

MINUTES OF THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Jene Vickrey at 3:30 P.M. on March 21, 2006 in Room 519-S of the Capitol.

All members were present except:

- Representative Harold Lane- excused
- Representative Dale Swenson- excused

Committee staff present:

- Mike Heim, Legislative Research Department
- Martha Dorsey, Legislative Research Department
- Theresa Kiernan, Revisor of Statutes Office
- Maureen Stinson, Committee Secretary

Conferees appearing before the committee:

- Mayor Bill Bunten, City of Topeka
- Whitney Damron
- Neil Dobler, City of Topeka
- Christy Caldwell, Topeka Chamber
- John Dowell, City of Topeka
- Secretary Mike Hayden, Wildlife and Parks

Others attending:

See attached list.

Chairman Vickrey opened the hearing on:

SB 575 **Topeka/Shawnee County river front authority act**

Whitney Damron introduced John Dowell, Assistant City Attorney, City of Topeka. Mr. Dowell testified in support of the bill (Attachment 1). He said the Topeka/Shawnee County River Front Authority Act would provide an opportunity to beautify the Kansas River Front and add economic and recreational value to the downtown Topeka area.

Mayor Bill Bunten, City of Topeka, testified in support of the bill (Attachment 2). He said the River Front Authority would develop a plan for the area that would be submitted to the citizens of the city for either adoption or rejection.

Neil Dobler, Director of Public Works, City of Topeka, testified in support of the bill (Attachment 3). He said they have worked with the Corps of Engineers over the last two years on preliminary studies for the river front and are now concentrating on the area between Kansas Avenue and Topeka Boulevard.

Christy Caldwell, Greater Topeka Chamber of Commerce, testified in support of the bill (Attachment 4). She said the Authority would be charged with developing a master plan for river development that with approval of the citizenry can be the blueprint for Kansas River development in Topeka/Shawnee County.

Chairman Vickrey closed the hearing on **SB 575**.

Rep. Otto made a motion for the favorable passage of SB 575. Rep. Yonally seconded the motion. Motion carried. Rep. Oharah and Rep. F. Miller requested to be recorded as "No" votes.

SB 499 **Re-authorization to certain exceptions to KORA**

Rep. Sawyer made a motion for the favorable passage of SB 499. Rep. Huebert seconded the motion. Motion carried.

SB 379 **Consolidation of municipalities**

CONTINUATION SHEET

MINUTES OF THE House Governmental Organization and Elections Committee at 3:30 P.M. on March 21, 2006 in Room 519-S of the Capitol.

Conferees who had testified at the Thursday, March 16, 2006 meeting returned for questions.

Chairman Vickrey closed the hearing on **SB 379**.

SB 379 **Consolidation of municipalities**

Rep. Yonally made a motion to amend the bill to include the requirement of a dual majority vote. Rep. F. Miller seconded the motion. Motion carried.

Rep. Yonally made a motion to amend the bill to include the language of SB 427 but to remove the requirement of providing compensation for the commission members. He also requested to include the requirement that any expenses related to the study would be born by the two counties. Rep. Huebert seconded the motion. Motion carried nine to five. Rep. Oharah and Rep. Sharp requested to be recorded as "No" votes.

Rep. Sharp made a motion to amend the bill to decrease the proposed members of the commission from nine to eight. Rep. Oharah seconded the motion. Motion carried.

Rep. Holland made a motion to amend the bill to lower the petition requirement from ten percent to five percent. Rep. M. Miller seconded the motion. Motion carried.

Rep. Storm made a motion to amend the bill to require that no more than four commission members are from the same political party. Rep. Sawyer seconded the motion. Motion carried.

Rep. Sawyer made a motion for the favorable passage of **SB 379**. Rep. M. Miller seconded the motion. Motion carried.

HB 2093 **Counties; procedure to change boundaries**

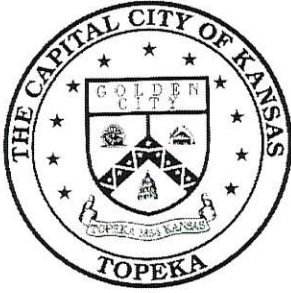
Rep. Sawyer made a motion for the favorable passage of HB 2093. Rep. Goico seconded the motion. Motion carried.

Approval of Minutes

Rep. Goico made a motion to approve the minutes of the March 16, 2006 meeting. Rep. Faust-Goudeau seconded the motion. Motion carried.

Chairman Vickrey adjourned the meeting.

No additional meetings for the 2006 Session are scheduled.




CITY OF TOPEKA

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TESTIMONY AND PROPOSED AMENDMENT

To: Chairman Vickrey, Committee Members
From: John R. Dowell 
Assistant City Attorney
Re: SB 575—Topeka/Shawnee County Riverfront Authority Act
Date: March 20, 2006

Chairman Vickrey and Committee Members:

I am John Dowell, Assistant City Attorney for Topeka. I was tasked with reviewing the ideas of two committees and putting them into the proposed legislation, SB 575.

Mayor James A. McClinton created a Topeka Riverfront Task Force that, on March 31, 2005 reported its ideas for the creation of a Riverfront to utilize the Kansas River to enhance the quality of life and spur economic development around downtown Topeka. A conclusion of that report was for a "riverfront development authority" be created by enabling legislation.

Mayor William Bunten then asked Governor Mike Hayden to lead a committee to take the next step and to create legislation that would encompass the goals of economic development by creation of recreational, retail, entertainment and housing improvements in the area around the Kansas Riverfront.

I have drafted the nucleus of proposed Senate Bill 575 using two templates: An original "Authority" act created by Brenden Long, Topeka City Attorney, and the Metropolitan Transit Authority Act, K.S.A. 12-2801 *et seq.*

A committee of eleven people, Governor Hayden, Councilman John Nave, then City Manager Neil Dobler, Steve Briman, Chuck Karlan, Greg Lee, Susan Mahoney,

Frank Kerr, Christy Caldwell, Carol Benoit, Mark Brandsted, and Mayor William Bunten met to discuss and create the fleshed out version that is now before you.

The Topeka/Shawnee County Riverfront Authority provides an opportunity to beautify the Kansas Riverfront and to add economic and recreational value to the downtown Topeka area. Rather than have a city department or a free standing corporation, the legislated authority was selected. Citizens of Shawnee County and the State of Kansas will benefit from the riverfront; they can participate and contribute to the riverfront authority.

Section Five establishes that during the first three years of its existence, the Authority will engage in planning. This will allow the Army Corps of Engineers, who have been quite involved to date, to complete their study of the riverfront. The members of the authority will be able then to chart the best use of their resources.

The proposed legislation does not permit the Authority to tax nor to acquire real property by eminent domain. Each of these topics were well discussed and the thought of the committee was that economic support would be sufficient without the taxing authority.

The members of the authority would be non-elected officials, chosen equally by the mayor, with approval by the city council and the county commissioners. The members would have staggered terms, allowing a continuity of functioning. The concept is to allow the county and city to work together to improve the economy and quality of life along the Kansas River.

Thank you.

JRD/gl



CITY OF TOPEKA

William W. Bunten, Mayor
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March 20, 2006

Mr. Chairman and Members of the Committee:

My name is Bill Bunten, and I'm the Mayor of the City of Topeka. I'm here today to appear in favor of Senate Bill 575.

This bill was developed as a result of the work of two committees that looked into the development of our Riverfront along the Kansas River. The first committee was established by former Mayor James McClinton, and the second committee was appointed by me. It was chaired by former Governor Mike Hayden, now Secretary of Wildlife and Parks, and it included a group of men and women who were charged with proposing legislation that would create a Riverfront Authority. That authority would develop a plan for the area that would be submitted to the citizens of our city for either adoption or rejection.

A majority of our City Council members support this legislation, as does our City Manager who is here with us today to answer any questions that might arise as he was a member of the committee. We hope that this committee will look favorably on this bill. The Kansas River is an important asset to our community and we hope that it can be developed into a positive asset, both aesthetically and as a recreational facility. I appreciate you taking the time to have a hearing on this legislation that is very important to our city, and I will answer any questions that you have as best as I can.

Bill Bunten
Mayor

House Gov. Org. & Elections
Date: 3-21-2006
Attachment # 2

March 1, 2006

Honorable Jene Vickrey – Chair
Members of the House Governmental Organization/Elections Committee

I am Public Works Director Neil Dobler and I am here today representing the City of Topeka in support of SB 575, which establishes a riverfront authority. I have had the pleasure of working with two Mayors, both as Public Works Director and Acting City Manger, and serving on two committees who looked at the issue of riverfront development in Topeka. Nothing in recent memory has stirred as much interest as this proposal. Over the last several years I have had the opportunity to visit several cities with major riverfront redevelopment, including Oklahoma City, Omaha, and Columbus, Ohio and have seen the benefits of those endeavors.

We have worked with the Corps of Engineers over the last two years on preliminary studies for the riverfront, now concentrating on the area between Kansas Avenue and Topeka Boulevard. This is an exciting project for the capital city and we see a major first step as the creation of a separate riverfront authority, with the ability to seek funding and develop a real plan over the next three years that would be placed in front of the voters of Topeka and Shawnee County for a decision on the future of the project.

We understand that this is a long-term and expensive project, but firmly believe that the benefits to this area will far outweigh the costs and we ask for the support of this committee.

Thank you



Neil Dobler
Director of Public Works
City of Topeka

Testimony: SB 575 regarding a Topeka/Shawnee County Riverfront Authority Act
House Governmental Organization and Elections
March 21, 2006
By: Christy Caldwell, Vice President Government Relations
Greater Topeka Chamber of Commerce

Over the last several years the Greater Topeka Chamber of Commerce has sponsored trips to communities around the Midwest to learn about those communities' best practices. One topic that has come to the forefront on almost all of these trips has been the reclamation of rivers traveling through center cities and what that reclamation has done to enhance their cities' core. Local elected officials and business leaders have listened to leaders from those communities talk of the renaissance of their downtowns as they brought their rivers from similar circumstances as we have with the Kansas River in Topeka, to showplaces where local citizens and visitors congregate, corporations situate headquarters, and entertainment centers thrive. We have viewed those communities progress, drawing comparisons to our own riverfront.

A consultant who works with similar communities interested in riverfront development and who is the director of the River Trust in Oklahoma City met with Topeka/Shawnee County leaders and the public several times over a year and a half timeframe to assist us in determining if our river merits reclamation. The consultant was emphatic that the Kansas River through the capital city held as much promise, or more, than many other communities that had years before begun their river recovery process, which usually takes 15 to 20 years to accomplish.

Armed with that knowledge, former Mayor James McClinton, in the spring of 2005, appointed a taskforce to report to him the possibilities that could be attained by reclaiming the Kansas River in the Topeka/Shawnee County community and what initial steps need to be taken. In that report, the task force recommended the creation of a riverfront authority as an autonomous entity with the sole mission of leading and facilitating Kansas River development in our community. This authority would provide the stability needed in the long-term development process and would advocate the river's reclamation and redevelopment that transcends the natural fluctuations of local governments.

Current Mayor Bill Bunten has continued focusing attention to move forward with riverfront development. Mayor Bunten formed a committee to implement recommendations made in the March riverfront report. This legislation is a direct result of the committee's work to fulfill the Mayor's goal. We learned from our consultant that there are several methods for communities to focus on river development. However the more authority the organization is granted the more it may be able to accomplish. Other communities have similar authorities to oversee river development. In Oklahoma City a river trust was created with similar functions as outlined in this bill; similar also in Tulsa; in Denver existing city departments deal with details such as maintenance and events planning while their river authority provides oversight and control over the standards and policies for operational considerations. Although there is no right or wrong method, we believe a river authority as set out in SB 575 is the method best suited to our needs.

This authority is charged with developing a master plan for river development that with approval of the citizenry can be the blueprint for Kansas River development in Topeka/Shawnee County. Initial studies are underway; early in 2005, the Corps of Engineers provided an initial conceptual plan from community input. A second phase is underway with the Corps looking at the possibilities of temporarily pooling water between the two bridges in the center city and what can be done within the levees to allow public access to the water, without jeopardizing the flood control the levees provide the city; the completion of this report is expected soon.

The Topeka Chamber has been working with our partners: Downtown Topeka, Inc, the North Topeka Business Alliance, North Topeka on the Move, the City of Topeka, Shawnee County, and individual citizens. The chamber and others are ready to move closer to creating an atmosphere of pride and excitement along the river corridor. We think a river authority will help focus efforts and will be instrumental in the development of a master plan that is necessary to bring the riverfront area to the forefront of our community with as much importance as the Kansas River held for a fledging city on the prairie many years ago. We believe creation of a riverfront authority is a step to achieving this goal.

We would appreciate your positive vote for SB 575. Thank you.

House Gov. Org. & Elections
Date: 3-21-2006
Attachment: 4