No. 8)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Toby Taggart, 1212 SW Warren Ave., to the Board of Building and Fire Appeals for a two year term that will end August 31, 2010. Mr. Taggart was nominated by Councilman Preisner. There is no official attendance policy, however, Mr. Taggart attended all the meetings.

BACKGROUND:

Ordinance 18382. The Board of Building and Fire Appeals determines the suitability of alternate materials, methods and types of construction, and has the power to permit exceptions, variances or waivers that meet the intent of the adopted TCC.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #8

ATTACHMENTS:

No Attachments Available



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August 4, 2008

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DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Electrical Appeals
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Jim Grunewald to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 5)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Jim Grunewald, 908 SW Armagh, to the Board of Electrical Appeals for a two year term. There is no formal attendance policy, however, Mr. Grunewald has been absent twice. Mr. Grunewald was nominated by Councilman Harmon.

BACKGROUND:

Ordinance 18382. The purpose of the board shall be to review and approve the issuance of licenses in accordance with Chapter 26 of the Code of the City of Topeka, and to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided such exceptions, variances or waivers meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #9

ATTACHMENTS:

No Attachments Available



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August 4, 2008

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DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Electrical Appeals
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Dave Krug to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 6)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Dave Krug, 3114 SW Canterbury Ln., to the Board of Electrical Appeals for a two year term. There is no formal attendance policy, however, Mr. Krug has missed one meeting. Mr. Krug was nominated by Councilman Harmon.

BACKGROUND:

Ordinance 183821. The purpose of the board shall be to review and approve the issuance of licenses in accordance with Chapter 26 of the Code of the City of Topeka, and to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided such exceptions, variances or waivers meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #10

ATTACHMENTS:

No Attachments Available



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CONTACT PERSON: Celeste Benton **DOCUMENT #:**
SECOND PARTY/SUBJECT: Board of Electrical Appeals **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of D. L. Smith to the Board of Electrical Appeals for a term that would expire on August 31, 2010. (Council District No. 7)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of D. L. Smith, 3773 SW Clarion Park Dr., to the Board of Electrical Appeals for a two year term. There is no formal attendance policy, however, Mr. Smith has been absent twice. Mr. Smith was nominated by Councilman Harmon.

BACKGROUND:

Ordinance 18382. The purpose of the board shall be to review and approve the issuance of licenses in accordance with Chapter 26 of the Code of the City of Topeka, and to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided such exceptions, variances or waivers meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #11

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 4, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Celeste Benton **DOCUMENT #:**
SECOND PARTY/SUBJECT: Board of Electrical Appeals **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Allen Rathke to the Board of Electrical Appeals for a term that would expire on August 31, 2010. (Council District No. 7)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Allen Rathke, 5100 SW 32nd Terrace, to the Board of Electrical Appeals for a two year term. There is no formal attendance policy, however, Mr. Rathke has attended all meetings. Mr. Rathke was nominated by Councilman Harmon.

BACKGROUND:

Ordinance 18382. The purpose of the board shall be to review and approve the issuance of licenses in accordance with Chapter 26 of the Code of the City of Topeka, and to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided such exceptions, variances or waivers meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #12

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 4, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Celeste Benton
SECOND PARTY/SUBJECT: Board of Electrical Appeals
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Dode Lesser to the Board of Electrical Appeals for a term that would expire on August 31, 2010. *(Council District No. 9)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Dode Lesser, 5025 SW Brentwood Ln., to the Board of Electrical Appeals for a two year term. There is no formal attendance policy, however, Mr. Lesser has been absent once. Mr. Lesser was nominated by Councilman Harmon.

BACKGROUND:

Ordinance 18382. The purpose of the board shall be to review and approve the issuance of licenses in accordance with Chapter 26 of the Code of the City of Topeka, and to hear and determine interpretations of applicable codes and to permit exceptions, variances or waivers therefrom, provided such exceptions, variances or waivers meet the intent of the adopted code.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office of the position.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

Item #13

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

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DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

 [Back](#)  [Print](#)

DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 20, 2008

 [Back](#)  [Print](#)

DATE: August 19, 2008
CONTACT PERSON: Sylvia Ortiz **DOCUMENT #:**
SECOND PARTY/SUBJECT: Noise Exception **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: Approve the resolution **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Karen Panuco an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 3)*

This item was added at the meeting.

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO.

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Karen Panuco an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146; and

WHEREAS, Karen Panuco has requested that he be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Karen Panuco, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Karen Panuco is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band and amplified music located at 3301 SE 2nd Street from 3:00 p.m. to 11:00 p.m. on August 23, 2008.

COUNRES
Karen Panuco-Noise Exception
08/13/08

26 ADOPTED and APPROVED by the City Council _____.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 20, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Councilmember Sylvia Ortiz
DOCUMENT #:
SECOND PARTY/SUBJECT: El Shaddai Ministries
PROJECT #:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: Approve the resolution
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting El Shaddai Ministries an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions. *(Council District No. 3)*

This item was added at the meeting.

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION introduced by Councilmember Sylvia Ortiz granting El Shaddai Ministries an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146, and

WHEREAS, El Shaddai Ministries has requested that it be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of El Shaddai Ministries, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that El Shaddai Ministries is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for amplified music and sound at the Family and Friends Day Shabach Block Party event located at 920 SE

COUNRES
El Shaddai-Noise Exception
08/15/08

26 Sherman Avenue during the hours of 5:00 p.m. until 10:00 p.m. on August 31,
27 2008.

28 ADOPTED and APPROVED by the City Council _____.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

+ Back Print

DATE:	August 19, 2008		
CONTACT PERSON:	David Thurbon/Bill Fiander	DOCUMENT #:	V08A/1
SECOND PARTY/SUBJECT:	Kansas Medical Mutual Insurance Co. and Blue Cross and Blue Shield of Kansas	PROJECT #:	N/A
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 006 Vacations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	08/12/08 First Reading	JOURNAL #:	08
		PAGE #:	

DOCUMENT DESCRIPTION:

A PUBLIC HEARING relating to vacation request V08A/1 by Kansas Medical Mutual Insurance Company and Blue Cross and Blue Shield of Kansas to vacate a 20-foot public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street in the Original Town of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a 20-foot public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street, City of Topeka, Shawnee County, Kansas. Final Reading. (V08A/1) (Council District No. 1)

(Approval would allow for private parking lots associated with Blue Cross and Blue Shield and the Kansas Medical Mutual Insurance Company.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Planning Department recommends **APPROVAL** of the proposed vacation.

BACKGROUND:

- The Kansas Statutes and Topeka Code Section 130-476(b) requires a public hearing in conjunction with proposed vacation petitions which have been filed in accordance with a prescribed procedure.
- The applicants desire to vacate the public alley to accommodate private parking lots associated with their office buildings. All land is owned by the applicants on either side of the alley. No other landowner is affected by the vacation.
- A 20-foot wide public utility easement will be retained to cover the vacated alley.
- Approval of the vacation should not be construed to imply support for existing or subsequent land development.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[utility approvals](#)

[ordinance](#)

[Legal Ad](#)

[Aerial map](#)

STREET/ALLEY/EASEMENT/SUBDIVISION VACATION

Case No.: **V08A/1**

Location: **Public alley west of 1034 SW Polk Street**

DEPARTMENTS:

- **Water Division:** X No Objection Objection
- **Engineering:** X No Objection Objection
Comments: Retention of a public utility easement covering the vacated alley
- **Parks Department:** X No Objection Objection
- **County Refuse:** X No Objection Objection
- **Fire Department:** X No Objection Objection
- **Police Department:** X No Objection Objection

UTILITY COMPANIES:

- **AT&T:** X No Objection Objection
Comments: Retention of a public utility easement covering the vacated alley
- **Westar:** X No Objection Objection
Comments: Retention of a public utility easement covering the vacated alley
- **Kansas Gas Service:** X No Objection Objection
Comments:
- **Cox Communications:** X No Objection Objection
Comments: Retention of a public utility easement covering the vacated alley

Annie Driver, Planner I

Prepared: July 11, 2008

(Published in the Topeka Metro News _____)

ORDINANCE NO.

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to a portion of a public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street in the Original Town of Topeka, Shawnee County, Kansas (V08A/1) (Council District No. 1)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Kansas Medical Mutual Insurance Company and Blue Cross and Blue Shield of Kansas as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described public alley located within the City of Topeka, Shawnee County, Kansas:

**A portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as:
Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.**

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on **August 19, 2008**, the petition is ready for determination by the Council of the City of Topeka, Kansas.

Section 3. That the Council of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.

- c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Council of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described public alley located within the City of Topeka, Kansas:

A portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as: Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.

Section 5. That the Council of the City of Topeka does hereby find that justice further requires the provision for a public utility easement to be established over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a public utility easement:

A portion of an alley in the Original Town of Topeka, Shawnee County, Kansas; described as: Beginning at the Northeast corner of Lot 350 on Polk Street; thence east-southeasterly to the Northwest corner of Lot 349 on Tyler Street; thence south-southwesterly to the Southwest corner of Lot 359 on Tyler Street; thence west-northwesterly to the Southeast corner of Lot 360 on Polk Street; thence north-northeasterly to the point of beginning.

Section 6. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka _____, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____
Not To Be Codified X

Please have the attached published in the Topeka Metro News in the Legal Advertising Section July 25, 2008 and August 1, 2008

IN THE MATTER OF THE PROPOSED VACATION OF:

A 20' public alley located east of 1034 SW Polk Street and west of 1027 SW Tyler and 600 SW 11th Street in the Original Town of Topeka, Shawnee County, Kansas (**V08A/1**)
(**Council District No. 1**)

NOTICE OF PUBLIC HEARING

(Pursuant to K.S.A. 12-504 et seq.)

To Whom It May Concern:

Public notice is hereby given that a petition has been filed by Kansas Medical Mutual Insurance Company and Blue Cross and Blue Shield of Kansas which includes a portion of an alley in the Original Town of Topeka, Shawnee County, Kansas.

The petition will be presented to the Council of the City of Topeka for hearing **August 19, 2008** at 6:00 P.M. or as soon thereafter as the same may be heard in the City Council Chambers, Municipal Building, 2nd Floor, 8th and Monroe Streets, Topeka, Kansas, at which time and place all interested persons may appear and be heard, either for or against granting the prayer of said Petition.

**BY THE GOVERNING BODY,
CITY OF TOPEKA, KANSAS**



**V08A/1 by: Blue Cross & Blue Shield of Kansas and
Kansas Medical Mutual Insurance Company**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 6, 2008

+ Back Print

DATE:	August 19, 2008		
CONTACT PERSON:	David Thurbon/Bill Fiander	DOCUMENT #:	N/A
SECOND PARTY/SUBJECT:	Ronald Bergquist et al.	PROJECT #:	V08S/6
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 006 Vacations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	08/12/08 First Reading	JOURNAL #:	08
		PAGE #:	

DOCUMENT DESCRIPTION:

A PUBLIC HEARING relating to vacation request V08S/6 by Ronald Bergquist to vacate a platted street right-of-way in Garden Park Addition located south of NE State Street and either side of NE Michigan Avenue, City of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted street right-of-way in Garden Park Addition located south of NE State Street and either side of NE Michigan Avenue, City of Topeka, Shawnee County, Kansas. Final Reading. (V08S/6) (Council District No. 2)

(Approval would vacate a 50-foot wide platted street right-of-way and establish a necessary channel maintenance easement.)

POLICY ISSUE:

N/A.

STAFF RECOMMENDATION:

The Planning Department recommends **APPROVAL** of the proposed vacation.

BACKGROUND:

- The Kansas Statutes and Topeka Code Section 130-476(b) requires a public hearing in conjunction with proposed vacation petitions which have been filed in accordance with a prescribed procedure.
- The applicants wish to vacate the street right-of-way and continue to maintain it as their yard.
- The ordinance reflects retention of a channel maintenance easement.
- Approval of the vacation should not be construed to imply support for existing or subsequent land development.

BUDGETARY IMPACT:

N/A.

Item #19

SOURCE OF FUNDING:

N/A.

ATTACHMENTS:

[Vicinity Map](#)

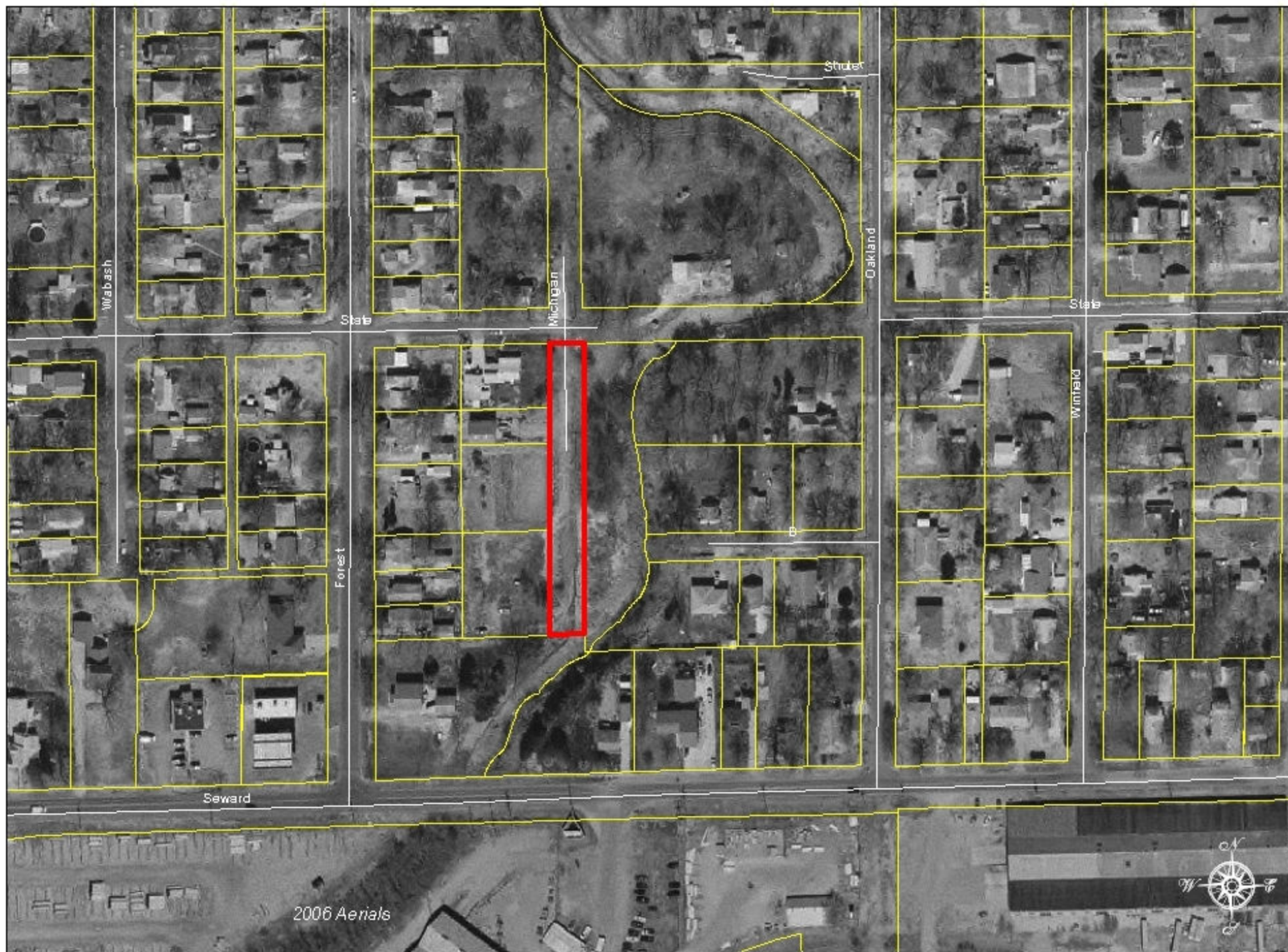
[Aerial](#)

[Ordinance](#)

[Legal Advertisement](#)



V08S/4 City of Topeka



V08S/6 Ronald Bergquist et al.

(Published in the Topeka Metro News _____)

ORDINANCE NO.

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a platted street right-of-way, NE Michigan Avenue, in Garden Park Addition located south of NE State Street, City of Topeka, Shawnee County, Kansas. **(V08S/6)**
(Council District No. 2)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by Ronald Bergquist et al., as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described platted street right-of-way located within the City of Topeka, Shawnee County, Kansas:

A portion of Michigan Avenue in Garden Park Addition to the City of Topeka, Shawnee County, Kansas described as: Beginning at the Northwest corner of Lot 22 on Michigan Avenue; thence southerly to the Southwest corner of Lot 22; thence westerly to the Southeast corner of Lot 63 on Michigan Avenue; thence northerly to the Northeast corner of Lot 33 on Michigan Avenue; thence easterly to the point of beginning.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on August 19, 2008, the petition is ready for determination by the Council of the City of Topeka, Kansas.

Section 3. That the Council of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.
- c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Council of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described platted street right-of-way located within the City of Topeka, Kansas:

A portion of Michigan Avenue in Garden Park Addition to the City of Topeka, Shawnee County, Kansas described as: Beginning at the Northwest corner of Lot 22 on Michigan Avenue; thence southerly to the Southwest corner of Lot 22; thence westerly to the Southeast corner of Lot 63 on Michigan Avenue; thence northerly to the Northeast corner of Lot 33 on Michigan Avenue; thence easterly to the point of beginning.

Section 5. That the Council of the City of Topeka does hereby find that justice further requires the provision for the retention of a channel maintenance easement over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a channel maintenance easement:

A portion of Michigan Avenue in Garden Park Addition to the City of Topeka, Shawnee County, Kansas described as: Beginning at the Southwest corner of Lot 22 on Michigan Avenue; thence northerly on the West line of Lot 22 to a point 356 feet south of the Northwest corner of said lot; thence southwesterly to the Southeast corner of Lot 63 on Michigan Avenue; thence easterly on the North line of Lot 82 on Forest Avenue to the point of beginning.

Section 6. This vacation shall not affect any other underlying easements or restrictions whether platted or by instrument.

Section 7. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 8. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Council of the City of Topeka _____, 2008.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____
Not To Be Codified **X**

Please have the attached published in the Topeka Metro News in the Legal Advertising Section on July 18, 2008 and again on July 25, 2008.

IN THE MATTER OF THE PROPOSED VACATION OF:

Vacation of platted street right-of-way, NE Michigan Avenue located south of NE State Street, City of Topeka, Shawnee County, Kansas. (V08S/6) (Council District No. 2)

NOTICE OF PUBLIC HEARING

(Pursuant to K.S.A. 12-504 et seq.)

To Whom It May Concern:

Public notice is hereby given that a petition has been filed by Ronald Bergquist et al., owners of the concerned property, which includes a strip of platted street right-of-way and praying that the street right-of-way located on said property be vacated.

The petition will be presented to the Council of the City of Topeka for hearing on August 19, 2008, at 6:00 P.M. or as soon thereafter as the same may be heard in the City Council Chambers, Municipal Building, 2nd Floor, 8th and Monroe Streets, Topeka, Kansas, at which time and place all interested persons may appear and be heard, either for or against granting the prayer of said Petition.

**BY THE GOVERNING BODY,
CITY OF TOPEKA, KANSAS**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 13, 2008

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DATE:	August 19, 2008		
CONTACT PERSON:	Jeff Hunt	DOCUMENT #:	
SECOND PARTY/SUBJECT:	Sanitary Sewer Improvement	PROJECT #:	40928-00
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 008 Special Assessments		
CIP PROJECT:	No		
ACTION OF COUNCIL:	07/29/08 First Reading Deferred one week. 08/19/08	JOURNAL #:	08
PAGE #:			

DOCUMENT DESCRIPTION:

A PUBLIC HEARING for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer Improvement Project No. 40928-00, authorized by Resolution No. 7552, adopted and approved November 23, 2004.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in Shawnee County, Kansas, for Sanitary Sewer Improvement Project No. 40928-00, as defined and described in Resolution No. 7552, adopted and approved November 23, 2004. . Final Reading. *(Deferred from the meeting of August 12, 2008.)*

(Approval would apportion and levy a special assessment on the property located at 3624 SE 2nd Street for sanitary sewer improvements. The property is located outside the city limits.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Approve the Ordinance for Special Assessments as presented.

BACKGROUND:

The project provides sanitary sewer service for parcel known as County Code Number 1083401003001000 (3624 SE 2nd Street) with piping, manholes, engineering and all other contingencies required for a complete project. This project was done prior to adoption of the ordinance requiring annexation for sewer connections.

BUDGETARY IMPACT:

FINAL PROJECT COST = \$10,010.41

Item #20

Improvement District will pay 100% of the costs.

Assessment is on a unit basis for parcel known as County Code Number 1083401003001000 which makes up the Improvement District.

1 unit @ \$10,010.41 per unit

SOURCE OF FUNDING:

Improvement District will pay 100% of the costs either through direct payment or by assessments to cover debt service on general obligation bond.

ATTACHMENTS:

[Project Map](#)

[Public Hearing Notice](#)

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., apportioning and levying a special assessment on certain lots and pieces of ground in Shawnee County, Kansas, for Sanitary Sewer Improvement Project No. 40928-00, as defined and described in Resolution No. 7552, adopted and approved November 23, 2004.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. For the purpose of paying the cost of piping, manholes, engineering and all other contingencies needed to complete the project, the same being Sanitary Sewer Improvement Project No. 40928-00, Shawnee County, Kansas, there is hereby levied and assessed a special assessment on all lots and pieces of ground liable therefore. Said assessments are computed as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To provide sanitary sewer service to the following described area with piping, manholes, engineering and all other contingencies required for a complete project.

B. IMPROVEMENT DISTRICT:

West 750 feet of the Southeast Quarter of the Northeast Quarter of Section 34, Township 11 South, Range 16 East of the Sixth Principal Meridian, lying South of the Topeka Drainage District R/W taken with the Shunganunga Creek Straightening Project No. 233.

C. METHOD OF ASSESSMENT:

On a unit basis for parcel known as county code number 1083401003001000 which makes up the Improvement District.

D. TOTAL COST & APPORTIONMENT OF COSTS:

\$10,010.41

Improvement district will pay 100% of the costs

Section 2. The several amounts are apportioned, levied and assessed against each of said lots and pieces of ground according to the benefits to be derived by reason of the aforesaid improvements, (except the interest hereinafter mentioned) as follows:

SANITARY SEWER PROJECT NO. 40928-00

<u>Parcel Identification Number</u>	<u>Description</u>	<u>Assessment</u>
<u>NE QUARTER OF SECTION 34-11-16</u>		
1083401003001000	West 750' of the Southeast Quarter of the Northeast Quarter; South of North Topeka Drainage District, Less R/W.	\$10,010.41

Section 3. Such assessments with accrued interest are hereby levied concurrent with general property taxes and shall be payable in twenty (20) equal annual installments; the first installment to be payable at the time of the first payment of the general property taxes, following the publication of this ordinance.

Section 4. All assessments shall bear interest in an amount not to exceed the legal rate established by law.

Section 5. The owner of any property so assessed may at any time prior to 30 days from the date of publication of this ordinance, pay the whole of the assessment against any lot or parcel with interest accrued to the date of payment, to the City Treasurer.

Section 6. Assessments not paid prior to the date provided in Section 5 hereof, shall be certified, together with interest accrued, or to accrue, by the City Clerk to the County Clerk, and collected in the same manner as other taxes.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council_____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

(Published in The Topeka Metro News July 25, 2008)

NOTICE OF PUBLIC HEARING

SANITARY SEWER IMPROVEMENT PROJECT NO. 40928-00

Notice is hereby given that there will be a special meeting of the City Council of the City of Topeka, Shawnee County, Kansas, held on August 12, 2008, at 6:00 P.M., in the Council Chamber 214 E. 8th, for the purpose of hearing any and all complaints that may be made as to the validity and fairness of the assessments on file in the office of the Clerk, on all lots, parcels and pieces of ground liable for the cost of improvement, same being Sanitary Sewer Improvement Project No. 40928-00, authorized by Resolution No. 7552, adopted and approved November 23, 2004.

GENERAL NATURE OF IMPROVEMENT:

To provide sanitary sewer service to the following described area with piping, manholes, engineering, and all other contingencies required for a complete project.

IMPROVEMENT DISTRICT:

West 750 feet of the Southeast Quarter of the Northeast Quarter of Section 34, Township 11 South, Range 16 East of the Sixth Principal Meridian, lying South of the Topeka Drainage District R/W taken with the Shunganunga Creek Straightening Project No 233.

METHOD OF ASSESSMENT:

On a unit basis for parcel known as county code number 1083401003001000 which makes up the improvement district.

TOTAL COST & APPORTIONMENT OF COSTS:

Final Costs = \$10,010.41

1 unit @ \$10,010.41 = \$10,010.41

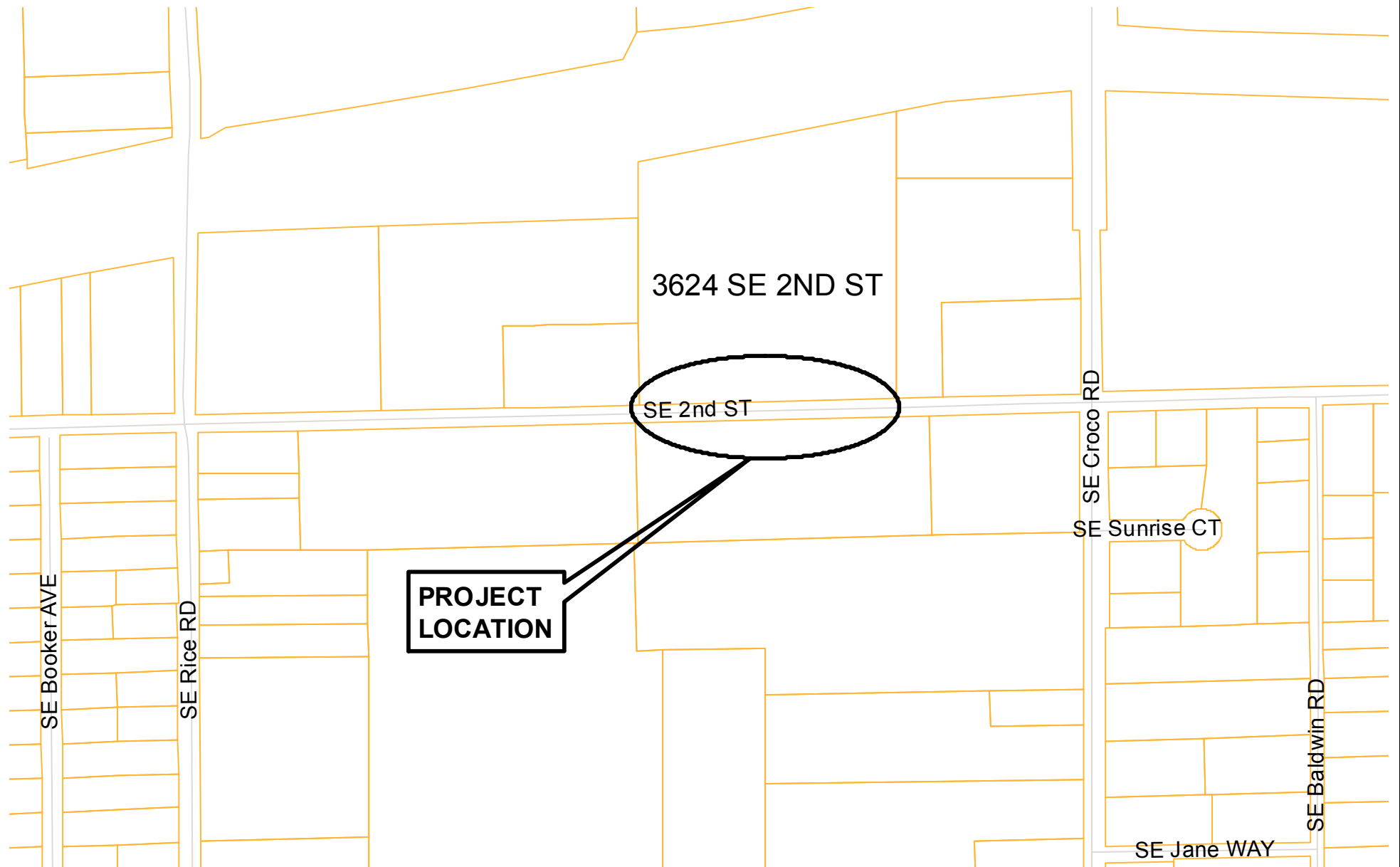
100% paid by the Improvement District

All of above described territory being situated in the City of Topeka, Shawnee County, Kansas.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City for Topeka to be affixed on July 21, 2008.




Brenda Younger
City Clerk



CITY OF TOPEKA, KS
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**PROJECT
40928-00**



1 inch equals 400 feet



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 6, 2008

+ Back Print

DATE: August 19, 2008

CONTACT PERSON: Mark Schreiner **DOCUMENT #:**

SECOND PARTY/SUBJECT: Mike Coker/Topeka Zoo **PROJECT #:** 30273-00
Mountain Lion - River
Otter Exhibit

CATEGORY/SUBCATEGORY 004 Budgets or Appropriations / 004 Project Budget - Capital Project

CIP PROJECT: Yes

ACTION OF COUNCIL: 08/12/08 First Reading **JOURNAL #:** 08

PAGE #:

DOCUMENT DESCRIPTION:

A REVISED PROJECT BUDGET in the amount of \$392,406 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and authorizing as amended Improvement Project No. 30273-00 which provides for the design and construction of a new zoo exhibit as more specifically described herein, pursuant to Section A12-1 of the Code of the City of Topeka, and rescinding City of Topeka Resolution No. 7924. **Final Reading.** (Council District No. 9)

(Approval would provide for the construction of the Mountain Lion and River Otter exhibit at the Zoo. The City would provide \$75,000 and the Friends of the Topeka Zoo would provide the remaining \$317,406 needed to finance the project.)

POLICY ISSUE:

A companion ordinance amending the CIB/CIP needs to be approved to fund the project.

STAFF RECOMMENDATION:

Approve the Revised Project Budget and Adopt the Ordinance as presented.

BACKGROUND:

This new exhibit will be part of the North American/Kansas section for the Topeka Zoo. This project will consist of the design and construction of a Zoo exhibit containing both housing facilities and secured exterior environments for both Mountain Lions and North American River Otters. The exhibit will be approximately 4,000-5,000 square feet and designed according to AZA requirements. This project will include both the housing and yard environment for both species.

These exhibits will address the need to show a relationship between these Kansas predators. The additional \$75,000.00 is part of the total commitment of \$2.5 million dollars committed by the City as part of the Memorandum of Understanding with FOTZ's \$317,406 commitment for the Zoo Tomorrow Capitol Campaign. **Item #21**

BUDGETARY IMPACT:

Revised Project Budget: \$392,406 with this being a split of \$75,000.00 to cover the unexpected increase in cost of construction materials, which will be paid for by General Obligation Bonds or any other lawfully available funds and \$317,406 from Friends of the Zoo. This project was adopted in 2005 of the 2005-2006 Capital improvement Budget. The project cost is higher than the \$250,000 in the adopted budget. The total debt service cost for the project, spread over 20 years, will be \$122,927.00 for the \$75,000 in General Obligation Bonds.

SOURCE OF FUNDING:

Friends of the Zoo (FOTZ) - \$317,406

General Obligation Bonds (GOB) or any other lawfully available funds. - \$75,000.00

ATTACHMENTS:

[Picture-Mountain Lion exhibit](#)

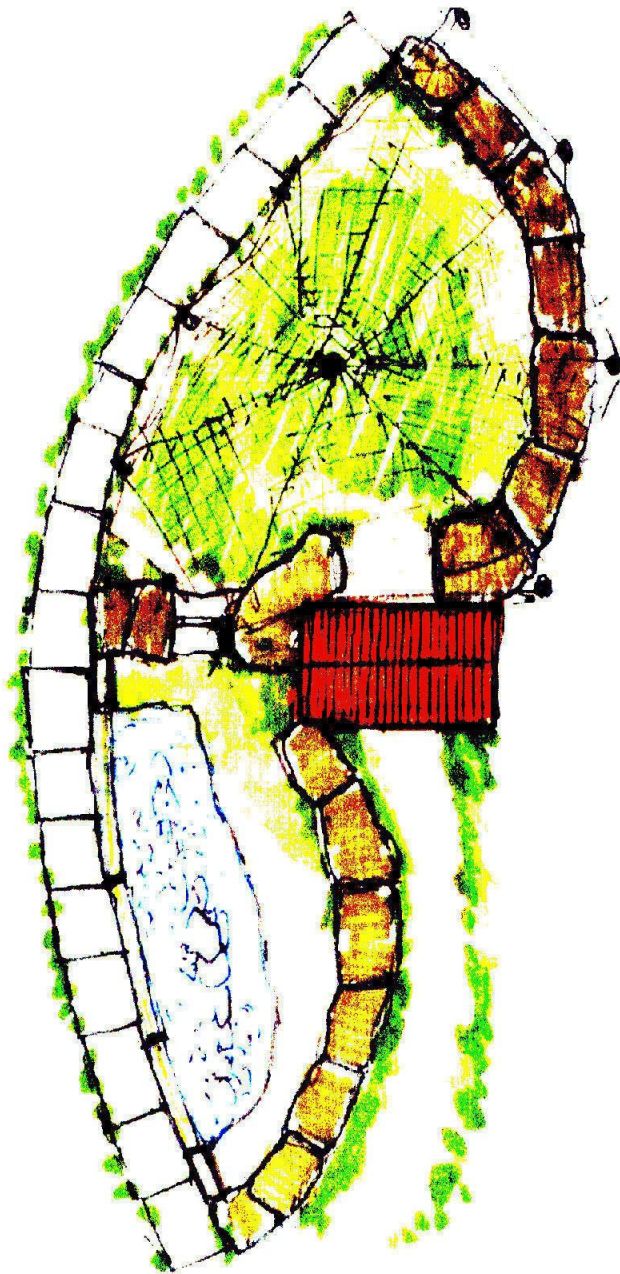
[Picture-River Otter](#)

[Vicinity Map](#)

[Project Budget and Debt Service](#)

[Ordinance](#)





Topeka Zoo Improvements - Project 30273-00



PROJECT BUDGET Revised Project No. 30273-00

LOCATION:

Topeka Zoo
Mountain Lion and River Otter Exhibit
635 S.W. Gage Blvd.

Contact Person: Mike Coker

DESCRIPTION OF PROJECT:

This project will consist of the design and construction of a Zoo exhibit containing both housing facilities and secured exterior environments for both Mountain Lions and North American River Otters. The exhibit will be approximately 4,000-5,000 square feet and designed according to AZA requirements. This project will include both the housing and yard environment for both species.

SOURCE OF FUNDS:

FOTZ, GOB or any other lawfully available funds

	<u>FOTZ</u>	<u>GOB</u>	<u>Total</u>
<u>COST ESTIMATE:</u>			
Construction:	<u>239,552</u>	<u>52,900</u>	<u>292,452</u>
Design:	<u>29,944</u>	<u>6,613</u>	<u>36,557</u>
Construction Services Fees:	<u>19,164</u>	<u>4,232</u>	<u>23,396</u>
Administrative Fees:	<u>4,791</u>	<u>1,058</u>	<u>5,849</u>
Right-of Way Acquisition:	<u>-</u>	<u>-</u>	<u>-</u>
Contingency Amount:	<u>23,955</u>	<u>5,290</u>	<u>29,245</u>
Interim Interest plus Cost of Issuance	<u></u>	<u>4,907</u>	<u>4,907</u>
Total:	<u>\$ 317,406</u>	<u>75,000</u>	<u>\$ 392,406</u>

PUBLIC HEARING:

PROJECT AUTHORITY:

- a. Statutes: _____
- b. Ord./Res. No.: _____
- c. Improvement District: _____
- d. City at Large: _____
- e. Method of Assessment: _____

PROJECT ENGINEER: Mark Schreiner, P.E.

PROJECT: Mountain Lion/River Otter Exhibit

Project No. 30273-00

Interest rate 5.25%

Number of Years 20

Cost of Issuance 2.00%

Temp Note interest 5.000%

Principal \$70,093

Plus Temp Note Interest \$3,505

Plus Cost of Issuance \$1,402

Total Project Budget \$74,999

Annual Debt Service **\$6,146**

Annual Debt Service as Percent of Total 8.2%

Total Debt Service (principal and interest) \$122,927

Difference Project Cost and Total Debt Service \$52,834

GO Bonded Indebtedness as of December 2007 \$153,840,000

Heartland Park STAR Bonds \$10,405,000

College Hill TIF \$5,840,000

2007 Temporary Notes that Finance Future GO
Bond projects \$9,200,000

Approved, not Included in GO Bond Issue or
Temporary Notes--City Projects \$5,222,840

Approved, not Included in GO Bond Issue or
Temporary Notes--Special Assessment Projects 3,152,752

Total Indebtedness \$187,660,592

Plus Project \$187,735,591

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending the project budget and authorizing as amended Improvement Project No. 30273-00 which provides for the design and construction of a new zoo exhibit as more specifically described herein, pursuant to Section A12-1 of the Code of the City of Topeka, and rescinding City of Topeka Resolution No. 7924.

WHEREAS, the Council of the City of Topeka adopted Resolution No. 7924, effective on March 13, 2007, which authorized Improvement Project No. 30273-00 for the design and construction of a new exhibit at the zoo for mountain lions and river otters. The resolution was passed with a project budget of two hundred fifty thousand dollars (\$250,000.00) to be paid from by the Friends of the Topeka Zoo (FOTZ); and

WHEREAS, it is necessary to increase the project budget to cover the unexpected increase in cost of construction materials, which will be paid for in part by general obligation bonds or any other lawfully available funds.

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

Section 1. That it is hereby deemed advisable and necessary and is also hereby authorized pursuant to Section A12-1 of the Code of the City of Topeka that the following public improvement be made:

A. GENERAL NATURE OF IMPROVEMENT:

This project provides for the design and construction of a zoo exhibit containing both housing facilities and secured exterior environments for both Mountain Lions and North American River Otters. This exhibit will be approximately 4,000-5,000 square feet and designed according to AZA requirements. This project will include both species housing and yard environments.

B. TOTAL PROJECT BUDGET COST:

\$392,406.00

C. SOURCE OF FUNDS:

Friends of the Topeka Zoo (FOTZ) \$317,406.00

General Obligation Bonds or any
other lawfully available funds \$75,000.00

TOTAL: \$392,406.00

Section 2. That City of Topeka Resolution No. 7924 is hereby specifically
rescinded.

Section 3. This Ordinance shall take effect and be in force from and after its
passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council_____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 6, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Linda Voss
SECOND PARTY/SUBJECT: Trafficway Improvement Project
CATEGORY/SUBCATEGORY: 014 Ordinances – Non-Codified / 004 Public Improvements
CIP PROJECT: No
ACTION OF COUNCIL: 08/12/08 First Reading.
DOCUMENT #:
PROJECT #: 70123-01
JOURNAL #: 08
PAGE #:

DOCUMENT DESCRIPTION:

A PROJECT BUDGET in the amount of \$2,372,381 and **AN ORDINANCE** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 70123-01, which provides for rebuilding of the intersection at SW Fairlawn and SW 29th Street and I-470 ramps, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. **Final Reading.** (Council District Nos. 7 and 8)

(Approval would provide for the rebuilding of the intersection at SW Fairlawn and SW 29th Street and I-470 ramps.)

POLICY ISSUE:

A companion ordinance to amend the CIB/CIP must be approved to provide funding for the project.

STAFF RECOMMENDATION:

Approve Project Budget and Ordinance as presented.

BACKGROUND:

The intersection of SW 29th and SW Fairlawn has capacity and safety issues. This project should improve the capacity and the safety of this location. The scope is to rebuild the intersection and replace the traffic signals at 29th and Fairlawn. A connector road will be constructed to allow traffic to by-pass the 29th /Fairlawn intersection and two additional traffic signals will be installed at the ramp south of 29th/Fairlawn and the ramp west of 29th/Fairlawn. See attached Map.

BUDGETARY IMPACT:

Total Project Budget: \$2,372,381.00

SOURCE OF FUNDING:

GO Bonds: \$1,324, 381
\$ 24,381.00 - 2007 CIP (29th & Fairlawn)
\$500,000.00 - 2008 & 2009 CIP
\$150,000.00 - 2008 CIP (29th & Fairlawn)

Item #22

\$500,000.00 - 2009 CIP (29th & Fairlawn)
\$150,000.00 - 2009 CIP (Signal Replacement Funds)

Kansas Department of Transportation: \$300,000.00

STP Funds from Shawnee County 2009: \$1,048,000.00

Total debt service cost for this project, spread over 20 years will be
\$2,170,723.

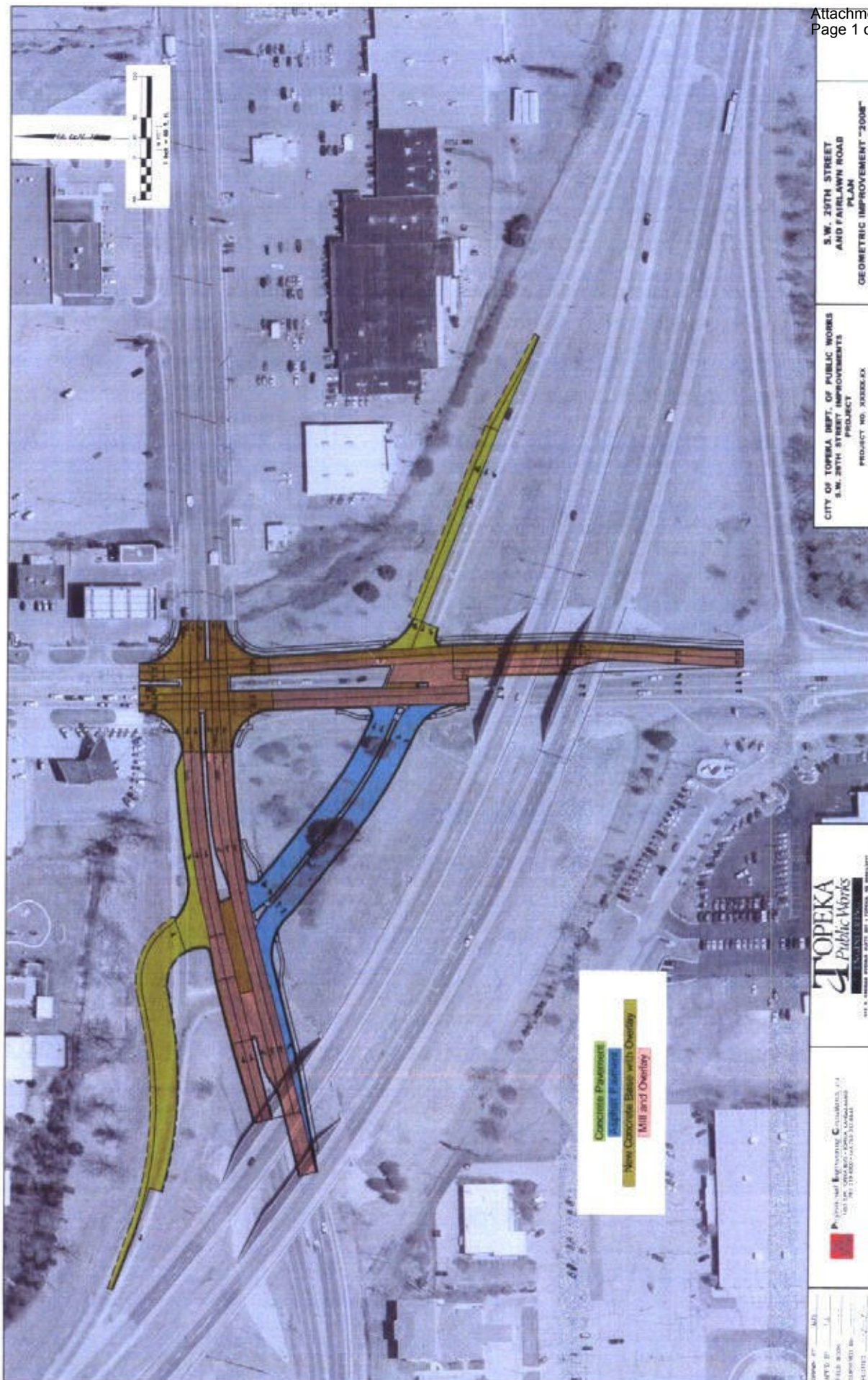
ATTACHMENTS:

[Vicinity Map](#)

[Project Budget](#)

[Debt Service](#)

[Ordinance](#)



PROJECT BUDGET

Project No. 70123-01

LOCATION:

SW Fairlawn including 29th Street intersection and I-470 ramps

DESCRIPTION OF PROJECT:

Rebuild the intersection of SW Fairlawn and SW 29th Street and replace the traffic signal. Add traffic signal to the ramp south of 29th/Fairlawn and the ramp west of 29/Fairlawn and build connector road - see attached sketch.

SOURCE OF FUNDS:

\$1,324,381 -- General Obligation Bonds
 \$24,381 - 2007 CIP (29th & Fairlawn)
 \$500,000 - 2008 CIP
 \$150,000 - 2008 CIP (29th & Fairlawn)
 \$500,000 - 2009 CIP (29th & Fairlawn)
 \$150,000 - 2009 CIP (Signal Replacement Funds)
 \$1,048,000 (STP funds from Shawnee County - 2009)
 \$300,000 (KDOT funds)

COST ESTIMATE:

	City of Topeka	Other	Total
Construction:	\$1,036,584.00	\$1,348,000.00	\$2,384,584.00
Design:	\$100,000.00	\$0.00	\$100,000.00
Construction Service Fees:			
<i>Construction Inspection (KDOT)</i>	\$0.00	\$0.00	\$0.00
<i>Construction Staking</i>	\$100,000.00	\$0.00	\$100,000.00
Administrative Fees:			
<i>Legal Dept. Admin.</i>	\$0.00	\$0.00	\$0.00
<i>Engineering Admin.</i>	\$0.00	\$0.00	\$0.00
Right-of Way Acquisition: (KDOT)	\$0.00	\$0.00	\$0.00
Contingency Amount:	\$0.00	\$0.00	\$0.00
Temporary Notes & Cost of Issuance:	\$87,797.00	\$0.00	\$87,797.00
Total:	\$1,324,381.00	\$1,348,000.00	\$2,672,381.00

1324381

PUBLIC HEARING:**PROJECT AUTHORITY:**

- a. Statutes: _____
 b. Ord./Res. No.: _____
 c. Improvement District: _____
 d. City at Large: _____
 e. Method of Assessment: _____

Date: _____

PROJECT ENGINEER:

Linda Voss _____

GO Bond Cost of Project

PROJECT: 29th and Fairlawn (70123-01)

Interest rate	5.25%
Number of Years	20

Cost of Issuance	2.00%
Temp Note interest	5.000%

Principal (project cost)	<u>\$1,236,585</u>
Plus Temp Note Interest (unless included in Principal)	<u>\$61,829</u>
Subtotal	\$1,298,414
Plus Cost of Issuance	<u>\$25,968</u>
Total	\$1,324,382

Annual Debt Service	\$108,536
Annual Debt Service as Percent of Total	8.2%

Total Debt Service (principal and interest)	\$2,170,723
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Difference Project Cost and Total Debt Service	\$934,138
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GO Bonded Indebtedness as of December 2007	\$153,840,000
2007 Temporary Notes that Finance Future GO Bond projects	\$9,200,000
Approved, not Included in GO Bond Issue or Temporary Notes--City Projects	\$260,317
Approved, not Included in GO Bond Issue or Temporary Notes--Special Assessment Projects	<u>\$806,134</u>
Total Indebtedness	<u>\$164,106,451</u>
Plus Project	\$165,430,833

GO Bond Cost of Project

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 70123-01, which provides for rebuilding of the intersection at SW Fairlawn and SW 29th Street and I-470 ramps, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That it is hereby deemed advisable and necessary and is also hereby authorized, pursuant to Section A12-1 of the Code of the City of Topeka that the following public improvement be made:

A. GENERAL NATURE OF IMPROVEMENT:

This project will provide the rebuilding of the intersection of SW Fairlawn and SW 29th Street and replace the traffic signal. Add traffic signal to the ramp south of 29th/Fairlawn and the ramp west of 29th/Fairlawn and build connector road.

B. TOTAL PROJECT BUDGET COST:

\$2,372,381.00

C. SOURCE OF FUNDS:

Kansas Department of Transportation	\$ 300,000.00
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STP Funds from Shawnee County 2009	\$1,048,000.00
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City of Topeka General Obligation Bonds or any other lawfully available funds	<u>\$1,324,381.00</u>
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TOTAL:	\$2,672.381.00
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Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

41 PASSED and APPROVED by the City Council _____.

42 CITY OF TOPEKA, KANSAS

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47 William W. Bunten, Mayor

48 ATTEST:

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52 _____

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 6, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Jeff Preisner **DOCUMENT #:**
SECOND PARTY/SUBJECT: Rates of fare - taxicabs **PROJECT #:**
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 154 Vehicles for Hire
CIP PROJECT: No
ACTION OF COUNCIL: 08/12/08 First Reading **JOURNAL #:** 08
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, amending City of Topeka Code Section 154-121, as amended by Ordinance No. 19115, concerning rates of fare offered by taxicabs in the City of Topeka and specifically repealing said original section. Final Reading.

(Approval of the amendment would revise the taxi meter rate to eliminate meter readings with a fraction of a cent. Meter rates must be divisible by sixths.)

POLICY ISSUE:

Whether or not to eliminate meter readings with a fraction of a cent.

STAFF RECOMMENDATION:

BACKGROUND:

Taxicab meters are calibrated to register one-sixth mile increments, making it necessary for meter rates to be divisible by sixths. This amendment eliminates meter readings with a fraction of a cent for the first one-sixth mile or fraction thereof and for each succeeding one-sixth mile or fraction thereof.

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, amending City of Topeka Code § 154-121, as amended by Ordinance No. 19115, concerning rates of fare offered by taxicabs in the City of Topeka and specifically repealing said original section.

WHEREAS, on June 24, 2008, the City Council adopted City of Topeka Ordinance No. 19115 which increased the rate of fare for taxicabs; and

WHEREAS, because the meter rates must be divisible by sixths, it is necessary to revise the taxi meter rate to eliminate meter readings with a fraction of a cent.

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

Section 1. That Section 1 of Ordinance No. 19115 of the City of Topeka, Kansas, is hereby amended to read as follows:

Rates of fare.

(a) The maximum rates of fare of taxicabs for conveying persons with the usual hand baggage shall be as follows:

(1) For the first one-sixth mile or fraction thereof . . . \$2.50

(2) For each succeeding one-sixth mile or fraction thereof . . . ~~2.00~~ 0.35

(3) For each minute of waiting time . . . 0.30

(4) For each person age 12 or over riding with passenger, per trip . . . 0.25

Plus any charges that the metropolitan airport authority, its successors or assigns, may charge to the cab company as a loading, unloading or trip charge, or any other charges that may be assessed, may be charged to the passenger on such trip and shall be in addition to the above rates; provided, that no additional charge shall be made

for the conveyance of more than one passenger. When the charge is made for waiting time, no charge shall be made for stops occasioned by the driver or by reason of any defective or improper working conditions of the taxicab nor shall a charge be made because of premature arrival upon a call. All charges in this section are to be based upon the most direct route.

(b) The owner, driver or other person in charge or control of a taxicab may upon request of passengers accept employment whereby the fare to be asked may be computed by an hourly rental. When a taxicab is so employed, the maximum fare to be charged shall not exceed \$18.00 per hour. This rate shall not be effective unless employment by the hour is arranged for in advance of the trip.

(c) A fuel surcharge shall be added to the total fare. The surcharge shall depend on the average price of regular, unleaded gasoline in Topeka as determined by AAA of Kansas. If the average cost of regular, unleaded gasoline is three dollars (\$3.00) or more per gallon, but less than four dollars (\$4.00), a surcharge of one dollar (\$1.00) shall be added, per trip.

The surcharge shall be one dollar and fifty cents (\$1.50) per trip when the average price of regular, unleaded gasoline is four dollars (\$4.00) or more per gallon.

Section 2. That original section 154-121 of The Code of the City of Topeka, Kansas, as amended by Ordinance No. 19115 is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from October 1, 2008, and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 24, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Jennifer Harrell **DOCUMENT #:**
SECOND PARTY/SUBJECT: Street Improvement **PROJECT #:** T-601008-00 (HTE 606450)
CATEGORY/SUBCATEGORY 015 Petitions/001 Benefit District
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A PETITION, A PROJECT BUDGET in the amount of \$428,758 and **A RESOLUTION** introduced by City Manager Norton N. Bonaparte, Jr., authorizing Street Improvement Project No. T-601008.00 (HTE 606450) which provides for street improvements in the Vineyard and Kansas Heritage Park Subdivisions as more specifically described herein. (Council District No. 9)

(Approval would allow for the paving of SW Kingsrow Road from the intersection of SW Huntoon Street north to the north line of The Vineyard Subdivision. Improvement will be paid 100% by the Improvement District.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Accept the Petition.
Adopt the Project Budget and Resolution of Advisability and Authorization as presented.

BACKGROUND:

The owners are petitioning to pave SW Kingsrow Road from its intersection with SW Huntoon Street north to the north line of The Vineyard; to construct the street adjoining The Vineyard Subdivision and Kansas Heritage Park Subdivision to serve said subdivisions. To provide streets to the above noted area with asphalt pavement, curb and gutter, storm sewer structures, piping, engineering and all other contingencies required for a complete project.

BUDGETARY IMPACT:

Project Budget: \$428,758.00

The Improvement District consists of the following:

The Vineyard Subdivision
Lot 18, Block "B" - 31 units
Lot 15, Block "C" - 8 units
Lot 16, Block "C" - 9 units

Item #24

Kansas Heritage Park Subdivision

Lot 1, Block "A" - 10 units

Lot 2, Block "A" - 10 units

Lot 3, Block "A" - 13 units

Lot 4, Block "A" - 19 units

On a unit basis (100 total units). The units for each lot are based upon the Kingsrow Street footage for each lot divided by the total Kingsrow Street frontage for all lots within the Improvement District, then multiplied by 100.

SOURCE OF FUNDING:

All or a portion of the financing will come from General Obligation Bonds issued by the City of Topeka. The costs, whether by direct payment or debt service, are to be paid 100 percent by the owners of the property within the Improvement District. The City Council has approved an \$3,152,752 worth of benefit district projects in 2008.

ATTACHMENTS:

[Project Budget](#)

[Debt Service](#)

[Fact Sheet](#)

[Petition](#)

[Unit Basis](#)

[Vicinity Map](#)

[Resolution](#)

PROJECT BUDGET
Street and Storm Improvement Project No. T-601008.00 HTE(606450)
Kingsrow Road

LOCATION:

Lot 18, Block B, The Vinyard
Lots 15 & 16, Block C, The Vinyard
Lots 1-4, Block A, Kansas Heritage Park

DESCRIPTION OF PROJECT:

This project will consist of road, curb & gutter, storm sewer structures and piping design and construction for the area north of Huntoon between subdivisions Kansas Heritage Park and The Vineyard; to consturct the street adjoining The Vineyard Subdivision and Kansas Heritage Park Subdivision to serve said subdivisions.

SOURCE OF FUNDS:

Assesment District

COST ESTIMATE:

Construction:	<u>\$295,940.00</u>
Design:	<u>\$29,238.66</u>
Construction Service Fees:	
<i>Construction Admin. & Inspection</i>	<u>\$34,401.45</u>
<i>Construction Staking</i>	<u>\$14,797.00</u>
Administrative Fees:	
Legal Dept. Admin. (3%)	<u>\$8,878.20</u>
<i>Engineering Admin.</i>	<u>\$8,575.15</u>
Right-of Way Acquisition:	
Contingency Amount:	<u>\$8,878.20</u>
Interim Interest and Cost of Issuance:	<u>\$28,049.00</u>
Total:	<u>\$428,757.66</u>

PUBLIC HEARING:

PROJECT AUTHORITY:

a. Statutes: _____
b. Ord./Res. No.: _____
c. Improvement District: _____
d. City at Large: _____
e. Method of Assessment: _____

Date: _____

PROJECT ENGINEER: Jennifer Harrell

GO Bond Cost of Project

PROJECT: Kingsrow Road Project T-601008.00 HTE(606450)

Interest rate	5.25%
Number of Years	20

Cost of Issuance	2.00%
Temp Note interest	5.000%

Principal	\$400,708
Plus Temp Note Interest	\$20,035
Plus Cost of Issuance	<u>\$8,014</u>
Total Project Budget	\$428,757

Annual Debt Service	\$35,138
Annual Debt Service as Percent of Total	8.2%

Total Debt Service (principal and interest)	\$702,753
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Difference Project Cost and Total Debt Service	\$302,045
--	-----------

GO Bonded Indebtedness as of December 2007	\$153,840,000
Heartland Park STAR Bonds	\$10,405,000
College Hill TIF	\$5,840,000
2007 Temporary Notes that Finance Future GO Bond projects	\$9,200,000
Approved, not Included in GO Bond Issue or Temporary Notes--City Projects	\$5,222,840
Approved, not Included in GO Bond Issue or Temporary Notes--Special Assessment Projects	<u>3,152,752</u>
Total Indebtedness	<u><u>\$187,660,592</u></u>
Plus Project	\$188,089,349

FACT SHEET

Kingsrow Road Project T-601008.00 HTE(606450)

General Nature of Improvements: This project will consist of road, curb & gutter, storm sewer structures and piping design and construction for the area north of Huntoon between subdivisions Kansas Heritage Park and The Vineyard.

City Project Engineer: Jennifer Harrell, P.E. (368-3842)

Construction Inspection: City of Topeka (Inspector not yet assigned to project)

Construction Staking: City of Topeka

Design Engineer: Bartlett & West

Cost: Project Budget - \$428,757.66

Financing: City of Topeka Petition Project

Project Schedule: Design of the project will take place in 2008, construction in 2009

Remarks:

IMPROVEMENT PROJECT

PETITION

THE MAYOR AND COUNCILMEMBERS
City of Topeka

We, the undersigned owners of record of real estate located within the Improvement District legally described herein, do hereby respectfully petition for the following street improvements, in accordance with the conditions herein contained, and as provided by K.S.A. 12-6a01, *et seq.*, as amended.

SW KINGSROW ROAD PROJECT NO. T-601008.00

A. GENERAL NATURE OF IMPROVEMENT:

To pave SW Kingsrow Road from it's intersection with SW Huntoon Street north to the north line of The Vineyard; to construct the street adjoining The Vineyard Subdivision and Kansas Heritage Park Subdivision to serve said subdivisions. To provide streets to the above noted area with asphalt pavement, curb & gutter, storm sewer structures, piping, engineering and all other contingencies required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

Lot 18, Block B, The Vineyard
Lots 15 and 16, Block C, The Vineyard
Lots 1-4, Block A, Kansas Heritage Park

C. ESTIMATED OR PROBABLE COST:

\$428,758.00

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.

C. METHOD OF ASSESSMENT:

On a unit basis, with units based upon linear footage of frontage described as follows:

Lot 18, Block B, The Vineyard: 31 units
Lot 15, Block C, The Vineyard: 8 units
Lot 16, Block C, The Vineyard: 9 units
Lot 1, Block A, Kansas Heritage Park: 10 units
Lot 2, Block A, Kansas Heritage Park: 10 units
Lot 3, Block A, Kansas Heritage Park: 13 units
Lot 4, Block A, Kansas Heritage Park: 19 units

Total number of units equals 100.

NOTICE: You may not withdraw your signature from this petition after the City Council commences consideration of this petition or later than seven (7) days after filing of this petition, whichever comes first.

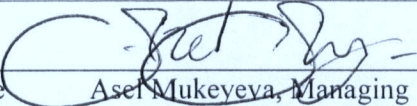
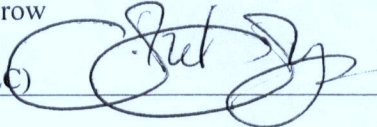
E. APPORTIONMENT OF COSTS:

Costs are to be paid 100 percent by the owners of property within the Improvement District.

F. CERTIFICATION OF OWNERS:

We, the undersigned owners of all property in the Improvement District, understand, agree and certify:

- (i) That we hereby waive the notice of and the opportunity to appear at a Public Hearing available under K.S.A. 12-6a01. *et seq.*, Further we request that the City Council adopt a Resolution authorizing the above described Improvement; and
- (ii) That the parcels of property contained within the Improvement District may not be modified, changed or altered by replatting or other means until assessments have been levied; and
- (iii) That we own 100% of the property contained in the Improvement District; and
- (iv) That we will notify, in writing, each and every purchaser of parcels of property within the Improvement District that the property is subject to special assessments to pay for the Improvement; and
- (v) That we have been duly authorized to execute this Petition on behalf of the property owner; and
- (vi) That, if the property is not owned by an individual or individuals, we have disclosed the name of the company, partnership, trust corporation or other entity which owns the property along with our title, position or office; and
- (vii) That we have no financial interest in any property with delinquent special assessments anywhere within the City of Topeka.

<i>Name of Property Owner</i>	<i>Name, Title and Signature of Person Executing Petition</i>	<i>Legal Description of Property Owned</i>	<i>Date</i>
International Centers Worldwide, Inc.	Asel Mukeyeva, Vice President 	Lots 15 and 16, Block C; Lot 18, Block B, The Vineyard	5/20/08
Kansas Heritage Park, LLC (formerly known as Kingsrow Office Park Subdivision, LLC)	Asel Mukeyeva, Managing Member 	Lots 1-4, Block A, Kansas Heritage Park	5/20/08

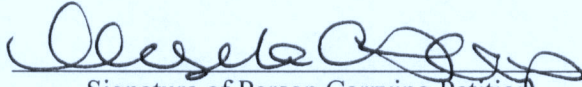
NOTICE: You may not withdraw your signature from this petition after the City Council commences consideration of this petition or later than seven (7) days after filing of this petition, whichever comes first.

CERTIFICATION OF PERSON CARRYING PETITION AND WITNESSING SIGNATURES

I, the undersigned, hereby certify that I have personally witnessed each and every person whose name appears on this document individually affix his or her signature and swear that the foregoing is true and correct to the best of my knowledge.

5.20.08

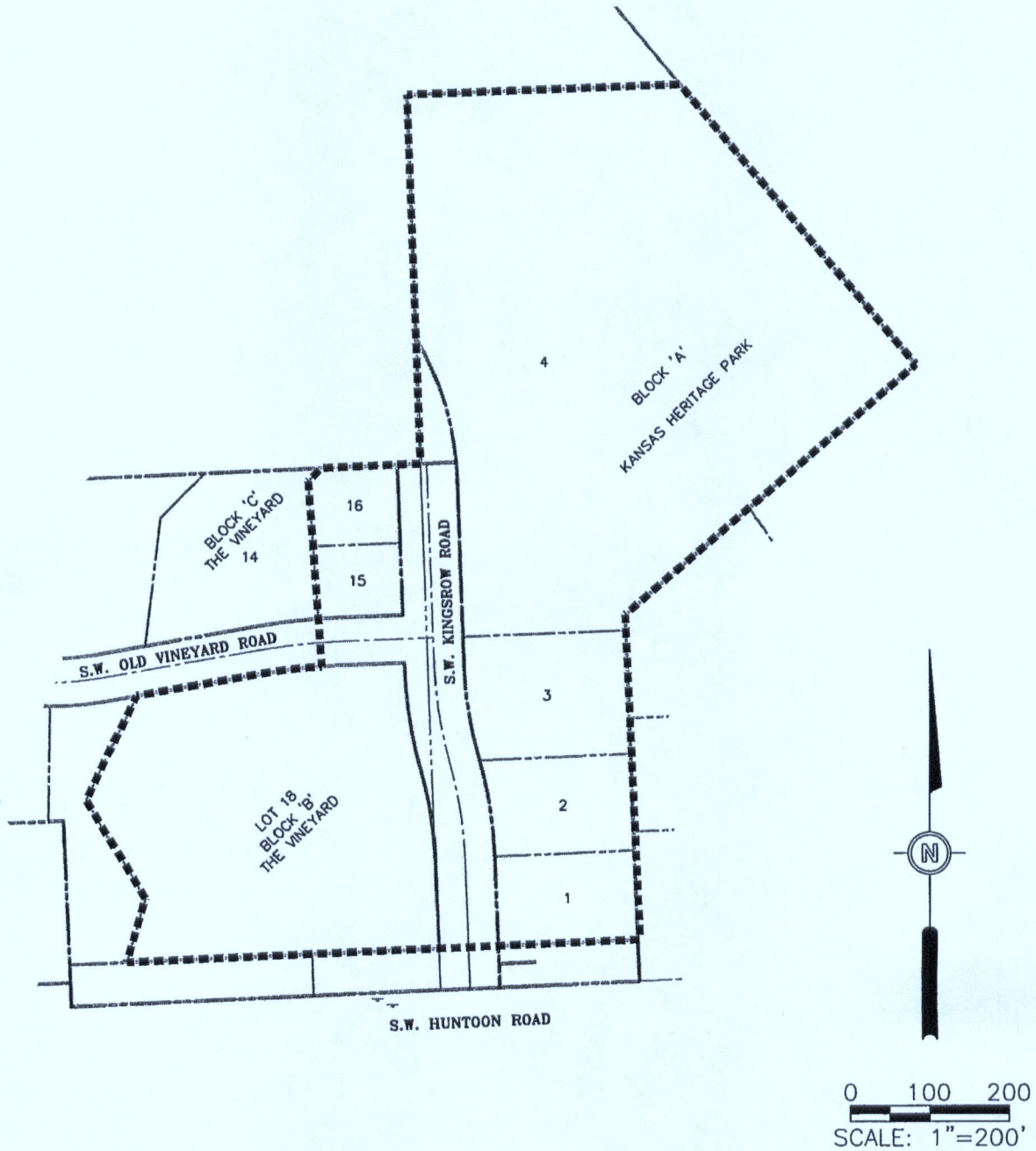
Date


Signature of Person Carrying Petition

NOTICE: You may not withdraw your signature from this petition after the City Council commences consideration of this petition or later than seven (7) days after filing of this petition, whichever comes first.

PROJECT NO. T-601008-00 (HTE 606450) SW KINGSROW ROAD Street Benefit District				
Owner	Kingsrow Street Frontage	%	Total Project Units	%
The Vineyard				
Lot 16, Block C	98.34	8.4	9	9.0
Lot 15, Block C	90.36	7.8	8	8.0
Lot 18, Block B	364.22	31.2	31	31.0
Kansas Heritage Park				
Lot 1, Block A	113.09	9.7	10	10.0
Lot 2, Block A	122.88	10.5	10	10.0
Lot 3, Block A	157.71	13.5	13	13.0
Lot 4, Block A	219.19	18.8	19	19.0
City		0.0	0	0.0
Total	1165.79	100.0	100	100.0

PROJECT # T-601008-00
(HTE 606450)



..... BENEFIT DISTRICT BOUNDARY

BARTLETT & WEST

PHONE 888.200.6464

S.W. KINGSROW ROAD
BENEFIT DISTRICT
TOPEKA, KANSAS

PROJ NO:
14875.220
DATE:
8/04/2008

SHEET NUMBER
1
OF 1

(Published in the Topeka Metro News _____)

RESOLUTION OF ADVISABILITY AND AUTHORIZATION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing Street Improvement Project No. T-601008.00 (HTE #606450) which provides for street improvements in the Vineyard and Kansas Heritage Park Subdivisions as more specifically described herein.

WHEREAS, the City Clerk has received a petition, pursuant to K.S.A. 12-6a01, *et seq.*, as amended, containing the signatures of the owners of 100% of the area in the improvement district hereinafter described; and

WHEREAS, seven (7) days have elapsed since the filing of said petition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka, Kansas, that it finds Street Improvement Project No. T-601008.00 (HTE #606450), hereinafter described, to be advisable and does hereby authorize and order said improvement to be made in accordance with its findings as follows:

A. GENERAL NATURE OF IMPROVEMENT:

To pave SW Kingsrow Road from it's intersection with SW Huntoon Street north to the north line of The Vineyard; to construct the street adjoining The Vineyard Subdivision and Kansas Heritage Park Subdivision to serve said subdivisions. To provide streets to the above noted area with asphalt pavement, curb and gutter, storm sewer structures, piping, engineering and all other contingencies required for a complete project.

B. PROPOSED IMPROVEMENT DISTRICT:

The Vineyard Subdivision
Lot 18, Block B
Lot 15 and 16, Block C

Kansas Heritage Park Subdivision
Lots 1-4, Block A

C. ESTIMATED OR PROBABLE COST:

\$428,758.00

This cost estimate has been prepared using the best information available, without benefit of a detailed engineering design. Variances may occur as the design details are developed. These costs should not be considered final.

D. PROPOSED METHOD OF ASSESSMENT:

On a unit basis, with units based upon linear footage of frontage described as follows:

The Vineyard Subdivision

Lot 18, Block B 31 units

Lot 15, Block C 8 units

Lot 16, Block C 9 units

Kansas Heritage Park Subdivision

Lot 1, Block A 10 units

Lot 2, Block A 10 units

Lot 3, Block A 13 units

Lot 4, Block A 19 units

E. APPORTIONMENT OF COSTS:

Costs are to be paid 100 percent by the owners of the property within the Improvement District.

THIS RESOLUTION shall become effective upon one publication in the official city newspaper.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

May 21, 2008

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DATE: August 19, 2008
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT: Public Works
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8039.

(The amendment would shift funding among general obligation bonds to increase financing for the SW 29th and Fairlawn Road project and the Mountain Lion and River Otter Exhibit project while decreasing funding for Elevation Parkway and Traffic Signal Replacement projects.)

POLICY ISSUE:

Whether to amend the Capital Improvement Budget to increase funding for a Zoo Project and a Public Works project.

STAFF RECOMMENDATION:

Adopt the resolution

BACKGROUND:

The amendment would increase funding for the SW 29th and Fairlawn project by \$650,000 in 2008, from \$150,000 to \$800,000. It would also add \$75,000 of G.O. Bond financing for the Mountain Lion and River Otter Exhibit at the Zoo, which was originally financed by \$250,000 from FOTZ. The amendment would provide a total of \$325,000 for the project. Together these projects will be increased by \$725,000.

To pay for the increase of \$725,000 to the above two projects, funding for Elevation Parkway will be reduced by \$579,500 in years 2008 and 2009. The current amended Capital Improvement Budget contained \$279,500 in 2008 and \$2,750,000 in 2009 in Elevation Parkway. Another \$5,840,000 is provided in years 2010 and 2011 for that project. The amendment also reduces \$150,000 from the Signals Replacement project in 2009.

BUDGETARY IMPACT:

The amendments would reduce the current amount of proposed funding from General Obligation bonds by \$4,500.

SOURCE OF FUNDING:

General Obligation Bonds.

Item #25

ATTACHMENTS:

[Resolution](#)

[Attachment A](#)

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., adopting the 2008-2009 Capital Improvement Budget for the City of Topeka, Kansas and rescinding Resolution No. 8039.

WHEREAS, a 2008-2009 Capital Improvement Budget has been prepared and recommended to the City Manager; and

WHEREAS, the City Manager has considered the 2008-2009 Capital Improvement Budget and recommends approval to the City Council.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves and adopts the 2008-2009 Capital Improvement Budget consisting of the following improvement projects and funding source as contained in Attachment "A," attached hereto.

The City Council shall not authorize any other capital improvement projects for the 2008-2009 period without rescinding this Resolution and adopting a new resolution. All proposed changes shall be accompanied by a fiscal analysis demonstrating the financial implications and the ability of the City to fund such projects.

Implementation of the projects contained in the 2008-2009 Capital Improvement Budget shall be approved by applicable ordinance or resolution as required by law. This Resolution shall be rescinded and a new resolution adopted when the project budget exceeds the amount identified.

BE IT FURTHER RESOLVED, that City of Topeka Resolution No. 8039 is hereby rescinded.

THEREFORE, BE IT FURTHER RESOLVED, this Resolution shall become effective upon passage and approval by the City Council.

28 ADOPTED and APPROVED by the City Council _____.

29 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

33 ATTEST:

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37 _____
Brenda Younger, City Clerk

CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
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Enterprise Funded Projects**Pub Wrks/Water Pollution Control Fund**

Rehab Oakland Plant Phase 2	7,243,243	-	SRF Loan	-
Deer Creek Force Main	4,581,500	-	SRF Loan	-
N Topeka Distributed Control Sys.	1,000,000	-	Operations	
Inflow/Infiltration correction Prg.	700,000	700,000	Operations	
SKRPS Project	500,000	4,500,000	SRF Loan	-
Southwest Interceptor	150,000	1,350,000	SRF Loan	
Sewer Service Extension	-	-	Operations	
Grant/Jefferson Pump Station Rehab	-	800,000	Rev Bond	
N Topeka Pump Station	1,000,000	-	Rev Bond	
Subtotal Water Pollution Control	15,174,743	7,350,000		

Public Works/Stormwater Fund

Septic Tank Elimination Program	1,000,000	1,000,000	Operations	
Hwy 24 Storm Project	500,000	500,000	Operations	
Source Water Protection "Wanamaker Wetlands"	300,000	300,000	Operations	
Furman Road Wetland	500,000	-	Operations	
Retrofit/New Storm Sewer System	1,000,000	1,000,000	Operations	
Levee Work	200,000	200,000	Operations	
Subtotal Stormwater	3,500,000	3,000,000		

Public Works/Water Fund

Water Treatment Plant Rehabilitation	2,500,000	2,500,000		
Indian Hills Rd-33d to 41st, E to Sherwood Tower	1,325,000	-		
Portage Route - Water Treatment Plant	300,000	-		
Wanamaker	120,000	980,000		
California from 33rd to 41st Street	105,000	860,000		
Reo -Kansas Ave to Topeka Blvd	67,000	483,000		
17th & Belle Pressure Improvement	28,000	222,000		
Burlingame, 49th to 57th, E to Tpk Blvd	-	580,000		
Croco Rd 36th to North of 45th	-	110,000		
Subtotal Water	4,445,000	5,735,000		

Sub-Total Enterprise Fund	23,119,743	16,085,000		
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General Improvement Fund**Housing & Neighborhood Dev.**

Affordable Housing Projects	200,000	200,000	Fed HUD	1,600,000
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Police Department

Fleet Replacement Vehicles	-	650,000		
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CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
Fire Department				
Lease Pmt. on Breathing Apparati	100,000	100,000		
Fleet Replacement Vehicles	353,850	750,000		
Zoo				
Zoo Infrastructure	-	50,000		
City Wide Projects (except utilities)				
ERP Purchase Payment	-	643,000		
Rehabilitation and Repair for City Facilities	-	300,000		
PW-Sidewalk Repair 50-50	25,000	35,000	Assessments	60,000
Washburn Lane Parkway	-	100,000	ISTEA Fed	400,000
All Other Projects and Expenses	446,150	-		
Sub-Total General Improvement Fund	1,125,000	2,828,000		

Other Revenue Funded

Zoo				
Animal Kingdom/Hertpetarium	1,000,000	-	FOTZ	1,000,000
Creatures of the Night	-	675,000	FOTZ	675,000
Sub-Total Other Revenue	1,000,000	675,000		

GO Bonded Projects

Fire Department				
Refurbish Stations 1, 6 and 7	318,240	-		
Build Fire Station #13 (6th & Fairlawn)	500,000	-		
Refurbish Stations 3, 9 and 11	-	265,200		
Subtotal	818,240	265,200		
Neighborhoods/Citywide				
Neighborhood Infrastructure	1,400,000	1,400,000		
City Wide Facilities ADA	519,000	-		
Subtotal	1,919,000	1,400,000		
Signals				
STP Safety Projects	78,000	120,000	FHWA Safety	1,890,000
Signals Replacement	-	490,000		
Traffic Controller Upgrade	102,400	102,400		
Subtotal	180,400	712,400		

CIB Attachment A

2008 - 2009 Capital Improvement Budget	Adopted 2008	Adopted 2009	Other Source	Other Contrib.
Streets				
California: 29th to 33rd-Mill and Overlay	300,000	-		
California: Sidewalk KTA Bridge to 38th and 37th to Long	250,000	-		
Street Repair Projects	2,620,000	-		
ADA Street Curb Repair	500,000	500,000		
Elevation Parkway	-	2,450,000		
SW 29th Street and Fairlawn Rd	800,000	500,000	KDOT	1,548,000
Subtotal	4,470,000	3,450,000		
Bridges				
Bridge E. 10th St.-over Shunga	-	-	FHWA STP	1,504,200
Topeka Blvd. Over Soldier Cutoff	157,040	-	FHWA STP	1,134,360
E 10th St. Bridge over Deer Creek	35,000	186,000	FHWA STP	224,500
Bridge SW 49th W or Topeka Blvd	-	84,000	FHWA STP	660,000
Subtotal	192,040	270,000		
Parks & Recreation				
Trail Development	100,000	100,000		
Playground Equipment	-	100,000		
Golf Course Pump Station	125,000	-		
Gage Park Playland Renovation	315,000	-		
Water Spray Park - Jackson Park	250,000	-		
Ballfield Lighting (Phase 2)	-	444,000		
CC Window and Door Replacement	-	269,200		
Bandshell Replacement	-	125,000		
Subtotal	790,000	1,038,200		
Zoo				
Upgrade HVAC Tropical Rain Forest	150,000	-		
Mountain Lion and River Otter Exh.	75,000			
Subtotal	225,000	-		
Subtotal GO Bond Projects	8,594,680	7,135,800		
Contingency	-	-		
TOTAL GO Bond PROJECTS	8,594,680	7,135,800		
Total CIB	33,839,423	26,723,800		



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

May 21, 2008

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DATE: August 19, 2008
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing and adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8040.

(The amendment would shift funding among general obligation bonds to increase financing for the SW 29th and Fairlawn Road project and the Mountain Lion and River Otter Exhibit project while decreasing funding for Elevation Parkway and Traffic Signal Replacement projects.)

POLICY ISSUE:

Whether to amend the Capital Improvement Program to increase funding for a Zoo Project and a Public Works project.

STAFF RECOMMENDATION:

Adopt the resolution

BACKGROUND:

The amendment would increase funding for the SW 29th and Fairlawn project by \$650,000 in 2008, from \$150,000 to \$800,000. It would also add \$75,000 of G.O. Bond financing for the Mountain Lion and River Otter Exhibit at the Zoo, which was originally financed by \$250,000 from FOTZ. The amendment would provide a total of \$325,000 for the project. Together these projects will be increased by \$725,000.

To pay for the increase of \$725,000 to the above two projects, funding for Elevation Parkway will be reduced by \$579,500 in years 2008 and 2009. The current amended Capital Improvement Budget contained \$279,500 in 2008 and \$2,750,000 in 2009 for Elevation Parkway. Another \$5,840,000 is provided in years 2010 and 2011 for that project. The amendment also reduces \$150,000 from the Signals Replacement project in 2009.

BUDGETARY IMPACT:

The amendments would reduce the current amount of proposed funding from General Obligation bonds by \$4,500.

SOURCE OF FUNDING:

General Obligation Bonds.

Item #26

ATTACHMENTS:

[Resolution](#)

[Attachment A](#)

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing and adopting the 2008-2012 Capital Improvement Program for the City of Topeka, Kansas and rescinding Resolution No. 8040.

WHEREAS, the 2008-2012 Capital Improvement Program has been prepared by staff; and

WHEREAS, the City Manager has considered and recommends said Program.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Topeka, Kansas, approves and adopts the 2008-2012 Capital Improvement Program, as contained in Attachment "A," for the purpose of preliminary planning, long-range financial implications and analysis leading to the prioritization of projects to be included in the respective Capital Budget for the succeeding years.

BE IT FURTHER RESOLVED, that prior to the initiation and commencement of preliminary plans, acquisition of land or right-of-way, or other activities requiring the use of resources for any proposed project herein, the City Manager and, if appropriate, City Council shall approve and authorize the same.

BE IT FURTHER RESOLVED, that City of Topeka Resolution No. 8040 is hereby rescinded.

ADOPTED and APPROVED by City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
--	---------------------	---------------------	-----------------	-----------------	-----------------	-----------------	-------------------

Enterprise Funded Projects**Pub Wrks/Water Pollution Control Fund**

Rehab Oakland Plant Phase 2	7,243,243	-	-	-	-	SRF Loan	-
Deer Creek Force Main	4,581,500	-	-	-	-	SRF Loan	-
N Topeka Distributed Control Sys.	1,000,000	-	-	-	-	Operations	
Inflow/Infiltration correction Prg.	700,000	700,000	700,000	700,000	700,000	Operations	
SKRPS Project	500,000	4,500,000	-	-	-	SRF Loan	-
Southwest Interceptor	150,000	1,350,000	-	-	-	SRF Loan	
Sewer Service Extension	-	-	1,000,000	1,000,000	1,000,000	Operations	
Grant/Jefferson Pump Station Rehab	-	800,000	1,800,000	10,000,000	-	Rev Bond	
Rehab/Replace Adams Interceptor	-	-	300,000	4,000,000	4,000,000	Rev Bond	
Rehab/Replace Pump Stations	-	-	-	1,000,000	1,000,000	fees	
N Topeka Pump Station	1,000,000	-	-	-	5,000,000	Rev Bond	
Heartland Park Service Extension	-	-	-	-	1,800,000	RB--increase fees	
Subtotal Water Pollution Control	15,174,743	7,350,000	3,800,000	16,700,000	13,500,000		

Public Works/Stormwater Fund

Septic Tank Elimination Program	1,000,000	1,000,000	600,000	-	-	Operations	
Hwy 24 Storm Project	500,000	500,000	-	-	-	Operations	
Source Water Protection "Wanamaker Wetlands"	300,000	300,000	400,000	-	-	Operations	
Furman Road Wetland	500,000	-	-	-	-	Operations	
Retrofit/New Storm Sewer System	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	Operations	-
Levee Work	200,000	200,000	700,000	1,650,000	3,300,000	Operations	
Subtotal Stormwater	3,500,000	3,000,000	2,700,000	2,650,000	4,300,000		

Public Works/Water Fund

Water Treatment Plant Rehabilitation	2,500,000	2,500,000	-	-	-		
Indian Hills Rd-33d to 41st, E to Sherwood Tower	1,325,000	-	-	-	-		-
Portage Route - Water Treatment Plant	300,000	-	-	-	-		
Skyline Dr-37th & Fairlawn to 41st and Wanamaker	120,000	980,000	-	-	-		
California from 33rd to 41st Street	105,000	860,000	-	-	-		
Reo -Kansas Ave to Topeka Blvd	67,000	483,000	-	-	-		
17th & Belle Pressure Improvement	28,000	222,000	-	-	-		
Burlingame, 49th to 57th, E to Tpk Blvd	-	580,000	1,500,000	1,913,000	-		-

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Croco Rd 36th to North of 45th	-	110,000	1,057,000	-	-		-
Berryton Rd 50th to 53rd	-	-	218,000	-	-		-
34th & California to 29th & Golden	-	-	275,000	-	-		-
29th Street - Golden to Granger	-	-	275,000	-	-		-
Fairlawn, Skyline Dr to 53d, E to Burl.	-	-	80,000	590,000	-		-
45th St from Fairlawn to Gage	-	-	-	590,000	-		-
12th St from Monroe to California	-	-	215,000	2,025,000	-		-
Croco Rd from 29 to 36	-	-	-	1,167,000	-		-
Fairlawn Booster St-New East Pump	-	-	-	407,000	-		-
W. Elevated Tank on Indian Hills Rd	-	-	-	435,000	5,110,000		-
Disinfection Modification at WTP	-	-	-	-	2,988,200		-
California-12th to 6th to Market	-	-	-	140,000	1,049,000		-
41st & Cal E. to W. Edge and so. to 45th	-	-	-	-	1,064,000		-
Kirkclawn Booster St-Modify Pump Units	-	-	-	-	320,000		-
Warehouse - Water Treatment Plt	-	-	-	-	1,180,000		-
Subtotal Water	4,445,000	5,735,000	3,620,000	7,267,000	11,711,200		-
Sub-Total Enterprise Fund	23,119,743	16,085,000	10,120,000	26,617,000	29,511,200		

General Improvement Fund

Housing & Neighborhood Dev.

Affordable Housing Projects	200,000	200,000	200,000	200,000	200,000	Fed HUD	4,000,000
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Police Department

Fleet Replacement Vehicles	-	650,000	650,000	650,000	650,000		
Radios: Base, Mobile, and Portable	-	-	2,350,000	-	-		

Fire Department

Lease Pmt. on Breathing Apparati	100,000	100,000	100,000	-	-		
Fleet Replacement Vehicles	353,850	750,000	750,000	790,000	820,000		
Digital Mobile and Portable Radios	-	-	710,000	-	-		

Zoo

Zoo Infrastructure	-	50,000	50,000	50,000	50,000		
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City Wide Projects (except utilities)

ERP Purchase Payment	-	643,000	643,000	643,000	643,000		
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CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Rehab/Repair for City Facilities	-	300,000	350,000	500,000	500,000		-
PW-Sidewalk Repair 50-50	25,000	35,000	35,000	35,000	35,000	Assessments	165,000
Washburn Lane Parkway	-	100,000	-	-	-	ISTEA Fed	400,000
All Other Projects and Expenses	446,150	-	-	-	-		
Sub-Total General Improvement Fund	1,125,000	2,828,000	5,838,000	2,868,000	2,898,000		

Other Revenue Funded

Zoo

Animal Kingdom/Hertpetarium	1,000,000	-	-	-	-	FOTZ	1,000,000
Creatures of the Night	-	675,000	-	-	-	FOTZ	675,000

Sub-Total Other Revenue	1,000,000	675,000	-	-	-		
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GO Bonded Projects

Fire Department

Refurbish Stations 1, 6 and 7	318,240	-	-	-	-		
Build Fire Station #13 (6th & Fairlawn)	500,000	-	-	-	-		
Refurbish Stations 3, 9 and 11	-	265,200	-	-	-		
Build Fire Station --South	-	-	-	-	150,000		
Subtotal	818,240	265,200	-	-	150,000		

Neighborhoods/Citywide

Neighborhood Infrastructure	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000		-
City Wide Facilities ADA	519,000	-	-	-	-		
Citywide Neighborhood Infrastructure	-	-	598,000	590,000	595,000		
College Hill Parking Lot 2007	-	-	-	-	-		
Subtotal	1,919,000	1,400,000	1,998,000	1,990,000	1,995,000		

Signals

STP Safety Projects	78,000	120,000	120,000	185,000	185,000	FHWA Safety	1,890,000
Signals Replacement	-	490,000	640,000	640,000	640,000		-
Traffic Controller Upgrade	102,400	102,400	102,400	-	-		-
Subtotal	180,400	712,400	862,400	825,000	825,000		

CIP Attachment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Streets							
California: 29th to 33rd-Mill and Overlay	300,000	-	-	-	-		-
California: Sidewalk KTA Bridge to 38th and 37th to Long	250,000	-	-	-	-		
Street Repair Projects	2,620,000	-	-	-	-		
ADA Street Curb Repair	500,000	500,000	500,000	500,000	360,000		-
SW 10th Sidewalk-Meadow to Civitan	-	-	-	250,000	-		
Elevation Parkway	-	2,450,000	3,000,000	2,840,000	-		
SW 29th Street and Fairlawn Rd	800,000	500,000	-	-	-	KDOT	1,548,000
US HWY 24 and Topeka Blvd	-	-	1,500,000	-	-	Fed/KDOT	6,000,000
Wanamaker Rd: 29th to 33rd	-	-	250,000	100,000	3,050,000		
Wanamaker Rd: 33rd to 37th	-	-	-	250,000	100,000		
SW 6th Street - Gage to Westchester	-	-	-	-	300,000		
Subtotal	4,470,000	3,450,000	5,250,000	3,940,000	3,810,000		
Bridges							
Topeka Blvd. Over Soldier Cutoff	157,040	-	-	-	-	FHWA STP	1,134,360
E 10th St. Bridge over Deer Creek	35,000	186,000	-	-	-	FHWA STP	224,500
Bridge SW 49th W or Topeka Blvd	-	84,000	70,000	286,000	-	FHWA STP	660,000
Bridge Overlay on SE 21st Street	-	-	-	-	300,000		
Subtotal	192,040	270,000	70,000	286,000	300,000		
Parks & Recreation							
Trail Development	100,000	100,000	100,000	100,000	100,000		-
Playground Equipment	-	100,000	100,000	100,000	100,000		-
Golf Course Pump Station	125,000	-	-	-	-		
Gage Park Playland Renovation	315,000	-	-	-	-		
Water Spray Park - Jackson Park	250,000	-	-	-	-		
Ballfield Lighting (Phase 2)	-	444,000	-	-	-		
CC Window and Door Replacement	-	269,200	237,500	95,000	-		-
Bandshell Replacement	-	125,000	-	-	-		
Helen Hocker Office & Classroom	-	-	400,000	-	-		
Gage Park ADA Walkways	-	-	150,000	-	150,000		
Oakland Center Gym Floor Replace.	-	-	110,000	-	-		
Parks System Security Lightning	-	-	210,000	-	-		
Gage Park Victorian Lighting (Phase 1)	-	-	-	255,000	-		
Park Restrooms - B Shunga, M Palm	-	-	-	308,100	-		
Gage Park Snyders' Cabin Shelter	-	-	-	614,800	-		

CIP Attacment A

2008 - 2012 Capital Improvement Program	Adopted CIB 2008	Adopted CIB 2009	Adopted 2010	Adopted 2011	Adopted 2012	Other Source	Other Contrib.
Gage Park Accessible Ball Field (NEW)	-	-	-	291,900	-		
Garfield Center Gym Floor Replace	-	-	-	112,900	-		
Park Maintenance Building	-	-	-	250,000	-		
Westlake Shelterhouse Renovation	-	-	-	456,300	-		
Water Spray Park – Crestview Park	-	-	-	-	843,700		
Subtotal	790,000	1,038,200	1,307,500	2,584,000	1,193,700		
Zoo							
Upgrade HVAC Tropical Rain Forest	150,000	-	-	-	-		
Mountain Lion and River Otter Exh.	75,000					FOTZ	250,000
Tropical Rain Forest Roof	-	-	-	-	1,500,000		
Animals and Man Roof Replacement	-	-	-	150,000	-		
Subtotal	225,000	-	-	150,000	1,500,000		
Subtotal GO Bond Projects	8,594,680	7,135,800	9,487,900	9,775,000	9,773,700		
Contingency	-	-	-	500,000	500,000		
TOTAL GO Bond PROJECTS	8,594,680	7,135,800	9,487,900	10,275,000	10,273,700		
Total Annual Target	10,275,000	10,275,000	10,275,000	10,275,000	10,275,000		
Difference Target to Subtotal	1,680,320	3,139,200	787,100	-	1,300		
Running Total	(3,917,429)	(778,229)	8,871	NA	NA		
Total CIP	33,839,423	26,723,800	25,445,900	39,760,000	42,682,900		



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 18, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Doug Reynolds **DOCUMENT #:**
SECOND PARTY/SUBJECT: Softball/Sports Facilities **PROJECT #:**
Reserve Fund
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Softball/Sports Facilities Reserve Fund for ongoing maintenance at any Parks and Recreation of Topeka softball facilities, pursuant to City of Topeka Ordinance No. 16269.

(Approval would authorize the transfer of \$14,760 plus accrued interest from the Softball/Sports Facilities Reserve Fund to the Topeka Parks and Recreation Foundation, Softball Improvement Account.)

POLICY ISSUE:

Per City of Topeka Ordinance No. 16269, the Softball/Sports Facilities Reserve Fund was established.

STAFF RECOMMENDATION:

Approve the transfer of \$14,760.00 plus accrued interest from the Softball/Sports Facilities Reserve Fund to the Topeka Parks and Recreation Foundation, Softball Improvement Account.

BACKGROUND:

Each softball team pays a \$40 fee that goes to the Softball/Sports Facilities Reserve Fund. The funds are used for ongoing improvements to any Parks and Recreation of Topeka softball facility. The Topeka Softball Association must annually voice their approval of this transfer as well, and has given its approval.

BUDGETARY IMPACT:

Transfer of \$14,760.00 from the Softball/Sports Facilities Reserve Fund to the Topeka Parks and Recreation Foundation, Softball Improvement Account.

SOURCE OF FUNDING:

\$40 of each softball team registration fee.

ATTACHMENTS:

[Resolution](#)

Item #27

RESOLUTION NO. _____

A RESOLUTION introduced by City Manager Norton N. Bonaparte, Jr., authorizing an expenditure from the Softball/Sports Facilities Reserve Fund for ongoing maintenance at any Parks and Recreation of Topeka softball facilities, pursuant to City of Topeka Ordinance No. 16269.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka, Kansas that pursuant to City of Topeka Ordinance No. 16269, it hereby authorizes the transfer and expenditure from the Softball/Sports Facilities Reserve Fund of fourteen thousand seven hundred sixty dollars (\$14,760.00) plus accrual interest for ongoing maintenance at any Parks and Recreation of Topeka softball facilities.

ADOPTED and APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 24, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Randy L. Speaker
SECOND PARTY/SUBJECT:
CATEGORY/SUBCATEGORY 004 Budgets or Appropriations / 007 Other
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of the FY 2009 Consolidated Action Plan and budget.

(The total funding under the 2009 Consolidated Action Plan is \$4,850,827. Funding includes \$1,921,423 new CDBG funds; \$677,918 HOME funds; \$87,994 ESG funds; \$263,463 Program Income and Reprogrammed funds; \$280,029 City Social Service Funds, and a \$200,000 Affordable Housing HOME Fund Match; \$20,000 for Shelter Plus Care Administration; and \$1.4 million for the Neighborhood Infrastructure Capital Improvement Program.)

POLICY ISSUE:

This document was created prior to the presentation of the City Manager's budget to the City Council because HUD requires an additional 30 day written comment review period. Some allocations of city funds may vary such as the Youth & Social Services and Capital Improvement Program (CIP)/General Fund (GF).

STAFF RECOMMENDATION:

Approve or modify and approve the HND recommended 2009 Consolidated Action Plan.

BACKGROUND:

The Consolidated Action Plan is a required HUD submission enabling local government to receive federal entitlement grant funds such as the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG) programs. For planning and resource targeting purposes, Capital Improvement Program/General Fund allocations are also included in this process. The FY 2009 Consolidated Action Plan document shall accomplish the following objectives: Synchronize the Consolidated Action Plan planning and budget cycle with the City's annual operating and capital improvement budget cycle of January 1, 2009. Total funding under the FY 2009 Consolidated Plan is \$4,850,827 based on a 12-month cycle. The Citizens Advisory Council (CAC) has provided input to the HND staff to develop the budget. A required 30-day public comment period began on June 23, 2008 and ended on July 23, 2008. The 2009 Consolidated Action Plan must be submitted to HUD on November 15, 2008.

BUDGETARY IMPACT:

2009 Consolidated Action Plan = \$4,850,827. Funding includes: New CDBG funding of \$1,921,423, HOME \$677,918, ESG \$87,994, Program Income/Reprogrammed Funds \$263,463, City Social Service fund \$280,029 and Affordable Housing HOME Match \$200,000, Shelter + Care Administration \$20,000 and Neighborhood Infrastructure CIP

\$1,400,000. All HUD final allocations are subject to appropriations by Congress and all City funds are subject to budget being adopted by City Council.

SOURCE OF FUNDING:

Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Shelter Grants (ESG), CIP Neighborhood Infrastructure, CIP, HOME match and City Youth & Social Service Funds.

ATTACHMENTS:

[2009 Consolidated Action Plan Draft](#)

[2009 Empowerment Recommend](#)

[2009 Y&SS CESG recommend](#)

[2009 CESG Recommend](#)

[2009 Y&SS Recommend](#)

City of Topeka, Kansas

Consolidated Action Plan

for

Housing and Community Development



Program Year 2009

**Department of Housing &
Neighborhood Development**

Adopted TBD by the Topeka City Council

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Fourth Program Year Action Plan

Annual Action Plan includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

Narrative Responses

GENERAL

Executive Summary

The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.

Program year 4 Action Plan Executive Summary:

The City of Topeka Department of Housing & Neighborhood Development (HND) will concentrate resources geographically to entice collaborative investment from the private sector. Assistance will be directed primarily to the low-to-moderate-income areas of the City of Topeka. A major emphasis will be to promote identifiable impacts and enhanced neighborhood wealth. Where prior and ongoing financial investment is present, HND will invest to enhance current and future success.

The objectives of revitalization activities within low-income, distressed neighborhoods will be to:

- A). Enhance the Quality of Life for Targeted Topeka Neighborhoods & Residents;
- B). Increase Homeownership and Rental Housing Opportunities;
- C). Support Economic Development; and
- D). Enhance Local Resources to Maximize Impact of Federal Funds.

All programs, to achieve these objectives, will provide one of the following outcomes:

- A). New or Improved Availability / Accessibility;
- B). New or Improved Affordability;
- C). New or Improved Sustainability.

In addition to these HUD prescribed performance measures, HND of Topeka will evaluate the performance of revitalization activities based upon such factors as crime statistics, real estate values and the number of boarded or vacant houses.

Evaluation of Past Performance

In 2002, the City began an effort to provide resources into major redevelopment within existing neighborhoods. This gave rise to the new process called Stages of Resource Targeting (SORT) where funds were targeted into smaller defined areas. Specifically, Tennessee Town, Monroe and East Topeka South NIA's were the sites selected.

Today, with the investment of targeted resources at these locations, crime statistics have plummeted, and the property values have increased to a level that exceeds other locations within Topeka. In the Monroe Neighborhood, for example, the housing in close proximity to the historic site has improved substantially and property values have increased dramatically. Furthermore, new infrastructure has provided a cleaner looking environment and improved the appeal of the three formerly targeted neighborhoods, which accommodates new and improved housing stock.

- 1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.**

Based on an annual review, assistance will be primarily directed to the low and moderate-income areas of the City of Topeka. The City's goal is to commit at least 50% of annual Consolidated Plan funding for neighborhood development activities into high priority intensive care or at-risk neighborhoods. Activities provided by the Emergency Rehabilitation program, the Accessibility program, as well as the TOTO Home program however are each available to any income eligible resident of the City of Topeka to the extent funding is available.

With minor exceptions, spending in low-income neighborhoods will be concentrated in multi-block areas (typically 3-5 blocks) that have been strategically identified through a neighborhood/area plan process for multi-faceted housing in-fill development and rehabilitation. The multi-block areas that will be targeted to receive the greatest assistance in the next year are limited sections of the following neighborhoods: Historic Holiday Park and Central Park neighborhoods.

- 2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.**

-
3. Based on the Neighborhood Health Model of intensive care, at-risk, outpatient and healthy neighborhoods, treatment for neighborhoods are based on a "continuum of care" approach. Those neighborhoods that are most distressed (intensive care) require the most intervention and therefore, will require sizeable resources and attention. However, if all relevant resources are devoted to an intensive care area, an at-risk or unstable outpatient neighborhood may fall prey to blighting influences themselves.

Since the needs of distressed neighborhoods within the City exceed the resources to care for them, a four-pronged approach similar to a triage system should be employed to identify neighborhoods that will likely benefit the most from revitalization activities. The method of identifying these neighborhoods is described below:

- A). High priority neighborhoods are areas that have the poorest health. These areas require significant stimulus and major intervention over a long period of time. Our goal is to revitalize these neighborhoods. These are priority status neighborhoods that will be targeted the most aggressively.
- B). Above-average priority neighborhoods are areas that have poor health. These areas are rapidly declining but can be revitalized through moderately aggressive intervention over a short period of time due to substantial revitalization activity. These neighborhoods are a priority, but only secondary to the immediate needs of the poorest health neighborhoods.
- C). Average priority areas are stable/rising at-risk neighborhoods or declining outpatient neighborhood areas of favorable health that will require either minor intervention or prevention measures to address a significant neighborhood need. Rising healthy neighborhoods may require some planning intervention to prevent incompatibilities. They should be treated on an as needed basis to ensure maintenance of their health.
- D). Low priority neighborhoods are areas of favorable or optimal health conditions that are least in need of intervention. Public intervention in the form of funding subsidies is not expected except to respond to private market forces that compromise the quality of health.

The Topeka Planning Department developed a neighborhood health map in 2000 and was last updated in 2007. The neighborhood health map is used to determine priorities for planning and funding assistance based on the City's Comprehensive Plan and Consolidated Plan. For example, the Planning Department has worked with all "intensive care" neighborhoods since 2000, to develop individual neighborhood plans while Housing and Neighborhood Development has targeted their infill housing efforts to implement two of those plans each year. The map, therefore, is a composite "health" ranking for City neighborhood areas as measured by five vital signs:

-
- Poverty
 - Public safety (Type I crimes)
 - Residential property values
 - Single-family homeownership
 - Boarded houses

Each vital sign has four rating levels that are assigned points ranging from the most desirable condition (4 points) to the least desirable condition (1 point). The averaged combined score for each neighborhood area fell into one of the following classifications:

Healthy – optimal condition (3.3 – 4.0)

Out Patient – favorable condition (2.7 – 3.2)

At-Risk – emerging negative conditions (1.9 – 2.6)

Intensive Care – seriously distressed condition (1.0 – 1.8)

Neighborhood areas do not necessarily conform to defined neighborhood boundaries, but instead typically follow 2000 Census block group boundaries. Therefore, some neighborhoods are combined with other neighborhoods as part of Census block groups and will show a more generalized average than if broken down separately. The source of the data varies between vital signs. Poverty ratings are based on 2000 U.S. Census figures. Public Safety ratings are based on 2005-2006 Type I crimes from the Topeka Police Department. Residential Property Values and Single Family Homeownership ratings are from the Shawnee County Appraisers Office in 2007. Lastly, Boarded House ratings are from the Code Compliance Services Division of Public Works in 2006.

The original maps and the updated maps can be viewed on the City's website under the Planning Department's web page (click on "Neighborhood and Area Plans").

Stages Of Resource Targeting (SORT)

Redevelopment areas and neighborhoods desiring to be a focus of targeting from the Department of Housing & Neighborhood Development (HND) will be considered within the following conceptual framework for allocation of resources:

Phase I – Planning Stage

This stage is where two (2) Neighborhood Revitalization Plans are initially developed, reviewed or updated to address current neighborhood needs. The emphasis of this stage will be to identify various housing, neighborhood, community, infrastructure and economic development needs and to match them with funding options for the following two years. In addition, efforts will be made to identify non-City resources including, but not limited to, human, organizational and financial.

Phase II – Activation Stage

At this stage, the City will activate its existing resources, most of which will have little or no additional fiscal impact on City operations. Focusing existing activities such as Code Compliance, litigation regarding demolitions and crime reduction activities will be a

major component of this stage. Existing programs administered by Housing and Neighborhood Development may also target areas in preparation for the Investment Stage. Also, CIP funds for the repair and expansion of infrastructure will receive priority. Developing public/private partnerships will be necessary during this stage to ensure a framework that is conducive to future leveraging in the next phase. Homeownership and rehabilitation of existing homes will be considered during this phase, while new construction will not. The acquisition of vacant land and dilapidated structures for demolition and rebuilding will be allowed, whether by the City or a private entity.

Phase III – Investment Stage

Investment of new capital will be the highlight of this phase. However, City funds will not be the only focus. Because the Activation Stage included the development of public/private partnerships, an area must be prepared to demonstrate it has the potential to lure private capital to its region before it can advance to this phase. Leveraging of City resources will be a major target during this phase. Other government capital resources as well as those from the private sector will be pursued during the Investment Stage. Only during this phase will the Department of Housing and Neighborhood Development consider new construction, homeownership opportunities.

HND will generally target a majority of its resources in no more than two redevelopment areas or neighborhoods per year. Each redevelopment area or neighborhood will first become a Planning Target Area. With this designation, they will spend the first year establishing or updating their existing Neighborhood Plan. This will also be the time when they identify a two to three block area that will become the Target Area for funding during the following two years. A Target Area will be identified based upon its ability to show measurable impacts with the most efficient use of resources. If a Target Area shows significant measurable impacts before the end of the two-year funding period, it may be removed from the top priority position. A major economic event that will have community-wide impacts could accelerate a redevelopment area or neighborhood through the stages of resource targeting. Every other calendar year, the Department of Housing and Neighborhood Development, with input from the Citizen Advisory Council, will prepare the list of rated and ranked redevelopment areas or neighborhoods for consideration by the City Council. The City Council will either identify new or ratify existing Planning Target Areas through its approval of the annual Consolidated Action Plan.

SORT Targeting Boundary Criteria

- 1) Target Areas identified that are referenced in an adopted neighborhood plan will have a priority.
- 2) When a boundary is drawn it will encompass both sides of a street. Funding may be allocated to more than one NIA, NA or neighborhood if it is contiguous to the Target Area and the investment will enhance the overall Targeting effort.

-
- 3) Each Target Area should not exceed three to five square blocks including its “primary” and “secondary” areas.
 - 4) Primary access streets through a neighborhood will receive a priority in notification of funding or staging of efforts.
 - 5) When commercial or industrial property is included within a targeted area, only streetscape or public infrastructure may be addressed for that property.
 - 6) Each Target Area identified will be subdivided into a “primary” and “secondary” area. The “primary” area will be initial recipient of the major portion of its Target Area funds the initial funding year. The “secondary” area will receive funds only if:
 - a) There are savings from activities in the “primary” area.
 - b) There are no eligible properties left due to activity completed in the “primary” area.
 - c) There are regulatory and/or legal limitations that prevent further investment in the “primary” area.
 - d) Substantial progress has been made in the “primary” area and private investment is beginning to fund activities in the “primary” area at a rate similar to non-target areas, that are slowing stable or rising property values.
 - 7) All neighborhood groups impacted by the proposed target boundaries will be asked for input.

Boundaries may change slightly between the first funding year and the second, depending upon a review of the progress achieved by the NIA, Planning and HND. See the Barriers to Affordability section in page 16.

4. Identify the federal, state, and local resources expected to be available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

The Consolidated Plan regulations combine into a single submission the planning and application elements of the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), HOME Investment Partnerships (HOME) programs, American Dream Down Payment Initiative (ADDI), and Housing Opportunities for Persons with AIDS (HOPWA). The reporting requirements for these programs are also consolidated into one performance report. In addition, the City produces the Consolidated Plan in order to ensure its eligibility for Supportive Housing, Shelter Plus Care, and other federal housing funds. Furthermore, Neighborhood Infrastructure and CIP funds will be used to secure the goals of the Consolidated Plan.

Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

The Department of Housing and Neighborhood Development in Topeka is the lead agency. Rental housing programs are administered by the Topeka Housing Authority, the private sector through the Low-Income Housing Tax Credit program, Breakthrough House and Cornerstone. Homeownership programs are administered by the City of Topeka's Major Rehab and Emergency Repair program, the Topeka Opportunity to Own, Habitat for Humanity, and the East Topeka Action Program. Homeless facilities or programs are supervised by the Topeka Rescue Mission, YWCA Battered Women's Center, Kansas Legal Service, Cornerstone, and Shelter Plus Care. Other support services include Housing and Credit Counseling of Topeka, Doorstep, Community Action, Meals on Wheels, Topeka Day Care, Lakeshoere Learning Centers, Big Brothers Big Sisters, Valeo, Topeka AIDS Project, Let's Help, The Salvation Army and Family Service and Guidance Center of Topeka.

2. Identify the significant aspects of the process by which the plan was developed and the agencies, groups, organizations, and others who participated in the process.

By incorporating input from both individual citizens of the City and through organizations such as the Citizen Advisory Council (CAC) and the Neighborhood Improvement Associations (NIA) that represent residents of low-income areas exclusively, HND of Topeka was able to identify the most pressing community needs within the City and address them in the Consolidated Plan. All residents of the City of Topeka, not just those residing in low-income areas, are encouraged to participate in the citizen participation process outlined in the next page. More information about the CAC is provided in page 12.

Two (2) Needs Assessment Meetings were conducted in order for residents of the City to share their housing, neighborhood and community development needs with HND of Topeka. Comments received during the meetings were used in the development of the Consolidated Action Plan for 2009. Verbal and written citizen comments are summarized in page 10 of this document.

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, and social service agencies.

The Shawnee County Homeless Task Force (HTF) is a group of community participants from both the public and private sector whose goal is to help individuals and families who are experiencing homelessness, or are at-risk of becoming homeless, have access to a continuum of appropriate emergency shelter, transitional housing, affordable and permanent housing and the support services necessary to maintain such housing. In the upcoming year, the HTF is placing additional effort to involve the private sector such as landlords and local business to a greater degree.

Citizen Participation

1. Provide a summary of the citizen participation process.

Program year 4 Action Plan Citizen Participation responses:

In order to comply with the objectives established for the City of Topeka's Citizen Participation Plan, the following policies will be implemented by the Housing and Neighborhood Development Department:

Office Hours and Availability of Public Information:

The offices of the Housing and Neighborhood Development of Topeka will be open from 8:00 AM to 5:00 PM Monday - Friday, except during legal holidays, in order to allow City of Topeka residents the opportunity to inspect public files and records related to the activities receiving CDBG, ESG and/or HOME program funding.

Housing & Neighborhood Development staff members will be available to furnish interested citizens with information concerning:

1. The total amount of CDBG, ESG and HOME funds expected to be available for use;
2. The range of activities that may be undertaken with those funds, and the percent of the CDBG, ESG and/or HOME funds proposed to be used for activities that will benefit low/moderate income persons;
3. Proposed CDBG, ESG and HOME activities may result in displacement, and the City of Topeka's plans for minimizing such displacement;
4. The types and levels of assistance the City of Topeka will make available to persons displaced by CDBG funded activities. (See Displacement Narrative available on request at the Housing and Neighborhood Development office.)

Public Hearings:

The City of Topeka will conduct at least two (2), usually three (3) public hearings annually for the CDBG, ESG and HOME programs. Meetings will be staffed for assisting non-English speaking persons and persons with impairments when necessary.

Public hearings will be advertised community-wide in the City of Topeka's official newspaper at least two (2) weeks in advance, in order to allow interested parties to express their views of needs or respond to proposals or questions related to the CDBG, ESG and HOME programs. In order to maximize exposure and public participation, public hearings are held during City Council meetings whenever possible.

At least one public hearing will be conducted before the proposed Consolidated Plan is initially published for comment. This public hearing will provide an opportunity to obtain the views of citizens on housing and community development needs and to develop proposed activities for inclusion in the one-year action plan. A public hearing will be held after the thirty-day comment period has elapsed for the published draft of the Consolidated Plan. This hearing is to give residents an opportunity to comment on the proposed use of funds in the Plan.

At least fifteen calendar days prior to the submission of the annual performance report the City will announce the availability of the report at the Housing and Neighborhood Development office for citizen review and comment.

The City will consider all comments or views of citizens received both written and oral at the public hearings and a summary of the comments or views will be attached and submitted with all of the reports.

In the event that a number of non-English speaking residents and/or persons with disabilities needing assistance are expected to participate in a public hearing, the City of Topeka will provide an interpreter and other needed assistance, including using staff or contracting with individuals to provide needed services.

Applications for Community Development Block Grant, ESG and/or HOME Funds:

The application process for CDBG, ESG and HOME program funding will commence with the announcement of the RFP process for these programs. The availability of the RFP will be published in the City's official newspaper. Application announcements will be sent to all current and former applicants and grantees. Any interested agency, organization, business or individual will be given thirty (30) days from the time of this announcement to submit proposals for CDBG, ESG and/or HOME funding.

HND staff will be available during the application period to provide technical assistance to any interested group, especially those representatives of persons of low and moderate income, in the development of funding proposals.

Response to Complaints and Grievances:

The City of Topeka, through the Housing and Neighborhood Development Department, will provide for a timely, written answer to complaints and grievances related to the CDBG, ESG and/or HOME programs within fifteen (15) days. Grievances should be sent to the Department of Housing and Neighborhood Development at the following address:

620 SE Madison, 1st Floor
Topeka, Kansas 66607

Publication of the Five-Year Consolidated Plan/Annual Action Plan:

The City of Topeka will publish a community-wide summary of the Five Year Consolidated Plan and/or the one (1) year action plan in the City's official newspaper. The summary will include the content and purpose of the consolidated plan and will contain a list of the locations where copies of the entire plan may be examined. Copies of the Consolidated Plan will be available at the Topeka Shawnee County Public Library, the Department of Housing and Neighborhood Development and the Topeka City Clerks office, as to afford affected citizens an opportunity to examine the document's contents and to provide comments on the Five Year Consolidated Plan and/or the one (1) year action plan. A reasonable number of free copies of the plan will be available to citizens and groups that request it. A comment period of no less than thirty (30) calendar days after publication of the summary will be allowed for citizen input.

In accordance with established policy, the City of Topeka will respond to written comments on the Consolidated Plan within fifteen (15) working days.

The City of Topeka will prepare the Consolidated Plan and Development Programs. The City of Topeka will consider all comments or views received related to the Consolidated Plan. The City of Topeka will incorporate appropriate comments or views as modifications to the Consolidated Plan. Those comments not incorporated into the plan will be submitted as well, along with the reasons they were not accepted.

Consolidated Plan Amendment Criteria:

On January 6, 1995, the U.S. Department of Housing and Urban Development published in the Federal Register the Consolidated Submission for Community Planning and Development Programs Final Rule, which established new regulations related to the application for Community Development Block Grant (CDBG), ESG and HOME programs.

The Final Rule requires that grantees of the CDBG, ESG and HOME programs make public the criteria the jurisdiction will use for determining what changes in the planned or actual activities constitute a substantial amendment to the Consolidated Plan.

In compliance with these requirements, the City of Topeka hereby announces the following criteria under which an amendment to its Consolidated Plan will be made:

- 1) The City of Topeka shall amend its Consolidated Plan whenever it decides to carry out an activity not previously described, or to substantially change the purpose, scope, location or beneficiaries of an activity described in the Consolidated Plan.
- 2) For the purpose of this requirement, substantial amendment shall be defined as: a) an increase in the budgeted amount for an activity of 50% or more; and/or b) inclusion of any new activity not previously described.
- 3) Upon the City's determination that an amendment to the Five Year Consolidated Plan and/or the One (1) Year Action Plan is necessary and consistent with the amendment criteria established herein, the City shall publish a community-wide summary of the proposed amendment in the City's official newspaper. The City will provide an opportunity for affected individuals, in writing, via e-mail or by visiting the Housing and Neighborhood Development office, to comment on the proposed amendment for a period of not less than thirty (30) calendar days. A summary of incorporated comments, and a summary of comments not accepted and the reasons therefore, will be attached to the substantial amendment of the consolidated plan.

CAC INVOLVEMENT:

The CAC is one of the organizations through which residents of low-income areas can provide input into the Consolidated Plan process. The CAC is comprised of one representative from each Low-Moderate Income Area (LMA) Neighborhood Improvement Association (NIA) and three at-large members. One of the at-large members shall reside in a LMA not represented by a NIA or shall be a LMI citizen not residing in a NIA area, while the remaining two at-large members shall represent disciplines relevant to housing and neighborhood development. The CAC is provided a calendar of scheduled events for the year including the public hearing dates and reminded of the Public hearings at the quarterly meetings.

2. Provide a summary of citizen comments or views on the plan.

Summary of Citizen Comments:

1. FY2009 Needs Assessment Meeting
Held 3/26/08 at 620 SE Madison, Cyrus K. Holliday Building
No citizens attended with 5 staff members attending the first of two 2009 public hearings.
No Public Comments Received
2. FY2009 Needs Assessment Hearing
Held 4/16/08 at Hillcrest Community Center
No citizens attended with 3 staff members attending the second of two 2009 public hearings.
No Public Comments Received

Citizens unable to attend the needs assessment hearings or feel uncomfortable speaking in public are encouraged to submit their comments in writing. A summary of written comments received during the needs assessment process:

No Public Comments Received

Both opportunities were advertised in the official City Newspaper twice and once in the Topeka Capital Journal. Additionally, staff sent two mailings to the Neighborhood Improvement Associations (NIA's) reminding them of both meetings. The Citizens Advisory Council was advised of the public hearings and provided a written schedule of Events for 2008 for both meetings.

3. 30 Day Public Comment Period

The City of Topeka's 2009 draft Consolidated Action Plan will be made available to the public for written comments on June 23, 2008. The comment period will end July 23, 2008.

4. Final Public Hearing:

The 2009 Consolidated Action Plan final public hearing will be held at the regularly scheduled City of Topeka Council meeting July 28, 2008.

- **Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.**

The City of Topeka encourages citizen input in the development, implementation and evaluation of this Consolidated Plan and will attempt to provide assistance as necessary in order to facilitate greater citizen involvement. If non-English speaking persons and/or persons with disabilities are in need of any assistance concerning this Consolidated Plan, they should contact the City's Department of Housing & Neighborhood Development. The City will take the most appropriate and necessary actions in an effort to meet their needs. These appropriate measures have included using staff or contracting with individuals to provide interpretation or other requested services. When practical and feasible, these requests should be submitted in writing to the HND Office five (5) business days prior to needing the requested service.

- **Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.**

Not Applicable.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

Program year 4 Action Plan Institutional Structure response:

The Institutional Structure will remain the same for the next year. No action or changes are anticipated.

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

Program year 4 Action Plan Monitoring response:

The City of Topeka has monitoring procedures with regard to funds provided by HUD. The procedures were developed to address federal, state and City statutory and regulatory requirements in addition to providing City staff with a system of ensuring project compliance and accomplishments. The City reports annually on the progress made toward meeting the goals established for assisting families.

The City has three major monitoring tools: policies, contract requirements and on-site monitoring. All projects are evaluated to determine if they are eligible, consistent with local, state and federal regulations and viable.

Projects funded through CDBG, HOME, ADDI and ESGP will be managed directly through the Department of Housing and Neighborhood Development. All contracts contain the federal, state and local program requirements by which each sub-grantee must abide. Contracts are mailed to the agencies for their review before being executed. Construction projects that require compliance with federal wage standards are to be monitored by the City's Purchasing Department and its contract compliance officers.

During the project year, City staff schedules monitoring visits with selected sub-grantees. During the site visit the monitor reviews and records any evidence of performance in the administration of the program, benefit to low-income households, procurement procedures and record keeping. The City has standardized procedures that are submitted to a HUD cash and management information system.

During the affordability period, the units and related rental documents are subject to regular inspection and review to ensure the units remain affordable to qualified tenants, and that units are maintained in program acceptable condition.

Lead-based Paint

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- 1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.**

Program year 4 Action Plan Lead-based Paint response:

Federal lead-based paint regulations became effective in September 2000. These regulations require additional care be taken and work performed in order to provide lead hazard reduction in rehabilitation projects funded with federal money. Rehabilitation projects now require the use of formal paint testing, risk assessment, and planning. In addition, paint repair work requires the use of “trained workers.” The City anticipates a substantial increase in the cost of rehabilitation projects when lead hazard reduction is included.

It is estimated that approximately 27,000 pre-1970 units are occupied by low-moderate income households that could contain lead-based paint hazards. The Section 8 rental program will also be affected under the new regulations. A substantial portion of the City’s eight hundred (800) subsidized units are built before 1978 and therefore are potentially under the new regulations, particularly those units with children under the age of six (6) residing. Landlords will now be faced with repair of failing paint using “safe work practices” with “trained workers” and most importantly obtaining “clearance” standard lead levels after the work is completed.

The Shawnee County Health Agency serves Topeka and Shawnee County as a federally qualified health center. The Health Agency administers a lead poisoning prevention program for children. The Department of Housing & Neighborhood Development (HND) will continue to coordinate information with the Health Agency on the incidence of children with elevated blood lead levels (EBLs) so that we can identify the homes which may be causing the lead poisoning and whether these units are under any federally funded programs.

The connection among old housing stock, lead paint and lead poisoning has been clearly made on the national level for many years now. The challenge is to take reasonable actions that will result in lead hazard reduction. They are:

- Ensure meaningful notification of potential lead hazards is made to all persons using federally funded programs as required by regulation;
- Coordinate and share EBL information with the Health Agency to identify the source of lead poisoning;
- Apply the new lead paint regulations to federally funded rehab projects;
- Obtain staff training to have qualified Lead Inspectors and Risk Assessors available;

- Since there currently are few “trained workers” available locally to carry out any necessary lead hazard reduction or interim controls, the City must participate actively in a program to sufficiently train workers in a relatively short time;
- Provide aggressive and continuing information on lead paint poisoning to the public, particularly low-income homeowners and tenants, to landlords, and to contractors. Anecdotal evidence indicates that through a lack of awareness many families are exposing themselves to serious lead poisoning as they undertake privately funded rehab activities on older homes many times with their own labor;
- Provide assistance to landlords of older subsidized units to defray the cost of lead hazard reduction.

In connection with the SORT model of targeting, housing units receiving rehabilitation work will receive lead-based paint interim control at no cost to the property owner.

HOUSING

Specific Housing Objectives

***Please also refer to the Housing Needs Table in the Needs.xls workbook.**

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Program year 4 Action Plan Specific Objectives response:

Objectives and Performance Measures

Objective: Enhance Suitable Living Environment

- Measure: Support Exterior Modifications Program
- Measure: Provide Social Service and Homeless Essential Service Funding
- Measure: Support the Voluntary Demolition Program
- Measure: Support Anti-blight Activities
- Measure: Provide LMI Area Public Facility Funding
- Measure: Support LMI Area Neighborhood Services

Objective: Enhance Homeownership and Rental Housing Opportunities

- Measure: Invest in Single Family Home Construction
- Measure: Invest in Affordable Rental Housing
- Measure: Fund TBRA Deposits for S+C Clients
- Measure: Support Homeless Shelters and Transitional Housing
- Measure: Support Major Rehabilitation and Project
- Measure: Support Accessibility Modifications
- Measure: Support Homeownership Program

Measure: Provide Subsistence Payment Support
Measure: Maintain Emergency Rehabilitation Program
Measure: Fund Homeownership Counseling

Objective: Create Economic Opportunities

Measure: Support Social Service and Homeless Employment Training
Measure: Fund Micro Business Activities
Measure: Maintain Targeted Economic Development
Measure: Support child care for working Very- LMI households

Objective: Enhance Local Resources to Maximize Impact of Federal Funds

Measure: Fund CIP Neighborhood Infrastructure
Measure: Generate Debt Capital Investment
Measure: Required HOME Match Provided
Measure: Non-Paid Citizen Volunteers

Needs of Public Housing

- 1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.**

HND and the Topeka Housing Authority (THA) work cooperatively to encourage Public Housing residents to become involved in achieving the goal of homeownership. Public Housing residents are encouraged to become involved and to play leadership roles in Neighborhood Improvement Associations and neighborhood improvement activities supported and sponsored by HND. They are also encouraged to participate in Resident Organization activities supported and sponsored by THA. THA staff will routinely identify and refer participants in THA programs interested in homeownership to HND supported homeownership counseling and homeownership programs.

- 2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.**

THA's Public Housing and Section 8 Programs are designated as "High Performing" by HUD standards.

Barriers to Affordable Housing

- 1. Describe the actions that will take place during the next year to remove barriers to affordable housing.**

In May 2007, at the request of the Mayor, the City of Topeka formed a committee to review previously identify and new local barriers to affordable housing. The committee created a position paper which identifies local barriers to affordable housing and recommend possible solutions. The report was submitted to the Mayor.

Beginning in May of 2007, a committee comprised of representatives from multiple not-for-profit agencies, government officials from the State of Kansas and the City of Topeka as well as area builders and realtors along with representatives of their trade organizations met to discuss Barriers to Affordable Housing in Topeka. The committee built upon the work of the previous Barriers Committees by identifying new factors related to the barriers found by the committee's predecessors. The committees also identified additional barriers not identified by earlier committees.

The 2007 Affordable Housing Committee found a continuation of previously recognized barriers to affordable housing found by the previous committees. The 2007 Committee felt it was important for the previous committees to work to again be recognized and not be recreated. Although attempts at reducing barriers have been made, in most instances the effort to reduce barriers has caused new barriers. The committee found barriers to affordable housing are created as a result of an action plan to protect or make life in Topeka better for citizens. The difficulty in implementing any plan of action is predicting and weighing all the unintended consequences of the plan against the good created in the implementation of the plan. The 2007 Committee discussed in detail ways to remove barriers to affordable housing but found that in doing so new barriers were created. It became apparent the City should consider what is an acceptable barrier to affordable housing through a larger scale forum than the 2007 Committee. The focus of the committee was to bring to light as many of the barriers to affordable housing as it could find.

Zoning and Subdivision Regulations- The City of Topeka's zoning regulations may hinder urban infill development by the application of restrictive suburban design principles to traditional neighborhood designs, in the core area of the City. Current requirements for lot widths, lot sizes, setbacks, parking, etc. increase the amount of land needed for housing which encourages a lower density, the expansion of infrastructure and higher housing costs. These dimensional standards are inconsistent with the dimensional standards found in older traditional neighborhoods and often times prohibit new development. The Comprehensive Plan's Neighborhood Element recommends amending zoning and subdivision regulations to remove barriers to urban-infill housing development and promote traditional neighborhood design features. To that end, the Planning Department has modified the zoning regulations to allow administrative variances to minimum lot sizes and front setbacks under certain conditions that allow greater flexibility for urban infill housing. The Department is also embarking on a process to develop a Unified Development Code that will recognize traditional neighborhood standards for in-fill and greenfield developments.

2007- Although improvements were noted in the willingness of zoning officials to modify requirements for lots widths, lot sizes, and set backs, the creation of "down

zoning” has proven to be detrimental to affordable infill housing. Many neighborhood plans include provisions requiring properties to revert to single family occupancy thus prevent developers from achieving the cost savings created in the sharing of common walls and roofs, sewers, and utility connections as well as other related construction savings created by the building of multi-unit housing. Zoning requiring detached garages also contribute to higher construction cost for the builder than attached garages and less sense of security for housing occupants. The requirements of detached garages are in areas perceived as having high crime rates adding to the occupants heightened awareness for security. The committee did see a need for developers to work with neighborhoods in creating infill housing that better matches the architectural elements of the existing housing.

Building Codes—In previous years, rehabilitation of some existing housing was frustrated by stringent requirements for moving or renovating older homes that were built prior to modern building codes. The City of Topeka addressed this issue by adopting code changes in 2000 that allows a moved home to meet “minimum building standards” instead of having everything be brought up to today’s modern building code. In addition, the City adopted the Uniform Code for Building Conservation (UCBC) in 1997 to give greater code flexibility to older homes and buildings. City building review officials will utilize the UCBC more extensively, update as needed, and help educate the public not only on its effectiveness, but its mere presence.

2007 - Building Codes were not seen as a major barrier to affordable housing by the committee formed in 2007 but did note areas of concern associated with the building codes. The fees related to the construction of infill housing were a concern and is hindering development of affordable housing in the inter-city. The payment of fees for water and sewer connections has forced developers to reduce other project costs. Some developers are no longer building garages as a means to reduce cost. The savings is done as a means to offset what they see as HIGH connection and permit fees. Lack of garage creates a higher risk of theft of household items such as mowers, bicycle, and grills, etc because the occupants do not have a secure area to store such items. The removal of permit and connection fees for the development of infill housing in the City’s Intensive Care and High Risk Neighborhoods would help developers create more affordable and marketable housing. Some neighborhoods have established covenants which limit the choice of building materials that can be utilized or the pitch of the roofs. Seen as a concern by the committee is the difference between the federal “Section 8” inspection standards and current City Housing Code regulations. The City’s Housing Code is generally perceived to be a more stringent code and agencies utilizing the Section 8 standard could adopt the City Housing Code. The committee saw a need for all inspection agencies to inspect properties when complaints are received and that there should not be a jurisdictional reluctance based on the complaint being a Section 8 property. The committee recognized a need for access to properties for re-inspections once a violation is found. Violations are being closed because entry is denied to the inspector upon return to the property at the end of the period given for compliance. All housing must meet a standard of livability or they are not affordable.

Property Tax Incentive Policies—Property tax costs are another hurdle in developing and maintaining an affordable housing stock. Topeka’s Neighborhood Revitalization Program (NRP) has been in effect since 1995. It encourages new investment in the more distressed areas of central, north, east and south Topeka by rebating 95% of the property tax on improvements over a 10-year period. The improvements must increase the value of the property by at least 5% for residential and 15% for commercial/ industrial. While the program has taken in \$88.5 million of property improvement applications, it lacks a genuine focus for the most needy areas. From 1997-2000, more applications for single-family residential improvements were approved for healthy and outpatient areas than at-risk or intensive care areas. Only SEVEN multi-family applications were approved. No incentives were tied to promoting mixed-income housing such as, affordable units in the healthy areas and market rate units in the intensive care areas. The Comprehensive Plan’s Neighborhood Element recommends the taxing agencies adopt amendments to the NRP in 2001 that will provide more targeted incentives for intensive care/at-risk areas thereby making housing more affordable. These changes were approved.

2007 - The Neighborhood Revitalization Program is seen as a valuable resource to the creation of affordable housing and the committee encourages its continued use and enhancement.

Lending Practices and Qualified Applicants—All groups involved in providing affordable homeownership opportunities state the biggest reason more affordable owner-occupied housing is not built or renovated is because of the lack of qualified applicants. Too often, a low-moderate income household has excessive credit problems that limit their ability to obtain private financing on the open market. Lack of a down payment is also a problem. Topeka’s only low to moderate income homeownership program (TOTO) relies on the private market for the sale and financing of an applicant’s home and because of this, only a handful of neighborhoods benefit. Some neighborhoods in Central and North Topeka have little, if any, TOTO homes. These same neighborhoods are also receiving the lowest home loan approval rates. Strategies to improve financing of affordable housing projects include: encouraging private lenders to increase their capacity for affordable housing lending, making in-roads to establish more lending at the CDC level where “character loans” and flexible underwriting can occur and supporting both efforts by increasing the amount of assistance for homeownership counseling.

2007- The Toto II Homebuyer Program and its credit and housing education components are seen as vital to the creation of affordable housing in Topeka. Approximately 20 affordable housing units had been purchased and rehabilitated each year while utilizing this program. Many of these homes were in the City’s inner core. These low to moderate income families are able to share in the American dream of owning their home. The rehabilitation standards for the TOTO II Program were modified to make for a more affordable and sustainable housing unit. The cost associated with these changes are generally not reflected in an increased after rehab appraisal of the property. Because of the changes in rehab standards, fewer homes are meeting the threshold required to make for a viable, affordable project. The changes in the rehab standards to remove a barrier in affordable housing is a factor in the reduced number of approved TOTO II Projects,

which is in itself a barrier to affordable housing. Predatory Lending Practices and Payday Loans were cited as barriers to affordable housing. Mass mailings and the internet have made it easy for lenders to make inappropriate loans in an attempt to maximize their profits by charging interest well above market norms. The committee members are seeing a rise in the number of families lured into loan terms on first and/or second mortgages that later make their loan payments unaffordable. These loans often have triggering mechanisms that raise the interest rate and increase charges for fees if even one payment is late. There is also an increase in the use of payday loan companies by families that can least afford to utilize this type of service. Payday loan companies have high interest rates and exorbitant late fees. The payments and fees drain funding away from rent or housing payments and often lead to families being evicted for non-payment. The lack of a more reasonable means for families to be given credit was seen by the committee as a barrier to affordable housing.

Lack of Adequate Tenant-Landlord Counseling Program—Families living in affordable rental units are continually challenged with keeping their unit livable and expenses low. Knowing their legal rights and appropriate courses of action with a landlord helps to save them from the time and expense of moving. Likewise, landlords experience unruly tenants who damage property and make the cost of housing higher or less livable. Housing and Credit Counseling, Inc. provides counseling for tenants and landlords to help prevent or resolve conflicts that compromise the likelihood of a housing unit staying affordable for the family and the landlord.

Lack of Redevelopment Agency—Non-profit and private affordable housing providers are often frustrated in their effort to acquire land that ultimately drives up their costs when private landowners refuse to sell or only SELL at an inflated price. Providers have to resort to donation of property or opportunistic purchases that limit their development to one parcel at a time. In order to facilitate larger developments that are more cost-effective, the Neighborhood Element is recommending creation of a redevelopment agency in part to reduce the cost of development for affordable housing.

2007- The concept of a Land Bank is recommended to serve as a clearing house for vacant lots which then can be utilized for infill housing. A Land Bank would be a means to control property that historically has been a problem for the City's Code Compliance Division. The properties controlled by the Land Bank would be maintained and therefore reduce the opportunity for nuisance conditions to thrive. Developers wishing to build would be able to have one database to select available suitable properties from. The State and County must be involved for a Land Bank to reach its full potential. Delinquent property taxes should not be collected by the County when transferring donated property to the Land Bank. Properties managed by a Land Bank would be exempt from property taxes. Buildable, neglected properties or properties in collection for taxes are a drain to the community and a better means to dispose of these, other than a tax sale to speculators, is needed. Several issues with this concept sound good on the surface but costs to maintain, eligibility for tax exemption status, title problems that accompany these parcels and placing back into the community quickly are issues that must be overcome.

NIMBYism—The “Not In My Back Yard” syndrome regarding placement of affordable housing is persistent in all communities today. The major obstacles to overcoming NIMBYism typically fall to the design and concentration of affordable units in a development. Many people in the community have poor images of low cost housing, whether it is a public housing project, a mobile home or a “Levittown” house. The poor quality of design immediately stigmatizes the unit(s) and hence the area around it. Likewise, concentration of too many low-income units into one block or area only portends social ills and blight in the future as new market rate investment is discouraged. As is recommended in the Neighborhood Element, design standards for affordable in-fill housing developments must be implemented and mixed-income developments must be promoted to de-stigmatize affordable housing and help it obtain the necessary community support to blend back into our old neighborhoods and out into our new neighborhoods.

2007- The 2007 Committee continues to recognize strong NIMBYism in our community. More involvement is needed by the City, developers, and other organizations to demonstrate the need and the positive effects of creating affordable housing throughout Topeka. A more aggressive position must be taken to negate the misconceptions the community has on the perceived negative effects of affordable housing in our neighborhoods. The true need is for affordable rental housing. Yet this is not a popular concept and rentals are viewed by the community as “problem properties and neighbors” and not wanted in my back yard.

Crime- 2007- The actual and perceived crime rates of Topeka have a significant effect on the ability of developers to create affordable housing in some of our neighborhoods. Many neighborhoods are perceived to be high crime rates and in fact some are not. This unjustified stigma reduces the value of property and this negatively affects the families that would be willing to move into the area. With fewer families wishing to locate to these areas, developers are less willing to take the risk necessary for development in our inner City. Developers also fear that stolen materials and tools will add more expenses to the cost of creating affordable housing. The City must utilize all of its resources to reduce crime and give the Citizens of Topeka a feeling of security. The City must lead the way and encourage other groups and organizations such as the media, churches, civic groups, schools, etc. in reducing crime and improving our self image of Topeka. The community must take ownership of Topeka and not look for government to solve all of the problems. New, ground breaking activities must take place to gain the involvement of negative, untrue and inappropriate messages about Topeka’s neighborhoods and these same organizations should differentiate the serious crime from less serious nuisance crimes.

Enticing Young Adults to Stay- 2007- The 2007 Committee recognizes a trend that young adults are moving away from Topeka after college or not returning to the Topeka area after receiving their degree from a college outside Topeka. Committee members attributed this trend in part to the lack of amenities in Topeka which interest the 22 to 30 year old age group. This age group historically accepts entry-level positions and are at the low end of the employer’s pay scale. As such there has always been a strong need for affordable housing as this age group begins their careers. For Topeka to remain vibrant

and progressive, more effort is needed in satisfying the needs of this age group. Trendy, contemporary, and green were the descriptive words used while describing what young adults want in a community. With cable and satellite services offering over 150 channels and the internet allowing for instantaneous knowledge of worldwide current events, young adults want what they see in other communities. Topeka must compete with other cities if it wishes to keep its young adults from moving away. The committee cited the need for places that young adults can gather such as athletic venues and retail spaces. Members of the committee believe that young adults are looking for entertainment that offer outdoor patio areas which are visible to pedestrians and offer many food, drink, and activity choices. The committee was unaware of areas or venues in Topeka that draw large numbers of young adults. An additional factor in keeping and attracting young adults mentioned by the committee was “Green.” The term “Green” is used to describe a lifestyle that is natural and sustainable. Young adults have an interest in “Green Buildings” which are environmentally responsible in the use of design, building materials, and energy efficiency. Topeka has very few commercial structures that could be seen as “Green.” The City has provided funding for fourteen Energy Star* Certified housing units for low-income families. The saving in energy costs for these houses makes them more affordable for low-income families to live in. The committee also sees a need for green spaces such as parks, trails, etc. in newer neighborhoods. Young adults want locations to play and exercise that are close to their home. Lack of green space is seen as a factor in young adults moving away from Topeka. Committee sees the need to build green to reduce barriers to affordable housing and they also recognize that the additional cost of building “Green” is a barrier to affordable housing.

HOME/ American Dream Down payment Initiative (ADDI)

1. Describe other forms of investment not described in § 92.205(b).

Not Applicable.

2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.

The City of Topeka uses mortgages to ensure that housing utilizing HOME funds remain affordable to low-income persons as required, and no longer uses deed restrictions.

The Topeka Opportunity to Own (TOTO) is the homebuyer program for the purchase and rehabilitation of Topeka’s existing housing stock. The TOTO program (utilizes a mortgage as the means to assure compliance to HUD’s “Recapture” provisions (as opposed to “Resale” provisions) as allowed by the HOME Program. The City of Topeka has specifically selected the following method of recapture for HOME funds: 1) The City initially forgives the portion of the HOME deferred loan (the Second Mortgage) when the amount of the HOME deferred loan combined with the First Mortgage (private bank loan) exceeds the after rehabilitation appraised value of the property; 2) During the affordability period the City reduces the deferred loan on a pro-rata basis of

approximately seven percent (7 %) per year for seven years. A minimum of 50% of the mortgaged amount shall be due to the City at the time the property is sold, transferred or refinanced. The City reserves the right to subordinate its position if all proceeds of the new private mortgage are utilized to improve the property, and; 3) In the event of a foreclosure the City has chosen to “share the net proceeds” available from the sale in the following manner after the first mortgage is retired: The TOTO homeowner recovers their \$500 down-payment first and all remaining net proceeds shall be recovered by the City.

The In-Fill Housing, new construction homeownership program also uses a mortgage as the method to apply the Affordability period and the selected “Recapture” (not “Resale”) provisions allowed by the HOME Program. Specifically selected is the following recapture method for HOME funds: 1) The City initially forgives a portion of the HOME deferred loan that is equal to the amount the First Mortgage (private bank loan) and the Second Mortgage (HOME deferred loan) which exceeds the “after construction” appraised value, 2) During the affordability period the City reduces the deferred loan on a pro-rata basis of four percent (4%) per year for a period of twenty years, 3) In the event of a foreclosure the City has chosen to “share the net proceeds” available from the sale in the following manner: The homeowner may recover their \$500 down-payment first; all remaining net proceeds shall be recovered by the City.

The City of Topeka provides the local required match for HOME funds (25%) and HOME funded projects by allocating \$200,000 of its capital improvement program (CIP) funds as shown in the budget. This CIP money is used in addition to other match sources such as lender participation in the TOTO program and prisoner labor housing rehabilitation program.

- 3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:**
 - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.**
 - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.**
 - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.**
 - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.**

- e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
- f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

Not Applicable.

- 4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:
 - a. Describe the planned use of the ADDI funds.
 - b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.
 - c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

HOMELESS

Specific Homeless Prevention Elements

***Please also refer to the Homeless Needs Table in the Needs.xls workbook.**

- 1. **Sources of Funds**—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

The City receives entitlement Emergency Shelter Grant funding, competitive Kansas Emergency Shelter Grant funding and Continuum of Care funding. The Shawnee County Homeless Task Force is the City's network for identifying and aiding persons who are homeless.

The Shawnee County Homeless Task Force is a group of community participants from both the public and private sector whose goal is to help individuals and families experiencing homelessness or at-risk of becoming homeless have access to a variety of safe, appropriate emergency shelter, transitional and affordable permanent housing, as well as the support services necessary to maintain such housing. This group is also responsible for writing the Continuum of Care grant for the jurisdiction. These McKinney-Vento funds are allocated to the homeless population in full. In the upcoming year, the Shelter Plus Care program will provide housing for households who are homeless with a disability, Housing and Credit Counseling will provide tenant and landlord counseling, Community Action will provide a supportive housing program and Kansas Legal Services will provide job preparation for individuals and families who are homeless. Additionally, HND of Topeka funds some of these agencies instead of providing homeless services directly. Various non-profit and CHDO agencies help low-income residents who are at risk of becoming homeless find affordable housing.

2. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.

The Emergency Rehabilitation Program run by the Department of Housing and Neighborhood Development rehabilitates owner-occupied homes in emergency situations, thereby reducing the likelihood of those residents becoming homeless.

One significant barrier in transitioning a homeless person into rental housing is the requirement for significant utility deposits to secure gas, electric, telephone, water, sewer and other utilities. Through the City's ESGP, State-ESGP and the City and CDBG funded Social Service programs, sub-recipients are able to provide a number of homeless persons with this level of assistance each year.

Since HUD's definition of homelessness has changed this year, the Shelter Plus Care program will only consider a household homeless if they are living at the homeless shelter or in a place not meant for human habitation. This change will directly impact the referrals being made and many more referrals will be from an individual who is chronically homeless. The potential to serve more chronically homeless individuals in the next year will continue to increase due to this change.

3. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.

Three programs help deter individuals and families with children in imminent risk of becoming homeless. First, the Emergency Rehabilitation Program run by the Department of Housing and Neighborhood Development rehabilitates owner-occupied homes in emergency situations. These situations include, but are not limited to, broken furnaces, water heaters, and/or broken sewer lines. Second, the Emergency Shelter Program funds those agencies that provide services to renters and owners at risk of becoming homeless. These situations include, but are not limited to, mortgage and/or utility payments. Finally, the Shelter Plus Care Program uses vouchers to place previously homeless individuals into housing. Furthermore, individuals housed through the Shelter Plus Care Program are monitored to lessen the possibility they return to homelessness.

4. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

Housing and Urban Development (HUD) requires States and local communities applying for the McKinney-Vento Act Homeless Assistance Funds to ensure that a discharge policy for persons leaving publicly funded institutions or systems of care is being developed and implemented to prevent the discharge of persons to homelessness and requiring assistance from HUD homeless programs. SRS's policy preventing discharges into homelessness was approved in December 2006. The policy is as follows: Policy to Ensure Housing Options are Available to Homeless Individuals Upon Discharge from a State funded institution or system of care. The SRS Mission Statement is to protect children and promote adult self-sufficiency in Kansas. The policy is to ensure to the maximum extent practical and when appropriate that all individuals who are discharged from State funded institutions or systems of care have housing options available in order to prevent being discharged into homelessness. If a homeless individual exercises the right to refuse treatment and/or aid with placement, or prefers to be discharged to a homeless shelter, the institution or system of care staff should document all efforts before discharge takes place. Whenever possible, outreach efforts should continue by community service providers. For purposes of this policy, a homeless individual is defined as: (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is—(A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. The term "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a state law.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

Program year 4 Action Plan ESG response:

Not Applicable.

COMMUNITY DEVELOPMENT

Community Development

***Please also refer to the Community Development Table in the Needs.xls workbook.**

- 1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.**

Economic development within low-income areas of the City will be the jurisdiction's primary non-housing community development activity. The strategies to create economic opportunities within low-income areas will be to provide homeless employee training and to fund micro-business activities.

- 2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.**

***Note:** Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

Program year 4 Action Plan Community Development response:

Program funds will support micro-business growth. Micro-business is defined as a business venture having five or fewer employees. In addition to loans, HND will provide a "traditional" micro-business support program through which owners and prospective owners of micro-businesses will receive business plan development, product and service design, market analysis, sales, records and record keeping, and financing information and support.

The Neighborhood Empowerment Initiative funds will be used to support a variety of neighborhood designed and based public facility projects. Grants will be limited to \$50,000 and will encourage a match by the neighborhood organization or a match generated by the neighborhood organization in the form of volunteer labor. NIA's whom receive funding for 2009 Target Areas shall not be eligible for this program. The final allocations of these project funds are made by the City Council.

Anti-Poverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

Program year 4 Action Plan Antipoverty Strategy response:

The Consolidated Plan strategies and priorities will be implemented by the City of Topeka in cooperation with neighborhood-based groups, local non-profits, other service providers and the private sector. The public institutions involved in this housing and community development strategy include the City and its various departments, the Topeka Housing Authority, the State of Kansas and HUD. The Topeka Housing Authority provides access to Section 8 housing improvement to public housing projects and a tenant based rental assistance program. HUD provides the majority of funding of all housing and community development assistance with the state and City making some contributions. The State of Kansas provides funding for our local community housing development organizations.

When THA's Millennium Plan implementation efforts (see appendices) complement those described in the Consolidated Plan, care will be taken to ensure that THA and CDBG resources are jointly utilized for maximum effect.

The City works closely with local non-profits. Non-profits implement a portion of the Consolidated Plan. Examples are the CHDOs, East Topeka Action Program and Habitat for Humanity, Big Brother/Big Sister, Community Action, Florence Crittenton Service, YMCA, YWCA, Topeka Youth Project, Housing and Credit Counseling, Inc. etc. The City of Topeka provides housing opportunities to create personal wealth and equity through homeownership programs.

The private sector is involved in the following areas:

- 1) Local financial institutions actively participate in the first-time homebuyer program by providing loans at reduced cost. One lending institution is providing acquisition funds to rental programs administered by CHDOs. Another lender provides funds to Cornerstone for their lease purchase program. To date, private lenders have provided 4.7 million dollars in mortgage financing for the first time homebuyer program.
- 2) The local Board of Realtors works with the low to moderate income homebuyers with affordable housing opportunities.
- 3) The private sector via the low-income housing tax-credit programs provides affordable rental units.
- 4) The City issues multi-family housing revenue bonds to renovate rental units for low-income families.

5) The private sector and the City's partnership with the State of Kansas Department of Corrections also provide funding, equipment and volunteers to clean up inner-City neighborhoods.

Government Coordination

The coordination of efforts between the City of Topeka and assisted housing providers, social service agencies, neighborhoods, and the private sector is being accomplished through the Neighborhood Element process for the Comprehensive Plan. This will also be annually reviewed with the same groups to ensure goals, priorities and actions are being achieved.

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

***Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.**

- 1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.**
- 2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.**

Program year 4 Action Plan Specific Objectives response:

The primary supportive housing need exists in the elderly subpopulation. According to figures from the Topeka Shawnee County Health Agency, there are 700 frail elderly and 1,000 elderly persons needing supportive services and an additional 2,000 elderly in nursing homes. There are approximately 10 privately owned Section 8 or Section 202 housing projects in Topeka that provide approximately 1200 units to persons over age 55 who are capable of independent living.

A secondary supportive housing need identified is the frail elderly. In addition to the services already mentioned, a new program via SRS called Community Re-entry Program will assist nursing home residents who reside in nursing facilities and wish to return home.

Under the objective of enhancing the suitable living environment for targeted Topeka neighborhoods and residents, HND of Topeka will work to provide accessibility modifications to existing structures, provide services for people with special needs and to support various agencies within the City that provide services to individuals with special needs.

Housing Opportunities for People with AIDS

- 1. Provide a Brief description of the organization, the area of service, the name of the program contacts, and a broad overview of the range/ type of housing activities to be done during the next year.**
- 2. Report on the actions taken during the year that addressed the special needs of persons who are not homeless but require supportive housing, and assistance for persons who are homeless.**
- 3. Evaluate the progress in meeting its specific objective of providing affordable housing, including a comparison of actual outputs and outcomes to proposed goals and progress made on the other planned actions indicated in the strategic and action plans. The evaluation can address any related program adjustments or future plans.**
- 4. Report on annual HOPWA output goals for the number of households assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. Include any assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.**
- 5. Report on the use of committed leveraging from other public and private resources that helped to address needs identified in the plan.**
- 6. Provide an analysis of the extent to which HOPWA funds were distributed among different categories of housing needs consistent with the geographic distribution plans identified in its approved Consolidated Plan.**
- 7. Describe any barriers (including non-regulatory) encountered, actions in response to barriers, and recommendations for program improvement.**
- 8. Please describe the expected trends facing the community in meeting the needs of persons living with HIV/AIDS and provide additional information regarding the administration of services to people with HIV/AIDS.**
- 9. Please note any evaluations, studies or other assessments that will be conducted on the local HOPWA program during the next year.**

Program year 4 Action Plan HOPWA response:

Not Applicable.

Specific HOPWA Objectives

Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the Action Plan.

Program year 4 Specific HOPWA Objectives response:

Not Applicable.

Other Narrative

Include any Action Plan information that was not covered by a narrative in any other section.

Not Applicable.

APPENDIX

SOURCES	
<i>Federal</i>	
Community Development Block Grant Program Entitlement	\$1,921,423
Community Development Block Grant Program: Program Income	\$60,000
Community Development Block Grant Program: Reprogrammed Funds	\$123,463
HOME Investment Partnership Program Entitlement	\$677,918
HOME Program Income	\$80,000
Emergency Shelter Grant Program Entitlement	\$87,994
Total Federal Resources	\$2,950,798
<i>Local Resources</i>	
Community Improvement Program - Affordable Housing	\$200,000
Community Improvement Program – Shelter plus Care	\$20,000
Community Improvement Program – Neighborhood Infrastructure	\$1,400,000
City General Funds Youth and Social Service	\$280,029
Total Other Resources	\$1,900,029
<i>TOTAL CONSOLIDATED PLAN FUNDING AMOUNT</i>	<i>\$4,850,827</i>

USES (Major Activity and Subprogram Descriptions)

The following section identifies Consolidated Plan funding and major activity/subprogram descriptions for Housing Development, Economic Development, Community Development and Neighborhood Services categories.

The City's approved neighborhood plans establish the general framework for which funding decisions are considered. To the extent possible, HND will concentrate resources geographically to entice collaborative investment from the private sector. A major emphasis will be to promote identifiable impacts and enhanced neighborhood wealth. Where prior and ongoing financial investment is present, HND will invest to enhance current and future success.

Housing Development (\$2,039,807) activity; formatting continues below)

Funding for this category is directed at housing improvements, including necessary infrastructure, primarily within high priority neighborhoods that are coordinated to maximize positive impact on the health of a neighborhood. The goal is to commit approximately 60% of the funding/results to high priority neighborhoods classified as intensive care or at-risk.

Housing infill/subdivision development (\$10,000 subprogram):

These funds will be used to facilitate and support housing development by providing infrastructure development, land acquisition, clearance, demolition, site development, housing construction, soft-second mortgages, closing cost assistance and construction-related associated costs. New construction is CDBG eligible if undertaken by a Community Based Development Organization (CBDO) as defined by HUD. Additionally, re-construction of new housing is

CDBG eligible, if a unit was in-place at the time of funding commitment. This would involve the demolition and reconstruction of a housing unit on the same lot. When possible, persons above LMI will be encouraged to invest in these areas and market rate housing will be provided without CDBG or HOME assistance. Therefore, efforts will be made to accommodate mixed-income housing. The project(s) will be market driven and will be of a size and scope necessary to attract private sector financing. Available City funds will be leveraged with funds from other public and private resources to accomplish program objectives. Preference will be given to high priority neighborhoods with City-adopted plans. Neighborhood perspectives will be solicited as part of the application review process. The CDBG funded revolving loan fund shall be utilized in order to assist in this re-development activity. This will eliminate construction interest charges and reduce the costs of each unit, thus reducing the cost to homebuyers. A Rental Conversion Program will also be used, where possible, to convert vacant rental properties into renovated homes in the \$40,000 to \$60,000 price range, which will then be offered to homeowner occupants. This pilot program will be initiated in the Chesney Park, Central Park, and Old Town neighborhoods as well as the targeted areas of Highland Crest and East Topeka North.

Existing Housing/Rehabilitation (\$1,005,000 subprogram):

Three primary programs shall be available for the general rehabilitation of existing rental properties and single-family housing (as defined by HUD). These programs shall be structured as much as practicable to support Infill Housing activities and areas, improvement of Intensive Care and At-risk areas of the City, and improving housing quality for very low-income owner-occupants and tenants.

Major Rehabilitation (\$487,000):

Primarily intended for owner-occupied properties in selected areas. However, up to thirty percent (30%) may be set aside for the rehabilitation of rental properties subject to selection by an RFP process. Up to \$25,000.00 in assistance may be provided using the Department of Housing and Neighborhood Development's Minimum Property Rehabilitation Standards and Residential Rehabilitation Standards to prioritize the needed work. Up to \$7,500 of additional funds may be provided to assist with lead-paint controls and weatherproofing. Eligible families are those at 80% of HUD Median income or less. Repayment of the assistance provided shall be by means of a deferred loan model.

Exterior Rehabilitation (\$206,000):

Project is intended for LMI owner-occupied housing units and rental units occupied by LMI occupants in designated areas who need significant exterior repairs of the existing structure. Maximum assistance shall be \$7,500. Up to \$5,000 of additional funds may be provided to assist with lead-paint controls. Also, local funds may be substituted to reduce federal funds for the purpose of complying with lead-paint regulations. Repayment of the assistance provided shall be by means of a deferred loan model. The assistance may be available for properties, which have documented historic significance and are in need of exterior repairs.

Emergency Repairs (\$267,000):

Emergency home repair assistance (primarily repairs that are of an immediate health or safety nature) for owner-occupant within the City, whose incomes are at or below 60% of the Median. This assistance is intended for higher cost, major emergency repairs. Minor maintenance and repairs remain the primary responsibility of the homeowner.

\$50,000.00 of this fund shall be kept available, at least through the month of October, as emergency repair assistance for a community wide natural disaster. Projects costing above \$1,500.00 shall repay the assistance by a deferred loan model. Local funds may be substituted for Federal funds in order to help comply with lead-paint regulations.

Accessibility Modifications (\$30,000):

This assistance is available to persons with disabilities throughout the City whose incomes are at or below 80% of Median, whether they are owner-occupants or tenants. This assistance is intended to provide access into and out of the home. The priority is to build exterior ramps and widen the main entranceway. Maximum total assistance shall be \$4,000 for homeowners and renters.

Voluntary Demolition (\$15,000):

These funds are intended to pay for the demolition of substantially deteriorated, vacant structures primarily located within the at-risk and intensive care areas. The intent is to remove those structures of a blighted nature that are beyond feasible repair. For those structures that are privately owned, the City may institute a method of repayment for the demolition services provided.

Homeownership (\$373,418 *subprogram*):

Encouraging home ownership among lower-income sectors, minority groups, and in specific areas of the City needing stabilization and improvement remains a primary objective. While TOTO-II remains the primary program to assist new home ownership the City may continue to experiment with other initiatives such as purchasing and converting vacant housing, moving houses, using the KDOC women prisoner rehab training program and the like to make homeownership more affordable. Homeownership counseling and home maintenance training continues to be an integral part of the success of the homeownership program. Each successful TOTO homebuyer places twenty-five dollars per month in escrow for five years, to be utilized for home maintenance and repairs. Lending institutions participate by managing the maintenance escrow.

TOTO-II (\$285,418):

Assistance is provided as a 2nd mortgage, deferred loan subsidizing the purchase cost and rehab (when applicable) of a home for families at or below 80% of Median income. While the program is available Citywide, it is structured, by means of a higher subsidy, to encourage home purchase in at-risk and intensive care areas. Affordability and recapture provisions for HOME funds are included in the deferred loan and mortgage used in this program. Ten hours of homeownership training are provided in addition to home maintenance training. Homeownership and debt counseling assistance are provided. A five-year maintenance escrow is established and on-going counseling assistance is available.

Homeownership Counseling (\$88,000):

These funds will support individual homeownership counseling in both English and Spanish. Pre-qualified buyers must attend a series of homeownership classes before a contract can be written on a home. The classes cover budgeting, hazard insurance, realtors, real estate contract, home inspections, neighborhood information, lenders and other pertinent information. A second series of required classes cover home maintenance, repair, landscaping, painting and decorating.

CHDO Non-Profit Set-Aside and Rental Rehabilitation (\$165,000 *subprogram*):

HOME set-aside assistance for viable CHDO organizations and CDBG funds for non-CHDO non-profits or for-profit organizations are to provide affordable, quality rental housing for low-income tenants.

CHDO Non-Profit Rental Rehabilitation Set-Aside (\$101,500):

CHDO funds may be used for purchase, rehab and/or the construction of rental housing for a required period meeting stipulated affordability requirements. Recapture of assistance may be by means of deferred loans. Priority will be given to projects located in “Intensive Care”/“At-Risk” designated areas

Rental Rehabilitation (\$30,000)

Assistance is for viable not-for-profit organizations and/or for-profit developers to provide or maintain affordable, quality rental housing for low-income tenants.

CHDO Non-Profit Operating Subsidy (\$33,500):

HOME funds are available for CHDO organizations’ valid operational expenses.

Utility Deposit Assistance (\$10,000 *subprogram*):

Most of the participants in the City’s Shelter Plus Care program require assistance with utility deposits at the time of rental. This program, funded from HOME dollars, allows the City to offer utility deposit assistance on a one time grant to qualifying individuals. Assistance will not be provided to existing tenants.

Housing Rehabilitation Program Delivery (\$476,389 *subprogram*):

These funds support a broad range of housing program implementation activities including but not limited to the design of HND housing rehabilitation projects, bidding and oversight of housing rehabilitation work, periodic inspections of work performed, and final approval of work completed under contract.

Economic Development \$ 5,000 (activity, formatting continues below)

Funding for this category is directed at economic development activities primarily within high priority neighborhoods that are coordinated to maximize positive impact on the health of a neighborhood.

Micro Business Loans (\$5,000 *revolving loan subprogram*):

Program funds will support micro-business growth. Micro-business is defined as a business venture having five or fewer employees. In addition to loans, HND will provide a “traditional” micro-business support program through which owners and prospective owners of micro-businesses will receive business plan development, product and service design, market analysis, sales, records, and record keeping, and financing information and support.

Funds remaining in the Child Care Provider revolving loan project were transferred to the Micro Business Loan Program in the 2004 program year. Furthermore, all future funds returned to the City as repayment of the Economic Development loans made to the Highland Crest Mini-Warehouse project, the Eastborough Shopping Center and the Santa Fe Independent Living apartments shall be rolled into each respective year’s Micro Business Loan Program. These funds will be used to support the micro-business loan program or other economic development activities.

Community Development \$237,000 (activity; formatting continues below)

Funding for this category is directed at neighborhood projects, and the affordable housings program. This funding is not necessarily targeted for high priority neighborhoods.

Neighborhood Empowerment Initiative (\$150,000 *subprogram*):

These funds will be used to support a variety of neighborhood designed and based public facility projects. Grants will be limited to \$50,000 and will encourage a match by the neighborhood organization or a match generated by the neighborhood organization in the form of volunteer labor. NIA's who contain 2009 Target Areas that receive 2009 funding may not be eligible for this program. The final allocations of these project funds are made by the City Council.

KDOC Affordable Housing (\$99,000 *subprogram*):

Project is a cooperative venture with the Kansas Department of Corrections, in which KDOC provides women inmates, tools and equipment to form two (2) crews for the rehabilitation of affordable housing units and Low-Mod Income Area infrastructure sidewalk improvements. These funds provide the salaries for two foremen who supervise and train the women inmates in the construction trades. The City assigns these crews to affordable housing projects and sidewalk repair projects. This program provides training for inmates in various construction, repair and post incarceration employment opportunities.

Services for Neighborhood Residents \$660,886 (activity; formatting continues below)

Funding for this category is directed for services to assist qualifying individuals with specific needs, such as neighborhood organization support, nuisance prevention, social and youth services and homeless needs.

Neighborhood Improvement Association Support (\$50,000 *public service subprogram*):

Low/Mod-Income area neighborhood organizations will use these funds for office materials and support, miscellaneous printing, the preparation and distribution of meeting notices, costs associated with record keeping or any other public service activity allowed under federal regulation.

Anti-Blight Activities/Nuisance Prevention (\$65,853 *public service subprogram*):

These funds are earmarked for Anti-Blight programs. Anti-Blight programs are: Low/Mod Income area neighborhood clean-up dumpster program; Kansas Department of Corrections public infrastructure clean-up program; and the Topeka Tool Library program. The Tool Library will rent tools to residents of Low/Mod-Income area neighborhoods and are available to all Low/Mod income households in Topeka. KDOC supervisor and women prisoners shall be provided access to the HND Neighborhood Action Team, trailer, and tools for Low/Mod Income neighborhood clean-up activities. The crews will clean rights-of-way, curbs and gutters, sidewalks, trim trees, brush, weeds and grass in LMI areas. Dumpsters are provided to Low/Mod Income area organizations for area-wide anti-blight citizen clean-up activities.

Social and Youth Services (\$181,360 and \$280,029-City GF *public service subprogram*):

Grants are made to social and youth service provider agencies following a RFP process. These CDBG funds are leveraged with City General funds. These grants are classified as public service expenditures and are counted against the public services cap. The final allocation of funds to individual program is made by the City Council.

Emergency Shelter Grant Activities (\$83,644 *subprogram*):

The Emergency Shelter Grant (ESG) Program serves homeless individuals and families. Funds can only be used only for a limited range of HUD specified activities. Grants are made to provider agencies following a RFP process.

Administration \$496,134

These funds support a broad range of financial management, planning, monitoring and evaluation, and personnel recruitment and management activities. Funding in this category pays staff salaries, rent, utilities, and related costs associated with administering the federal and local dollars used in these programs. Administration costs are limited to 20% of the CDBG entitlement plus program income, 10% of HOME entitlement plus program income and 5% of Emergency Shelter Grant entitlement. \$20,000 of City GF will help support the administration of the Shelter Plus Care Program.

Neighborhood Infrastructure \$1,400,000

If funded, Capital Improvement Program (CIP), Neighborhood Infrastructure funds shall be earmarked primarily for Targeted Redevelopment Areas or Neighborhoods and/or Intensive Care or At Risk Neighborhoods as defined by the 2003 Neighborhood Health Map and identified in this Consolidated Action Plan.

TOTAL USES OF FUNDS AMOUNT \$4,850,827

Consolidated Action Plan 2009 [*] = Targeted Program Funds							
Description	CDBG	HOME	ESG	CIP/GF	SUBTOTAL	TOTALS	%
HOUSING DEVELOPMENT							
In-Fill Housing Development (*)	\$5,000	\$5,000			\$10,000	\$2,039,807	42%
Existing Housing Rehabilitation							0%
Major Rehabilitation (*)	\$100,000	\$337,000		\$50,000	\$487,000		10%
Exterior Rehabilitation (*)	\$156,000			\$50,000	\$206,000		4%
Emergency Rehabilitation	\$250,000			\$17,000	\$267,000		5%
Accessibility Modifications	\$30,000				\$30,000		0%
Voluntary Demolition (*)	\$15,000				\$15,000		0%
Homeownership							
Homeownership -TOTO -(50%*)	\$40,000	\$195,418		\$50,000	\$285,418		6%
Homeownership Counseling (50%*)	\$55,000			\$33,000	\$88,000		2%
CHDO Set Aside					-		
Housing Rehabilitation	\$30,000	\$101,500			\$131,500		2%
Operating Subsidy		\$33,500			\$33,500		1%
Tenant Base Rental Assistance		\$10,000			\$10,000		0%
Rehabilitation Program Delivery (60%*)	\$476,389				\$476,389		10%
ECONOMIC DEVELOPMENT						\$5,000	0%
Micro Business Development	\$5,000				\$5,000		1%
COMMUNITY DEVELOPMENT						\$249,000	5%
Empowerment - Public Facility Grants	\$150,000				\$150,000		3%
KDOC Affordable Housing (*)	\$99,000				\$99,000		2%
NEIGHBORHOOD SERVICES						\$660,886	14%
NIA Support	\$50,000				\$50,000		1%
Anti-Blight Activities (50%*)	\$61,750				\$61,750		1%
Tool Library	\$4,103				\$4,103		0%
Youth & Social Services	\$181,360			\$280,029	\$461,389		10%
Emergency Shelter Grants			\$83,644		\$83,644		2%
ADMINISTRATION							
CIP Neighborhood Infrastructure [*]	\$396,284	\$75,500	\$4,350	\$20,000	\$496,134	\$496,134	10%
				\$1,400,000	\$1,400,000	\$1,400,000	29%
					-		
TOTALS	\$2,104,886	\$757,918	\$87,994	\$1,900,029	\$4,850,827	\$4,850,827	100%
Sources of Funds							
Regular Programs (subject to Appropriations)	1,921,423	677,918	87,994	1,900,029	4,587,364		95%
Program Income	60,000	80,000			140,000		3%
Reprogrammed Funds - Prior Year	123,463				123,463		3%
TOTAL	\$2,104,886	\$757,918	\$87,994	\$1,900,029	\$4,850,827	\$4,850,827	100%
Targeted Program Funds						\$2,697,000	56%
Non-targeted Program Funds						\$2,153,827	44%
Note: 1.) City Y&SS funds based on 2007 allocation. 2.) CIP \$20,000 Administration of Shelter Plus Care Program							

2009 CONSOLIDATED ACTION PLAN

COMMITTEE FUNDING RECOMMENDATIONS

EMPOWERMENT

YOUTH & SOCIAL SERVICES

EMERGENCY SHELTER GRANT

Prepared by: Housing & Neighborhood Development
July 2008

2009

EMPOWERMENT RECOMMENDATIONS

Prepared by: Housing & Neighborhood Development
July 2008

2009 Empowerment Grant Committee Recommendations

Agency	Project	Score	2009 Request	2009 Recom	Available Funds	City Council 2009 Approved
					\$150,000.00	

Central Highland Park NIA	Sidewalk - 23/Massachusetts north to 22/Pennsylvania north to 21/Pennsylvania	52.67%	\$32,500.00	\$32,500.00	\$117,500.00	
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Chesney Park NIA	Signage for Wall Mural	74.33%	\$20,000.00	\$20,000.00	\$97,500.00	
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Chesney Park NIA	10 Recycling Bins	0.00%	\$420.00	\$0.00	\$97,500.00	
NOTE: This project was not recommended for funding. Although the selection committee was supportive of recycling efforts, they felt this was not a permanent public improvement or long term investment. Staff will provide NIA with an alternative concept. .						

North Topeka West NIA	Curb, gutter, sewer drainage	58.33%	\$76,166.00	\$76,166.00	\$21,334.00	
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North Topeka West NIA	Trash receptacle to be placed at NW Lyman bus shelter	0.00%	\$1,500.00	\$0.00	\$21,334.00	
NOTE: This project was not recommended for funding due to the fact that trash receptacles cannot be placed within the ROW. The Topeka Transit Authority shall not be responsible for maintenance or provide trash service. Staff will provide the NIA with an alternative concept.						

Tennessee Town NIA	Landscape 12/Huntoon Corridor	0.00%	\$7,780.00	\$0.00	\$21,334.00	
NOTE: This project was not recommended for funding due to applicant did not consult with the City of Topeka Public Works for ROW requirements or obtain an approved list of trees/plants from Forestry. There were no letters of support from the property owners whom would ultimately be responsible to maintain the landscaping areas. The selection committee was unsure what plan the applicant wanted to create and that the applicant complete additional research. .						

TOTAL **\$138,366.00** **\$128,666.00**

Summary

Total Applications	6
Total Applications Funded	3
Total Eligible Requests	4
Funds Requested	\$138,366.00
Recommended Funding	\$128,666.00
* Contingency	\$21,334.00
Total Funds Available	\$150,000.00

* Due to an expected increase in petroleum cost, an approximate one (1) year period before projects would commence and Davis-Bacon wages rates for construction labor, we believe bids may come in higher than originally quoted. Therefore, a recommended contingency fund should be set aside for such costs.

Organization Name _____ Scored by _____

PART 6: REVIEW COMMITTEE CRITERIA

	Subtotal	Total
	Points	Points
Issues and Outcomes		30
Project impact:		
Project involves a matter of urgent need.	10	
Project involves multiple impacts.	10	
Project involves the completion of an ongoing effort.	10	
Neighborhood Ratings (Location of project)		36
Intensive Care Neighborhood project (Note: Only one health rating qualifies.)	20	
At-Risk Neighborhood project	Or 10	
Out-Patient Neighborhood project	Or 5	
Healthy Neighborhood project		
Neighborhood is not or has not been designated as a Target Area for the SORT Concept	10	
Consistent with Neighborhood Plan or other existing plan recognized by HND	6	
Capacity		10
Operational Capacity:		
Organization has a mechanism for resident input. The project has been conceptualized and presented to the entire area to be impacted (i.e. minutes of an affirmative vote along with the attendance sheet, other meetings, surveys, etc.)	5	
Funding history of the organization:		
No funding from this source in the last three years.	5	
Collaboration and Partnership		9
Collaboration with government organizations.	3	
Collaboration with private organization/Residents	3	
Collaboration with non-profit organizations	3	
Leverage		15
Organization shows evidence that financial resources have been solicited other than requested funds are committed to the project. (Success add 10 points) (Efforts add 5 points)	15	
Grand Total (Maximum Possible Points)		100

Committee may request a presentation from the applicant.

TOTAL SCORE _____

2009 Neighborhood Empowerment Grant Process

Review Team members were identified by Roseanna Haugen, Randy Speaker and Kevin Rooney and were approved by City Manager, Norton Bonaparte.

A Review Team was configured to include persons with knowledge of infrastructure needs for neighborhoods and based public facility projects. Further consideration was given to assure racial and ethnic diversity, and the utilization of persons who did not constitute any conflict of interest.

Neighborhood Organization Representatives:

Don Perkins	Central Park NIA
LJ Polly	Elmhurst NA
Vanessa Lamoreaux	Historic Holliday Park NIA
Cheryl Hennessee	Oakland NIA

City Staff

Cylus Scarbrough	Planning
Bill Riphahn	Parks & Recreation
Scott Alisoglu	TSG

Timetable

April 11, 2008	Empowerment applications available at HND
June 16, 2008	Applications due at 5:00 p.m. in HND office
June 26, 2008	Committee members met to review rankings. Roseanna Haugen, Lisa Lester and Kevin Rooney were present as HND support staff.

The committee members had all of the proposals with applications to review before the meeting. The committee members followed the application form titled "Review Committee Criteria" (attached). Each member scored each proposal.

1. Central Highland Park NIA – Sidewalks
2. Chesney Park NIA – Signage for Mural
3. Chesney Park NIA – Recycling Bins
4. North Topeka West NIA – Curbs & Gutters
5. North Topeka West NIA – Trash receptacle to be placed at bus shelter
6. Tennessee Town NIA – Landscape 12th & Huntoon Corridor

2009

YOUTH & SOCIAL SERVICE

Prepared by: Housing & Neighborhood Development
July 2008

City of Topeka

Department of Housing & Neighborhood Development

The Process for FY 2009

The 2009 Request for Proposal and application for the FY2009 Youth and Social Service grants were released Monday, April 14th, 2008. Applications were due Tuesday, May 27, 2008.

A review team was configured to include persons with knowledge of social services and needs and representatives of funding partners familiar with the agencies and programs being reviewed, further consideration was given to assure racial and ethnic diversity, and utilizing persons who did not constitute any conflicts of interest.

Youth and Social Services Review Team 2008

Latoya Burnett-Martinez, Parks & Rec. of Topeka, Central Park Ctr.

Andrew Fields, Citizen Volunteer

Larry Hinton, United Way of Greater Topeka

Nancy Johnson, Community Resources Council

Blanche Parks – Community Volunteer

Melissa E. Thompson – Topeka Community Foundation

HND Support – Rachelle Vega-Retana

The review committee has held several meetings. The committee discussions include the number of applications received and the amount of funding requested compared to the previous year. Also reviewed was the proposed 2009 city managers budget. The budget shows funding for Youth and Social Service (YSS) - CDBG \$181,360 and YSS - City General Funds in the amount of \$167,000.

Funding for senior services has been eliminated from the proposed budget. The committee talked about the possibility of eliminating YSS funding for senior services as a funding priority, **if** Shawnee County is willing to increase funding through its Service Program for the Elderly to offset this change.

Committee members reviewed each application individually and scored each application. The committee is in the process of discussing the scoring and interviewing agencies for clarification of the information listed in the applications. Once all questions have been answered the committee will reconvene to make a final recommendation for funding to be forwarded to the city council for the final approval.

July 23, 2008

To: Norton Bonaparte, City Manager and
Topeka City Council
Randy Speaker, Deputy City Manager and Housing and Neighborhood
Development

From: City Youth and Social Services Review Team
Larry Hinton, United Way
Blanche Parks, Community Volunteer
Latoya Burnett-Martinez, City of Topeka Parks & Recreation
Andrew Fields, Community Volunteer
Melissa Thompson, Topeka Community Foundation
Nancy Johnson, Community Resources Council
Rachelle Vega-Retana, HND-technical assistance

The Youth and Social Services Review Committee recommends that each currently funded program receive the same amount of its 2008 approved amount. This decision was based on Shawnee County funding senior services and agencies. With these removed there was an additional \$3,641.00 in General Funds and \$6,772.00 in CDBG funds which was evenly distributed among the agencies.

In view of the fact that City funds committed to Youth and Social Services have trended downward since 2002, the committee could not, in good conscience, recommend that any new applicants/programs be funded at this time.

2009

EMERGENCY SHELTER GRANT

Prepared by: Housing & Neighborhood Development
July 2008

2009 Funding Process

1. Request for Proposals announced – Friday, May 30, 2008
2. Application packet available – Friday, May 30, 2008
3. Applications due back to HND – Monday, July 7, 2008
4. Staff will prepare a spreadsheet of funding requests and the available funds by categories with HUD maximum percentage of funding for each eligible category, based on the 2009-estimated Emergency Shelter Grant Program.
 - Emergency Shelter Rehabilitation – 10%
 - Emergency Shelter Operation/Maintenance
 - Homeless Persons Essential Services – 30%
 - Non-homeless Persons Homeless Prevention – 30%
 - Grant Administration – 5%
5. Staff will review each application for eligible activities.
6. The Emergency Shelter - Rehabilitation, Homeless Prevention, Operation/Maintenance, and Essential Service categories will be divided by a ratio method, based on HUD's caps for each category for the amount requested and available funds. Taken into consideration will be previous requests for extensions and past grant administration of the agencies.

See attached spreadsheet on applications received and recommendations made.

2009 FY CESC Funding Requests

Organization	Rehab	Operations	Essential Services	Homeless Prevention	Total
Breakthrough House, Inc. Requested	\$0.00	\$0.00	\$6,000.00	\$4,170.00	\$10,170.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
Community Action, Inc. Requested	\$0.00	\$0.00	\$6,500.00	\$5,217.00	\$11,717.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
Cornerstone of Topeka Inc. Requested	\$0.00	\$36,000.00	\$1,250.00	\$0.00	\$37,250.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
Doorstep, Inc. Requested	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
Kansas Legal Services Requested	\$0.00	\$0.00	\$10,000.00	\$5,000.00	\$15,000.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
The Salvation Army Requested			\$16,000.00	\$16,000.00	\$32,000.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
YWCA Battered Women Task Force Requested	\$2,000.00	\$10,000.00	\$1,000.00	\$0.00	\$13,000.00
Recommendation					\$0.00
HUD RECOMMENDATION					\$0.00
Total Request by Activity	\$2,000.00	\$46,000.00	\$40,750.00	\$40,387.00	\$129,137.00
Total Recommendation by Activity					
HUD RECOMMENDATION					
Administration -					\$0.00
Total Estimated Funding \$88,000					

Essential Services - Provides medication & limited dental services to individuals with SPMI.*
Homeless Prevention - Assists with rent, deposits, utility assistance to individuals with SPMI.*
***SPMI - Severe Persistent Mental Illness**

Essential Services - to fund salaries of staff members who assist individuals & families to obtain permanent housing, employment counseling, and obtain other Federal, State & local resources.
(Mental health, V.A., Social Security and SRS benefits).
Homeless Prevention - to assist with rent & utility deposits, evictions & utility disconnects.

Operations - Costs for transitional housing - insurance, maintenance, phone, staff salaries, & utilities, HMIS.
Essential Services - Needs of children - health services, school supplies & summer program activities.
Needs of adults - mental health counseling, education, transportation & childcare.

Homeless Prevention - To assist single and two-parent families (with children under 8 in the home) with rent and / or deposits.

Essential Services - To provide medical & dental care, transportation for TMAP* students also for salaries of staff members who provide direct supervision of the students.
Homeless Prevention - Housing & utility deposits. rent for clients entering the T-Map program.*
*** T-MAP - Topeka Moving Ahead Program - An employment and life skills program.**

Essential Services - Transportation costs, staff salaries for job skills training, child care for homeless parents, prescription medications and health assessments for children.
Homeless Prevention - to assist with rent & utility deposits (clients are primarily from the mission or BWTF), evictions & utility disconnects.

Rehab. - Replacement of windows.
Operations - For the shelter; utilities, telephone, supplies & maintenance items, minor repairs, internet service and staff salaries.
Essential Services - Provides for prescriptions and medical supplies for those clients residing in the shelter.

YSS 09
Review Committee
Recommendations
as of 7-22-08

<u>AGENCY</u>	<u>Program Name.</u>	<u>08 GF Allocation</u>	<u>08 CDBG Allocation</u>	<u>2008 SUM</u>	<u>Requested 09</u>	<u>GF 09 RECMD</u>	<u>CDBG 09 RECMD</u>	<u>Total Recommended 2009 Funding</u>	<u>DIFF 09 Restd / Recmd</u>
Big Brothers Big Sisters of Topeka	Community Based Mentoring	\$10,000	\$5,810	\$15,810	\$20,000	\$10,331	\$6,426	\$16,757	\$3,243
Boys & Girls Club of Topeka	Count on me Kids	\$14,123		\$14,123	\$14,123	\$14,454	\$0	\$14,454	-\$331
Boys & Girls Club of Topeka	Comp Youth Dev.	\$18,831		\$18,831	\$18,831	\$19,162	\$0	\$19,162	-\$331
Breakthrough House Inc	Client Asst. (911 Aid, Payee)	\$0	\$14,935	\$14,935	\$15,438	\$0	\$15,551	\$15,551	-\$113
Breakthrough House Inc	Freedom House	\$0	\$8,382	\$8,382	\$9,100	\$0	\$8,998	\$8,998	\$102
Breakthrough House Inc	Living Program	\$0	\$26,301	\$26,301	\$28,735	\$0	\$26,917	\$28,917	-\$182
CASA	Child in Need of Care	\$14,123	\$0	\$14,123	\$16,000	\$14,454	\$0	\$14,454	\$1,546
Catholic Charities	Child Care for Parenting Teens	\$6,497	\$0	\$6,497	\$7,500	\$6,828	\$0	\$6,828	\$672
Community Action	Latino Family Development	\$0	\$18,218	\$18,218	\$18,218	\$0	\$18,834	\$18,834	-\$616
Community Action	Project Attention	\$0	\$28,693	\$28,693	\$28,693	\$0	\$29,305	\$29,305	-\$612
Cornestone	Transitional Housing	\$0	\$8,198	\$8,198	\$10,000	\$0	\$8,814	\$8,814	\$1,186
Doorstep, Inc.	Emergency Services	\$0	\$23,592	\$23,592	\$28,000	\$0	\$24,208	\$24,208	\$3,792
East Topeka Council on Aging	Senior Center	\$36,787	\$0	\$36,787	\$41,099	\$0	\$0	\$0	\$41,099
Kansas Legal Services	T-Map	\$0	\$0	\$0	\$15,000	\$0	\$0	\$0	\$15,000
Let's Help	Comp. Emergency Services	\$0	\$21,584	\$21,584	\$25,000	\$0	\$22,200	\$22,200	\$2,800
LULAC	Consolidated Transportation	\$26,000	\$0	\$26,000	\$32,000	\$0	\$0	\$0	\$32,000
Marian Clinic	Medical Services / Clinical Director	\$21,656	\$0	\$21,656	\$25,000	\$21,987	\$0	\$21,987	\$3,013
Meals on Wheels	Home Delivered Meals	\$23,000	\$6,772	\$29,772	\$30,000	\$0	\$0	\$0	\$30,000
Meals on Wheels	Friendship Meals	\$4,000	\$0	\$4,000	\$4,000	\$0	\$0	\$0	\$4,000
Papan's Landing	Services for the Elderly	\$23,883	\$0	\$23,883	\$24,134	\$0	\$0	\$0	\$24,134
TDC Learning Centers, Inc.	Full Day Care	\$6,948	\$11,496	\$18,444	\$22,000	\$7,279	\$12,112	\$19,391	\$2,609
TDC Learning Centers, Inc.	Parent Child Learning Ctr.	\$0	\$7,379	\$7,379	\$8,135	\$0	\$7,995	\$7,995	\$140
Topeka AIDS Project	Case Mngmt / 911 Assist.	\$20,337	\$0	\$20,337	\$21,000	\$20,668	\$0	\$20,668	\$332
Topeka Youth Project	Youth Council/Court	\$4,708	\$0	\$4,708	\$5,000	\$5,039	\$0	\$5,039	-\$39
Topeka Youth Project	Jobs for Young Adults	\$27,305	\$0	\$27,305	\$29,000	\$27,636	\$0	\$27,636	\$1,364
Shawnee Co Family Resource Cen	At Risk Youth	\$0	\$0	\$0	\$32,099	\$0	\$0	\$0	\$32,099
YWCA	Teen Pregnancy Prev.	\$18,831	\$0	\$18,831	\$20,000	\$19,162	\$0	\$19,162	\$838
TOTAL		\$277,029	\$181,360	\$458,389	\$548,105	\$167,000	\$181,360	\$350,360	\$197,745
09 Proposed Budget		\$167,000	\$181,360					\$108,029	
ELDERLY SERVICES REMOVED		\$113,670	\$6,772	\$120,442	\$131,233	\$0	\$0	\$0	\$131,233
NEW APPLICANTS									

With the removal of the Elderly Services there was an extra \$3,641.00 from Genreal Funds which was distributed evenly between the agencies.

With the removal of the Elderly Services there was an extra \$6772.00 from CDBG funds which was distributed evenly between the agencies.



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 4, 2008

 [Back](#)  [Print](#)

DATE: August 19, 2008
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT: 2009 Operating Budget
CATEGORY/SUBCATEGORY: 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN APPROPRIATION ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., approving and adopting the operating budget for the City of Topeka, for the year 2009, and appropriating the amounts for the purpose as set forth therein. First and Final Reading.

(Approval establishes the City of Topeka 2009 Operating Budget.)

POLICY ISSUE:

Adoption of the 2009 Budget.

STAFF RECOMMENDATION:

Pass the ordinance.

BACKGROUND:

This ordinance establishes the City's annual budget for 2009. The ordinance includes by reference the budget certificate and fund summaries that will be submitted to Shawnee County and the State of Kansas pursuant to state law.

BUDGETARY IMPACT:

The appropriation ordinance establishes maximums for expenditures by fund and sets the amount of tax revenue to be levied.

SOURCE OF FUNDING:

Appropriated City Funds.

ATTACHMENTS:

[2009 Operating Budget Ordinance](#)

(Published in the Topeka Metro News _____.)

ORDINANCE NO. _____

AN APPROPRIATION ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., approving and adopting the operating budget for the City of Topeka, for the year 2009, and appropriating the amounts for the purpose as set forth therein.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. *Budget incorporated by reference as a part of this Ordinance.* The operating budget for the City of Topeka, Kansas, for the year 2009 as set forth in a _____ page document in the format prescribed by the Director of Accounts and Reports of the Kansas Department of Administration, as required by law, which has been published in a summary format together with a notice of public hearing, is hereby incorporated by reference as a part of this Ordinance with the same force and effect as if it were set forth herein in its entirety.

Section 2. *Budget approved and adopted.* The operating budget as described and incorporated by reference in Section 1 above is hereby approved and adopted as the operating budget for the year 2009.

Section 3. *Funds appropriated by budget.* The budget as approved and adopted herein shall constitute and shall be declared to be appropriations for the funds and departments as set forth therein, and the appropriations thus made shall not be used for any other purpose. No money in any fund or fund type shall be used to pay for any indebtedness created in excess of the amount appropriated for such fund or fund type, or for the departments of such fund or fund type as referred to in the operating budget. The appropriations made herein are for the year 2009 and no expenditures shall be incurred as being authorized by such appropriations prior to January 1, 2009 or subsequent to

December 31, 2009.

Section 4. *Budget amendments.* Any amendment to the operating budget must be approved by the City Council and enacted in accordance with the provisions of K.S.A. § 79-2929a.

Section 5. *As used in this ordinance "fund" is defined as follows:*

Fund. A fiscal and accounting entity with a self balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.

Section 6. *The following fund types are authorized:*

Governmental (or statutory) Fund Type: including General Fund, Special Revenue Funds, Debt Service Funds, and Capital Projects Funds; Proprietary Fund Type: including Enterprise Funds and Internal Service Funds (fixed or flexible); and, Fiduciary Fund Type: including Trust and Agency Funds. This Ordinance applies to all funds as listed on the budget certificate and fund summary adopted and submitted to the county and state.

Section 7. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council_____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 6, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Jim Langford
SECOND PARTY/SUBJECT: Attesting to increase in taxes levied for budget year 2009
CATEGORY/SUBCATEGORY: 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: 08/12/08 First Reading
DOCUMENT #:
PROJECT #:
JOURNAL #: 08
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., attesting to the increase in taxes levied for budget year 2009 necessary to finance public services for the City of Topeka. Final Reading.

(K.S.A 79-2925b requires taxing subdivisions to pass a special ordinance recognizing an increase in property tax dollars to fund the 2009 budget.)

POLICY ISSUE:

Complying with Kansas law regarding passing an ordinance recognizing an increase in property tax dollars to fund 2009 budget.

STAFF RECOMMENDATION:

Pass the ordinance if the amount of property tax levy to fund the 2009 budget exceeds the 2008 tax levy, according to Kansas law. The maximum property tax revenue that can be levied, including debt service, without passage of an ordinance is \$33,766,545.

BACKGROUND:

K.S.A 79-2925b requires taxing subdivisions to pass a special ordinance if a budget is approved that is financed by property tax revenues greater than used to finance the prior year budget. The statute provides for certain exceptions, which have been taken into account. The amount of property tax required to fund the 2009 budget as published in the Friday, July 18, 2008 edition of the Topeka Metro News exceeds the amount of property tax revenue used to finance the 2008 budget.

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

Not applicable.

Item #30

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News_____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., attesting to the increase in taxes levied for budget year 2009 necessary to finance public services for the City of Topeka.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. In accordance with state law, the City of Topeka has scheduled a public hearing and has published the budget summary to fund City services from January 1, 2009 to December 31, 2009.

Section 2. After careful public deliberations, it is hereby attested that in order to maintain the public services, which are essential for the citizens of this city, it will be necessary to utilize property tax revenues in an amount which exceed the revenues budgeted in the year 2008.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council_____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 5, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: JIM LANGFORD/KEJ **DOCUMENT #:**
SECOND PARTY/SUBJECT: WEEKLY EXPENDITURES **PROJECT #:**
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of July 28, 2008, through August 3, 2008, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approves expenditures for the period July 27, 2008, through August 3, 2008, in the amount of \$6,157,142.16.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

[Weekly Expenditures](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte Jr., allowing and approving City expenditures for the period of July 28, 2008, through August 3, 2008, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

<u>Section 3.</u>	Total for 598 vendor checks written in this period	\$2,560,305.49
	Total vendor checks voided in this period (net)	(000.00)
	Total electronic transfers to vendors in this period	884,662.71
	Total net payroll to employees this period	1,689,803.37
	Total payroll related electronic transfers this period	<u>1,022,370.59</u>
	Total for expenditures in this period	<u>\$6,157,142.16</u>

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Celeste Benton **DOCUMENT #:**
SECOND PARTY/SUBJECT: Topeka/Shawnee County **PROJECT #:**
Riverfront Authority
Board
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Doug Kinsinger to the Topeka/Shawnee County Riverfront Authority Board for a term that would expire on August 31, 2011.

POLICY ISSUE:

The board shall have the authority to acquire by purchase, lease, gift or otherwise all or any part of real property, property, rights in property, for the purpose of planning, development and creation of a riverfront within the metropolitan area. According to the authority, metropolitan area is defined as being within the corporate limits of the city of Topeka, Kansas.

STAFF RECOMMENDATION:

The Mayor is recommending the re-appointment of Doug Kinsinger to the Topeka/Shawnee County Riverfront Authority Board for a three year term that will end August 31, 2011. This is a statutory board wherein the Mayor nominates and Council approves. There is no official attendance policy, however, Mr. Kinsinger has attended all the meetings. Per the Kansas statute for this board, Mr. Kinsinger is a resident of Kansas and he is not an elected official.

BACKGROUND:

KSA 12-5601 through 12-5619 established the Topeka/Shawnee County Riverfront Authority Board. The purpose of the board is to promote the general welfare and encourage private capital investment by fostering the creation of recreational, retail, entertainment, economic development and housing within the river district. Members shall be residents of the state of Kansas. No member shall be an elected official.

From and after July 2, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or the position.

Item #32

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

August 5, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Norton N. Bonaparte, Jr. **DOCUMENT #:**
SECOND PARTY/SUBJECT: Board Appointments **PROJECT #:**
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 159 Charter
CIP PROJECT: No
ACTION OF COUNCIL: Approve Charter Ordinance **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A CHARTER ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., exempting the City of Topeka from the provisions of 2008 House Bill 2217, specifically Section 4, in accordance with the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, and providing for the method of appointment of members to statutory and non-statutory boards and amending Section 24 of Charter Ordinance No. 94, codified at Section A2-72 of the Code of the City of Topeka, and repealing said original section. First Reading.

(Currently, the City Council is required to make a finding by passage of a resolution that a person appointed by the Mayor to a board or commission is not fit to hold the office of position. Approval of the Charter Ordinance would allow the City of Topeka to be exempt from the nonuniform State requirement.)

POLICY ISSUE:

Due to a recent change in state law, the City Council is now required by make a finding by passage of a resolution tht a person appointed by the Mayor to a board or commission is not fit to hold the office of positoin. The adoption of this Charter Ordinance would allow the City of Topeka to be exempt the requirement.

STAFF RECOMMENDATION:

Adopt the Charter Ordinance.

BACKGROUND:

BUDGETARY IMPACT:

None

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

Item #33

(Published in the Topeka Metro News _____ and _____)

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., exempting the City of Topeka from the provisions of 2008 House Bill 2217, specifically § 4, in accordance with the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, and providing for the method of appointment of members to statutory and non-statutory boards and amending § 24 of Charter Ordinance No. 94, codified at § A2-72 of the Code of the City of Topeka, and repealing said original section.

WHEREAS, pursuant to Article 12, Section 5 of the Kansas Constitution, hereinafter referred to as the "Constitution," cities of the State of Kansas, hereinafter referred to as the "State," may by charter ordinance elect, in the manner prescribed in the Constitution, that the whole or any part of any enactment of the State legislature applying to such city, other than enactments of statewide concern applicable uniformly to all cities; other enactments applicable uniformly to all cities; and enactments prescribing limits of indebtedness, shall not apply to such city; and

WHEREAS, pursuant to the Constitution, no charter ordinance shall take effect until sixty (60) days after its final publication; provided, however, if within sixty (60) days of its final publication a petition signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular city election shall be filed in the office of the clerk of such city demanding that such ordinance be submitted to a vote of the electors, such charter ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon; and

WHEREAS, 2008 House Bill 2217, hereinafter referred to as the "Act," is an enactment of the State legislature which is applicable to the City of Topeka, Kansas,

hereinafter referred to as the "City," but not uniformly applicable to all cities of the same class; and

WHEREAS, the Act is not an enactment of the legislature of statewide concern applicable uniformly to all cities; to other enactments of the legislature applicable uniformly to all cities; to enactments of the legislature applicable uniformly to all cities of the same class limiting or prohibiting the levying of any tax, excise, fee, charge, or other exaction; or to enactments of the legislature prescribing limits of indebtedness.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. **Statute made inapplicable.**

The City of Topeka, Kansas, by the power vested in it by article 12, section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of § 4 of 2008 House Bill 2217. Such referenced provisions are either enactments or a part thereof which are applicable to this city but are not applicable uniformly to all cities.

Section 2. That § 24 of Charter Ordinance No. 94, codified at § A2-72, Boards and commissions, of the Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Boards and commissions.

The Council may create by ordinary ordinance such operational, advisory, appellate, or rule-making boards and commissions as may be required for the proper operation of any function or agency of the city and prescribe their function, duties, powers, jurisdiction, and the number of board and commission members, their terms, compensation, and reimbursement for expenses, if any, subject to the provisions of this article. The method of appointment of membership for boards and commissions shall be

56 established by the City Council by ordinary ordinance unless otherwise provided by
57 law.~~The Mayor shall solicit nominations from the Council for filling such positions and~~
58 ~~shall notify Councilmembers of vacancies on such existing bodies prior to the expiration~~
59 ~~of the appointed terms. Members of boards and commissions shall be appointed by the~~
60 ~~Mayor from the list of nominees submitted by the Council and shall be subject to~~
61 ~~confirmation by the affirmative vote of five (5) members of the Council and may be~~
62 ~~removed for cause, after hearing, by the affirmative vote of at least five (5) members of~~
63 ~~the Council. Vacancies shall be filled for any unexpired term in the same manner as the~~
64 ~~original appointments were made.~~

65 Section 3. That original § 24 of Charter Ordinance No. 94, codified at § A2-72 of
66 the Code of the City of Topeka, Kansas, is hereby specifically repealed.

67 Section 4. This Charter Ordinance shall be published once each week for two
68 (2) consecutive weeks in the official city newspaper.

69 Section 5. This Charter Ordinance shall take effect sixty-one (61) days after
70 final publication unless a sufficient petition for a referendum is filed and referendum held
71 on this Charter Ordinance as provided in article 12, section 5, subdivision (c)(3), of the
72 Kansas Constitution, in which case this Charter Ordinance shall become effective if
73 approved by a majority of the electors voting therein.

74 Section 6. Upon the effective date of this Charter Ordinance, this Charter
75 Ordinance shall be recorded by the City Clerk in a book maintained for such purposes
76 with a statement of the manner of adoption and certified copy shall be filed with the
77 Secretary of State of the State of Kansas.

80 PASSED and APPROVED by the City Council_____.

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CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

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89 ATTEST:

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94 _____
Brenda Younger, City Clerk

STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. ____ was passed on the ____ day of _____, 2008, as shown by the minutes, Book ____ Page ____, by a vote of ____ for and ____ against, being not less than 2/3 of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the ____ day of _____, 2008, and on the ____ day of _____, 2008, being once each week for two consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty days after the final publication, said charter ordinance took effect on the ____ day of _____, 2008.

Brenda Younger, City Clerk

CERTIFICATE

CITY OF TOPEKA)
COUNTY OF SHAWNEE) ss:
STATE OF KANSAS)

I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of Kansas do hereby certify that the above and foregoing, consisting of 4 typewritten pages, including the page upon which this Certificate is written, is a full true and correct copy of Charter Ordinance No. ____ of the said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the ____ day of _____, 2008.

Brenda Younger, City Clerk

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner amending Section 1 of Ordinance No. 18841 concerning the establishment of annual goals and objectives for the City Manager and the establishment of a procedure for the evaluation of the performance of the City Manager.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. City Manager – Goal and Objectives; Review and Evaluation

(a) The City Council shall establish annual goals and objectives for the City Manager on or before May 1 of each year. To assist the City Council with this responsibility, the City Manager shall provide the City Council with proposed goals and objectives prior to April 15 of each year.

(b) ~~In order to establish and maintain effective City Council and City Manager relations, it is essential that the Council establish an ongoing evaluation process that offers an opportunity for each party to review the performance of the City Manager. This review shall occur quarterly and shall focus on the City Manager's progress in meeting the goals and objectives established by the City Council.~~
The City Council shall provide the City Manager with a written annual evaluation prior to March 31 of each year.

Section 2. Section 1 of City of Topeka Ordinance No. 18841 is hereby repealed.

PASSED AND APPROVED by the City Council _____

William W. Bunten, Mayor

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 21, 2008

+ Back Print

DATE: August 19, 2008

CONTACT PERSON: Deputy Mayor Jeff Preisner **DOCUMENT #:**

SECOND PARTY/SUBJECT: Designation of Deputy City Manager Randy Speaker **PROJECT #:**

CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, designating Deputy City Manager Randy Speaker to exercise the powers and duties of the City Manager in the absence or inability of the City Manager and authorizing him to execute contracts on behalf of the City pursuant to Charter Ordinance No. 94, codified at Section A2-52 and Section A2-55 of the Code of the City of Topeka. First Reading.

(Per City Charter, the City Council shall designate a qualified employee to act during any temporary absence or disability of the City Manager.)

POLICY ISSUE:

Whether or not the Council shall designate Deputy City Manager Randy Speaker to act as City Manager if the need arises and authorize him to execute contracts.

STAFF RECOMMENDATION:

BACKGROUND:

City Code provides for officers or employees of the City other than the City Manager to execute contracts on behalf of the City when specifically authorized by ordinance. It is in the best interest of the City to designate an Acting City Manager and authorize that individual to execute contracts before the need arises. This ordinance authorizes Deputy City Manager Randy Speaker to execute contracts when the City Manager is unable to do so.

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

N/A

Item #35

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Deputy Mayor Jeff Preisner, designating the Deputy City Manager Randy Speaker to exercise the powers and duties of the City Manager in the absence or inability of the City Manager and authorizing him to execute contracts on behalf of the City pursuant to Charter Ordinance No. 94, codified at § A2-52 and § A2-55 of the Code of the City of Topeka.

WHEREAS, Charter Ordinance No. 94, § 19, codified at City of Topeka Code § A2-52, authorizes the City Council to appoint a qualified employee to act during any temporary absence or disability of the City Manager; and

WHEREAS, Charter Ordinance 94, § 22, codified at City of Topeka Code § A2-55(b), provides for officers or employees of the City other than the City Manager to execute contracts on behalf of the City when specifically authorized by ordinance; and

WHEREAS, it is in the best interest of the City to designate an Acting City Manager and authorize that individual to execute contracts before the need arises.

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

Section 1. That Deputy City Manager Randy Speaker is authorized to exercise the powers and perform the duties of City Manager during any temporary absence or disability of the City Manager pursuant to Charter Ordinance No. 94, § 19, as codified at City of Topeka Code § A2-52.

Section 2. That Deputy City Manager Randy Speaker is authorized to execute contracts when the City Manager is unable to do so pursuant to Charter Ordinance No. 94, § 22, as codified at City of Topeka Code § A2-55 and City of Topeka Code § 2-387.

29 Section 3. This ordinance shall take effect and be in force from and after its
30 passage, approval and publication in the official City newspaper.

31 PASSED AND APPROVED by the City Council _____.

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33 CITY OF TOPEKA, KANSAS
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38 William W. Bunten, Mayor
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40 ATTEST:

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45 Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 3, 2008

+ Back Print

DATE: August 19, 2008
CONTACT PERSON: Jeff Hunt **DOCUMENT #:**
SECOND PARTY/SUBJECT: College Hill Parking Lot **PROJECT #:** T-861000-00 (HTE 862590)
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 004 Public Improvements
CIP PROJECT: Yes
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-861000.00 (HTE862590), which provides for an additional public parking lot benefiting the College Hill Redevelopment District, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka. **First Reading.** (Council District No. 6)

(Authorizing \$397,057 to provide for the construction of a public parking lot of 50 additional parking spaces to benefit the College Hill Redevelopment District at SW 16th and Lane Street.)

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

Adopt the Project Budget.
Approve the Ordinance as presented.

BACKGROUND:

This project is listed in the 2007 Capital Improvement Program. It will provide 50 additional parking spaces to serve the College Hill Redevelopment area. The project will include asphalt pavement, concrete curb and gutter, sidewalk, storm drainage facilities, engineering, and all other appurtenances needed to complete the project.

BUDGETARY IMPACT:

Project Budget: \$397,075.00

2007 CIP amount: \$291,000.00

Developer: \$106,075.00

SOURCE OF FUNDING:

General Obligation Bonds: \$291,000.00
Washburn-Lane Parkway Renovation, LLC: \$106,075.00

Item #36

Annual debt service on the bonds is estimated at \$23,848 for 20 years, totaling \$476,963.

ATTACHMENTS:

[Project Budget](#)

[Debt Service](#)

[Vicinity Map](#)

[Ordinance](#)

PROJECT BUDGET

Project No. T 861000-00

Additional Parking Lot for the College Hill Development

LOCATION:

The parking lot will be located at the property address of 1325 SW 16th Street, generally located at SW 16th and Lane Street.

INSERT MAP

DESCRIPTION OF PROJECT:

This project will provide 50 additional parking spaces to serve the College Hill redevelopment area. The project will include asphalt pavement, concrete curb and gutter, sidewalk, storm drainage facilities, engineering, and all other appurtenances needed to complete the project.

SOURCE OF FUNDS:

This project will be paid from City of Topeka General Obligation Bonds.

The other Funding Source will be provided by the College Hill Developers as stated in the Developer agreement.

COST ESTIMATE:

	City of Topeka	Other Funding Source	Total
Construction:	\$260,400.00	\$35,000.00	\$295,400.00
Design:	\$0.00	\$14,350.00	\$14,350.00
Construction Service Fees:		\$0.00	\$0.00
<i>Construction Staking (5%)</i>	\$0.00	\$8,000.00	\$8,000.00
<i>Construction Inspection (8%)</i>	\$5,600.00	\$3,059.00	\$8,659.00
<i>City of Topeka Admin. (2%)</i>	\$0.00	\$4,800.00	\$4,800.00
<i>Capital Planning Fund Reim.</i>	\$0.00	\$0.00	\$0.00
<i>Geotechnical Report</i>	\$0.00	\$0.00	\$0.00
Right-of Way Acquisition:	\$0.00	\$0.00	\$0.00
Property Acquisition	\$0.00	\$40,866.00	\$40,866.00
Contingency Amount:	\$5,000.00	\$0.00	\$5,000.00
Temporary Notes:	\$20,000.00	\$0.00	\$20,000.00
Total:	\$291,000.00	\$106,075.00	\$397,075.00

PUBLIC HEARING:

PROJECT AUTHORITY:

- a. Statutes: _____
- b. Capital Budget Year.: _____
- c. Improvement District: _____
- d. City at Large: _____
- e. Method of Assessment: _____

PROJECT ENGINEER:

Jeff Hunt

GO Bond Cost of Project

PROJECT:

Interest rate	5.25%
Number of Years	20

Cost of Issuance	2.00%
Temp Note interest	5.000%

Principal	\$271,963
Plus Temp Note Interest	\$13,598
Plus Cost of Issuance	<u>\$5,439</u>
Total Project Budget	\$291,000

Annual Debt Service	\$23,848
Annual Debt Service as Percent of Total	8.2%

Total Debt Service (principal and interest)	\$476,963
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Difference Project Cost and Total Debt Service	\$205,000
--	-----------

GO Bonded Indebtedness as of December 2007	\$153,840,000
Heartland Park STAR Bonds	\$10,405,000
College Hill TIF	\$5,840,000
2007 Temporary Notes that Finance Future GO Bond projects	\$9,200,000
Approved, not Included in GO Bond Issue or Temporary Notes--City Projects	\$5,574,317
Approved, not Included in GO Bond Issue or Temporary Notes--Special Assessment Projects	<u>1,713,038</u>
Total Indebtedness	<u><u>\$186,572,355</u></u>
Plus Project	\$186,863,355

PROJECT NO. T 861000-00



(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. T-861000.00 (862590), which provides for an additional public parking lot benefiting the College Hill Redevelopment District, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That it is hereby deemed advisable and necessary and is also hereby authorized, pursuant to Section A12-1 of the Code of the City of Topeka that the following public improvement be made:

A. GENERAL NATURE OF IMPROVEMENT:

This project will construct a public parking lot which will provide 50 additional parking spaces to benefit the College Hill Redevelopment District. The project will include asphalt pavement, concrete curb and gutter, sidewalk, storm drainage facilities, engineering, and all other appurtenances needed to complete the project.

B. TOTAL PROJECT BUDGET COST:

\$397,075.00

C. SOURCE OF FUNDS:

City of Topeka General Obligation Bonds or any legally available funds	\$291,000.00
Washburn-Lane Parkway Renovations, LLC	<u>\$106,075.00</u>
TOTAL	\$397,075.00

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

40 PASSED and APPROVED by the City Council_____.

41 CITY OF TOPEKA, KANSAS

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46 William W. Bunten, Mayor

47 ATTEST:

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Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

+ Back Print

DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

+ Back Print

DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

July 22, 2008

+ Back Print

DATE: August 19, 2008

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

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