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ORDINANCE NO. 20300

AN ORDINANCE introduced by City Manager Brent Trout, concerning the reorganization of certain city departments, amending various sections of Topeka Municipal Code Chapters 2.20, 2.25, 3.30, 8.60, 8.65 and 8.80.

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

Section 1. That section 2.20.010, City Clerk position created - Duties, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

City Clerk position created — Duties ~~Executive Department.~~

(a) Created. There is hereby created an Executive Department. The City Manager shall be responsible for supervising and evaluating individuals holding certain positions within the department, as well as its overall operation.

(ab) City Clerk. There is hereby created the position of City Clerk in the City. The City Clerk shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the City Clerk. ~~The City Clerk, who~~ shall be responsible for the overall operation of the ~~City Clerk's~~ office.

(b1) The City Clerk shall attend all meetings of the Governing Body and be responsible for keeping a time record of its proceedings, as well as a record of all official acts and when necessary shall attest them.

(2) The City Clerk shall ~~also~~ be responsible for keeping and preserving the corporate seal of the City and all records, public papers and documents of the City not belonging to any other officer.

(3) The City Clerk shall be authorized to administer oaths; ~~and the~~

(4) eCopies of all papers filed in the Clerk's office, and transcripts from the records of the proceedings of the Governing Body, including ordinances duly certified by the City Clerk under the corporate seal of the City, shall be taken as evidence in all courts of the State without further proof.

Section 2. That section 2.20.020, Administrative and Financial Services Department, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Administrative and Financial Services Department ~~created – City Treasurer~~
appointment.**

(a) Created; Director. There is hereby created a Department of Administrative and Financial Services. The Director of the Department of Administrative and Financial Services shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the Administrative and Financial Services Director. ~~The Administrative and Financial Services Director, who~~ shall be responsible for overall operation of the Department.

All references in this Code to "Finance Director" or "Financial Services Director" shall mean the Director of Administration and Financial Services. All references in this Code to "Finance Department" or "Financial Services Department" shall mean the Department of Administrative and Financial Services.

(b) City Treasurer. The Director of Administrative and Financial Services shall appoint a City Treasurer who shall be responsible for receiving, keeping and safeguarding all public moneys belonging to the City. The City Treasurer shall also be

52 responsible for paying out public moneys belonging to the City only by authorized
53 warrants or warrant checks and bearing the required signatures established by
54 resolution of the Governing Body.

55 Section 3. That section 2.20.030, Fire Department created, of The Code of the
56 City of Topeka, Kansas, is hereby amended to read as follows:

57 **Fire Department-created.**

58 Created; Fire Chief. There is hereby created a Fire Department. The Fire Chief
59 shall be appointed by the City Manager. The City Manager, pursuant to Charter
60 Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for
61 supervising and evaluating the performance of the Fire Chief. The Fire Chief shall be
62 responsible for the overall operation of the Department, ~~including the discipline, good~~
63 ~~order and proper conduct of members of the Fire Department.~~

64 Section 4. That section 2.20.040, Human Resources Department created, of
65 The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

66 **Human Resources Department-created.**

67 Created; Director. There is hereby created a Department of Human Resources.
68 The Director of Human Resources shall be appointed by the City Manager. The City
69 Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-
70 54), shall be responsible for supervising and evaluating the performance of the Human
71 Resources Director. The Human Resources Director shall be responsible for the overall
72 operation of the Department and management of all personnel matters, including labor
73 negotiations ~~and employee benefits.~~

74 Section 5. That section 2.20.050, Information Technology Department

created, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Information Technology Department~~created~~.

Created; Director. There is hereby created a Department of Information Technology. The Director of Information Technology shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the ~~Director of Information Technology~~ Director. ~~The Director of Information Technology, who~~ shall be responsible for the overall operation of the Department.

Section 6. That section 2.20.060, Judicial Department created, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Judicial Department~~created~~.

Created; Municipal Judge. There is hereby created a Judicial Department. The Municipal Judge shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 21 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the Municipal Judge. The Municipal Judge shall be responsible for the efficient administration, and operation ~~and delivery of all~~ Municipal Court and all related court services.

Section 7. That section 2.20.070, Legal Department created – Outside practice prohibited, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Legal Department~~created~~ – ~~Outside practice prohibited~~.

98 (a) Created; City Attorney. There is hereby created a Legal Department. The
99 City Attorney shall be appointed by the City Manager. The City Manager, pursuant to
100 Charter Ordinance No. 94, Section 21 (Appendix A, Section A2-54), shall be
101 responsible for supervising and evaluating the performance of the City Attorney. The
102 City Attorney shall be responsible for the overall operation of the Department.

103 (b) Outside Practice Prohibited. The City Attorney and Assistant City
104 Attorneys shall be prohibited from providing legal representation to any client outside of
105 the scope of the attorney's duties for the City; provided, however, that the City Manager
106 may, with notice to the Governing Body, grant a temporary exception to this prohibition
107 to permit an attorney to conclude and terminate representation of clients that
108 commenced prior to the attorney beginning employment with the City; and provided
109 further, that the attorney can perform such legal services without interfering with the
110 attorney's job duties to the City, without conflict of interest to the City of Topeka, and in
111 accordance with the Kansas Rules of Professional Conduct.

112 Section 8. That section 2.20.080, Neighborhood Relations Department
113 created – Enforcing officer designated, of The Code of the City of Topeka, Kansas, is
114 hereby repealed.

115 ~~Neighborhood Relations Department created – Enforcing officer~~
116 ~~designated.~~

117 ~~(a) There is hereby created a Department of Neighborhood Relations. The~~
118 ~~Director of Neighborhood Relations shall be appointed by the City Manager. The City~~
119 ~~Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-~~
120 ~~54), shall be responsible for supervising and evaluating the performance of the Director~~

of Neighborhood Relations. The Director of Neighborhood Relations shall be responsible for the overall operation of the Department and all programs administered by the Department.

~~(b) The City Manager designates the Director of Neighborhood Relations or designee as the enforcing officer for purposes of administering the state's unsafe or dangerous structures or abandoned property law and the City's property maintenance code.~~

Section 9. That section 2.20.090, Planning and Development Department created, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.20.080 and amended to read as follows:

Planning and Development Department created.

~~(a) Created; Director.~~ There is hereby created a Department of Planning and Development. The Director of Planning and Development shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the Planning and Development Director. ~~The Planning and Development Director, who~~ shall be responsible for the overall operation of the Department, ~~including comprehensive planning, zoning, transportation planning, and development services.~~

~~(b)~~ All references in the eCode to "Planning Director" or "Director of Planning" shall mean the Director of Planning and Development. ~~(c)~~ All references in the code to "Planning Department" shall mean the Department of Planning and Development.

Section 10. That section 2.20.091, Development Services Division, of The

Code of the City of Topeka, Kansas, is hereby repealed.

~~Development Services Division.~~

~~There is hereby created a Development Services Division. This division shall be under the general supervision of the Director of Planning and Development and as such shall be an administrative division within the Department of Planning and Development.~~

Section 11. That section 2.20.092, Duties – Director, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Duties – Director.~~

~~(a) The Development Services Division shall be responsible for all permit, inspection, and enforcement functions related to building and trade codes.~~

~~(b) The Director of Development Services shall be responsible for the discharge of Division duties imposed by this chapter and other ordinances imposing duties upon the Development Services Division. The Director of Development Services shall be responsible to the Director of Planning and Development.~~

~~(c) The Director of Development Services shall be authorized, subject to the approval of the Director of Planning and Development, to utilize expert technical advisors when deemed necessary to determine any question arising under the ordinances relating to the duties of the Development Services Division.~~

Section 12. That section 2.20.100, Police Department created, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.20.090 and amended to read as follows:

~~Police Department-created.~~

(a) Created; Police Chief. There is hereby created a Police Department. The

Police Chief shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the Police Chief. ~~The Police Chief,~~ who shall be responsible for the overall operation of the Department, including the discipline, good order and proper conduct of members of the Police Department and any reserve force.

(b) Enforcement Officer; Code Official – Unsafe or Dangerous Structures; Abandoned Property. The City Manager designates the Chief of Police, or designee, as the enforcing officer for purposes of administering the state's unsafe or dangerous structures or abandoned property law and the City's property maintenance code.

Section 13. That section 2.20.110, Public Works Department created – City Engineer appointment, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.20.100 and amended to read as follows:

~~Public Works Department created – City Engineer appointment.~~

(a) Created; Director. There is hereby created a Department of Public Works. The Director of Public Works shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 1 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the Public Works Director. ~~The Director of Public Works,~~ who shall be responsible for the overall operation of the Department.

(b) City Engineer. The Director of Public Works shall appoint a City Engineer, who shall be a professional civil engineer responsible for preparing plans, specifications and estimates for, as well as supervising the construction of, all public improvements.

The City Engineer shall also be responsible for performing all surveying and engineering work under the direction of the Public Works Director and performing all other duties pertaining to the position of City Engineer, as assigned by the ~~Director of Public Works~~ Director. The City Engineer shall be registered as a professional engineer in the State.

Section 14. That section 2.20.120, Utilities Department created, of The Code of the City of Topeka, Kansas, is hereby renumbered as 2.20.110 and amended to read as follows:

Utilities Department ~~created~~.

Created; Director. There is hereby created a Department of Utilities. The Director of the Department of Utilities shall be appointed by the City Manager. The City Manager, pursuant to Charter Ordinance No. 94, Section 21 (Appendix A, Section A2-54), shall be responsible for supervising and evaluating the performance of the ~~Director of Utilities~~. ~~The Director of Utilities~~ Director, who shall be responsible for the overall operation of the Department.

Section 15. That section 2.25.010, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Affordable housing” means housing available to low to moderate income (LMI) individuals and families enabling LMI households to pay no more than ~~30~~thirty percent

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

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

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

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

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

members appointed by the Governing Body ~~that~~which provides ~~advice~~recommendations to the ~~Department of Neighborhood Relations~~City Manager as to neighborhood and community needs and the allocation of City, Federal and Topeka housing ~~trust~~ funds.

“City” means the City of Topeka, Kansas.

“Dilapidated home” means a substandard dwelling, the repair of which would cost more than ~~50~~fifty percent (50%) of the replacement cost of the structure.

“Emergency shelter” means any facility, the primary purpose of which is to provide temporary or transitional shelter for the homeless.

“Extremely low income” means the household annual adjusted income is ~~30~~thirty percent (30%) or less of the area median income as determined by HUD.

“Gap funding” means the amount of money needed to fund the proposed project or program that is not currently provided by cash, equity or debt where at least two sources have been secured and all possible sources, including developer funds and private financing, have been pursued and optimized.

“Homeowner” means a person whose customary and usual abode is in a dwelling to which such person has title, a life estate or is buying under a land sales contract.

“Housing and neighborhood development” shall include the terms and programs associated with community development, housing development, neighborhood development, economic development or any other term or program utilized with the intent of improving any aspect of the City of Topeka.

“Housing trust fund” or “fund” means a public/private financial resource that can accept and disburse funds for acquisition, rehabilitation and development of affordable

housing including transitional housing projects, programs furthering affordable housing in the community, and/or emergency shelter and supportive services related to affordable housing.

“HUD” means U.S. Department of Housing and Urban Development.

“Low and moderate income (LMI)” means the household annual adjusted income does not exceed ~~80~~eighty percent (80%) of the area median income.

“Low-moderate area benefit activity (LMA)” is an activity ~~which~~that is available to benefit all residents of an area, which is primarily residential, where at least ~~51~~fifty-one percent (51%) of the residents are low-moderate income (LMI) persons. In order to qualify on an area benefit basis, an activity must meet the identified needs of low-moderate income persons residing in an area. (LMA benefit activities are subject to other applicable HUD rules, regulations and guidelines.)

“Low-moderate income household” is established by the combined income of all persons residing in a housing unit to determine, using Section 8 income guidelines, if the household income meets the HUD median annual family income limits. (LMI households are subject to other applicable HUD rules, regulations and guidelines.)

“Low-moderate income housing activity (LMH)” is an activity ~~which~~that assists in the acquisition, construction, or improvement of permanent residential structures (including homeownership) only to the extent that an LMI household occupies the housing unit. The housing unit may be occupied by either owner or renter upon completion and may be either one-family or multi-unit structures. (LMH benefit activities are subject to other applicable HUD rules, regulations and guidelines.)

“Low-moderate income job activity (LMJ)” is an activity ~~which~~that creates or

retains jobs for low-moderate benefit only three ways: be located in a predominantly LMI area and serve LMI income residents; or involves facilities designed for use by predominantly LMI persons; or involves the employment of persons, either to create or retain jobs, principally for LMI persons. (LMJ benefit activities are subject to other applicable HUD rules, regulations and guidelines.)

“Low-moderate income limited clientele activity (LMC)” is an activity ~~which~~that provides benefit to a specific group of persons rather than everyone in an area generally. It may benefit persons without regard to the area in which they reside. To qualify under this activity clientele must meet one of the following: benefit a clientele who are generally presumed, by HUD, to be principally LMI persons; or be of such nature and in such location that it may be concluded that the activity’s clientele will be LMI persons; or the activity removes architectural barriers to the mobility or accessibility of elderly or severely disabled persons; or the activity requires information on family size and income, as to determine LMI status. (LMC benefit activities are subject to other applicable HUD rules, regulations and guidelines.)

“Low to moderate income” (LMI) means households with incomes at or below ~~80~~eighty percent (80%) of the area median income (AMI), as determined by the Department of Housing and Urban Development.

“Neighborhood improvement association (NIA)” means an organization whose boundaries include a census block group or multiple census block groups where at least ~~51~~fifty-one percent (51%) of the household annual incomes are at or below ~~80~~eighty percent (80%) of the area median income as determined by the United States Census. The City Manager must certify these boundaries before the NIA can receive funding

from the ~~Department of Neighborhood Relations~~.

“Rehabilitation” means repair of a substandard dwelling to conform to the minimum code or property rehabilitation standards established for housing and neighborhood development purposes.

“Substandard home” means a dwelling ~~which~~that does not conform to the city’s ~~minimum housing~~International Property Maintenance eCode (IPMC).

“Supportive services” means housing-related or other services that assist individuals and families to locate, obtain or retain affordable, quality, permanent housing. Eligible activities include: deposit/rental or utility assistance; tenant counseling; credit counseling; payment of application fees; outreach services; life skills training; and/or minor home repair.

Section 16. That section 2.25.020, Department of Neighborhood Relations, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

~~Department~~Division of ~~Neighborhood Relations~~Housing Services.

The functions of the ~~Department~~Division of ~~Neighborhood Relations~~Housing Services within the Planning and Development Department shall include the following ~~housing and neighborhood development functions~~:

(a) To administer all programs undertaken by the City pursuant to the Community Development Act of 1974, as amended.

(b) To develop and prepare the consolidated action plan each year and a five-year consolidated plan and other reports and submissions as required by HUD.

(c) To mobilize resources for housing, neighborhood, community and economic development purposes, including, but not limited to, ~~eCommunity dDevelopment bBlock~~

gGrant (CDBG), HOME Investment Partnership, Shelter Plus Care, eEmergency
sSolutions gGrants (ESG) and other public and private sources.

(d) To develop, negotiate and monitor all contracts made in furtherance of the
City's housing, neighborhood, community and economic development program.

(e) To promulgate regulations, subject to all applicable City ordinances, Federal
legislative and administrative requirements and State statutes, with the approval of the
City Manager.

~~(f) To perform such other duties and functions as the City Manager may assign
to the Department.~~

(~~g~~f) To work closely with the U.S. Department of Housing and Urban
Development (HUD) in the administration of the City's housing and neighborhood
development programs.

(~~h~~g) To administer all social service and related programs funded by the City
~~Council~~Governing Body.

(h) To perform such other duties and functions as the City Manager may assign.

Section 17. That section 2.25.070, Topeka housing trust fund, of The Code of
the City of Topeka, Kansas, is hereby amended to read as follows:

Topeka housing trust fund.

(a) Established – Purpose. The ~~Director of Neighborhood Relations~~City Manager
is hereby authorized to establish the Topeka housing trust fund. The purpose of the
trust fund shall be to encourage and support the acquisition, rehabilitation and
development of affordable housing and/or emergency shelter and supportive services
necessary to maintain independent living with dignity in the Topeka community. Monies

placed in the housing trust fund through donations or otherwise will provide resources that can be used to address community, neighborhood, housing, and economic development needs of the City that cannot be fully met with Federal, State, or local funds; primarily through gap funding for affordable housing projects and housing-related services.

(b) Eligible Applicants. Eligible applicants shall include, but not be limited to:

(1) Private entities.

(2) Public entities.

(3) Nonprofit entities.

(4) For-profit entities.

(c) Eligible Uses. Eligible uses shall include, but not be limited to:

(1) Property acquisition.

(2) New construction of affordable housing.

(3) Rehabilitation of existing housing.

(4) Supportive services.

(d) Application Period. Applications requesting an allocation of monies from the housing trust fund will be accepted year-round in order to accommodate the varying needs of affordable housing providers, developers and supportive services providers. The City may from time to time, and as funding levels allow, issue a request for proposals seeking applicants who may be desirous of receiving proceeds from the housing trust fund in order to support the acquisition, rehabilitation and development of affordable housing and/or emergency shelter and supportive services necessary to maintain independent living with dignity in the community.

(e) Affordable Housing Review Committee – Responsibilities. This Committee shall be responsible for:

(1) Ensuring that strong preference will be given to unrestricted donations. Donor-advised, or otherwise restricted, funds may be considered; but must go through the same review and approval process as the funding-decision process.

(2) Conducting a review of applications requesting an allocation of monies from the housing trust fund, as set out in subsection (f) of this section, and then making a recommendation to the City Manager regarding whether or not to allocate funding.

(3) Preparing an annual report, in conjunction with the Department of Administrative and Financial Services, not later than July 1st of each year, concerning the activities of the preceding calendar year. Such reports shall be prepared by the Chairperson of the Affordable Housing Review Committee, shall cover all financial transactions involving monies raised and received, including gifts and donations, and shall thereafter be posted on the City's website.

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

(1) Would the project increase the supply of affordable rental housing, including the funding of rental assistance programs, for qualified households

397 earning ~~80~~eighty percent (80%) or less AMI? Funding for projects that will serve
398 households at ~~50~~fifty percent (50%) or less and ~~30~~thirty percent (30%) or less
399 AMI are preferred, to the extent possible.

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

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

405 (4) Would the project preserve rental housing, including the funding of
406 rental assistance programs, for qualified households earning ~~80~~eighty percent
407 (80%) or less of AMI? Funding for projects that will serve households at ~~50~~fifty
408 percent (50%) or less and ~~30~~thirty percent (30%) or less AMI are preferred, to the
409 extent possible.

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

413 (6) Would proposals for supportive services, in combination with
414 categories in subsections (f)(1) through (f)(5) of this section or stand-alone,
415 enhance access to or success in safe affordable housing for households at
416 ~~80~~eighty percent (80%) or less AMI?

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

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

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

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

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

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

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

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

(g) Funding Recommendation – Decision. The Committee, after considering each of the factors noted in subsection (f) of this section, shall forward its recommendation regarding whether or not to allocate funding to the City Manager within thirty (30) days of the last date on which it met to consider the application. The City Manager shall review the recommendation and may return it to the Committee for further review. At such time as the City Manager ~~feels~~believes the proposal is ready for action, the City Manager shall forward the proposal to the Governing Body with a

443 recommendation. The decision of the Governing Body shall be final.

444 (h) Administration of Housing Trust Fund.

445 (1) The housing trust fund application and review process shall be
446 administered by the Director of ~~Neighborhood Relations~~Planning and
447 Development or his/her designee, who may promulgate rules and regulations
448 governing the processes and procedures associated with the same; provided,
449 however, that such rules and regulations must remain consistent with this
450 chapter.

451 (2) The housing trust fund account and monies shall be administered by
452 the Director of Administrative and Financial Services or his/her designee, who
453 may promulgate rules and regulations governing the processes and procedures
454 associated with donations to and expenditures from such fund; provided,
455 however, that such rules and regulations must remain consistent with this
456 chapter.

457 Section 18. That section 2.25.080, Department of Neighborhood Relations
458 budget, of The Code of the City of Topeka, Kansas, is hereby repealed:

459 **~~Department of Neighborhood Relations Budget.~~**

460 ~~The Neighborhood Relations Director shall submit a comprehensive budget of all~~
461 ~~funding sources to the City Manager. Such budget shall detail the costs of the conduct~~
462 ~~and administration of the Department and shall be submitted in a format consistent with~~
463 ~~that generally used by departments within the City in the preparation of the annual~~
464 ~~budget. The annual budget will be presented and adopted concurrent with the annual~~
465 ~~consolidated action plan and the five-year consolidated action plan as applicable.~~

466 Section 19. That section 2.25.090, Programs and targeting of resources, of The
467 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

468 **Programs and targeting of resources.**

469 (a) The Department of ~~Neighborhood Relations~~Planning and Development is
470 hereby authorized to operate programs, consistent with Federal, State and local laws
471 and ordinances, that are specifically set out in the five-year consolidated plan and the
472 annual consolidated action plan; provided, however, that prior to the commencement of
473 any such program, specifications which detail such programs, objectives, methodology
474 and costs shall be approved by the ~~City Council~~Governing Body through its adoption of
475 the annual consolidated action plan and the Department budget. All actions taken by the
476 ~~City Council~~Governing Body relating to the five-year consolidated plan and the annual
477 consolidated action plan are subject to approval by HUD.

478 (b) The Director of Planning and Development, or designee, is authorized to
479 develop, negotiate and present for approval by the City Manager contracts or
480 interagency agreements with other City agencies necessary for the implementation of
481 programs specifically set out in the annual consolidated action plan and the
482 Department's budget, which are consistent with all Federal, State and local laws and
483 ordinances.

484 (c) Topeka's approved neighborhood plans establish the general framework for
485 which funding decisions are considered, ~~The Department will establish~~including written
486 criteria for how a target area should be defined in order to be considered for funding.
487 The criteria shall include, but not be limited to, existing condition analysis by block,
488 neighborhood plans, the neighborhood health map as published by the City Planning

489 and Development Department and the comprehensive plan and any amendments
490 thereto. The Housing Services Division of the Planning and Development Department
491 will ~~concentrate~~intentionally direct resources geographically to maximize collaborative
492 investment from public and private funding sources. The major emphasis of funding
493 decisions will be to promote identifiable impacts and enhance neighborhood wealth. ~~The~~
494 ~~Department shall invest its resources in areas where other recent and ongoing financial~~
495 ~~investment is present to further enhance current and future success.~~ To the extent
496 allowable by funding sources, multiple-year commitments may be made to address
497 needs identified in the five-year consolidated plan or the annual consolidated action
498 plan. The concentration of resources into areas that have a reasonable potential for
499 positive change will be a major consideration for investment strategies that will be
500 outlined in the annual consolidated action plan. In addition, resources will be primarily
501 concentrated in the “intensive care” and “at risk” areas as defined in the neighborhood
502 health map published by the ~~City~~ Planning and Development Department, as being the
503 areas where the majority of HUD resources will be allocated.

504 Section 20. That section 2.25.100, Program costs and administration fees, of
505 The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

506 **Program costs and administration~~ve~~ fees.**

507 ~~(a)~~ No program costs shall be incurred against Federal or State funds received
508 except those to be deemed eligible costs by HUD or other appropriate Federal or State
509 agency.

510 ~~(b) No identities of interest will be allowed between board members and~~
511 ~~employees of any nonprofit organization receiving funds through the Department of~~

~~Neighborhood Relations. For purposes of this chapter, identities of interest are those created by blood, marriage or adoption including grandparents, parents, brothers, sisters, aunts, uncles, nieces, nephews, sons, daughters, grandsons, granddaughters, and in-laws of any type. Board members or employees of a nonprofit organization that receives funds through the Department of Neighborhood Relations shall not receive any personal benefit from the Department of Neighborhood Relations, funded activities of the nonprofit organization. No person serving on the Citizen Advisory Council, or as an officer of a neighborhood improvement association or neighborhood association, may receive a direct personal benefit from any program for which they may provide advice to the Department of Neighborhood Relations.~~

~~(c) Administration fees for operation of Federal programs shall not exceed the maximum administration fees allowed by HUD or other appropriate Federal agency.~~

~~(d) Administration fees for operation of City-funded programs shall not exceed 10 percent of the aggregate amount allocated by the City Council for programs.~~

~~(e) Administration fees for operation of programs funded by non-City sources shall not exceed the amount allowed by the non-City funding source.~~

~~(f) The Department of Neighborhood Relations will not be subject to, or required to pay, expenses based upon any indirect cost rate formulas established by the City.~~

Section 21. That section 2.25.120, Emergency rehabilitation assistance, of The Code of the City of Topeka, Kansas, is hereby repealed.

Emergency rehabilitation assistance.

~~Emergency rehabilitation assistance will be provided subject to authorization and funding appropriations from HUD and approval of the City Council.~~

535 Section 22. That section 3.30.330, Disposal of surplus real property, of The
536 Code of the City of Topeka, Kansas, is hereby amended to read as follows:

537 **Disposal of surplus real property.**

538 (a) Any department with control of real property that is owned by the City, but
539 no longer needed shall provide written notification to the ~~Department of Neighborhood~~
540 ~~Relations~~Legal Department of the desire to dispose of the property as surplus. All City
541 departments shall be notified of the availability of the property. A City department
542 indicating a need for the real property shall notify the ~~Department of Neighborhood~~
543 ~~Relations~~Legal Department to ensure the appropriate transfer of the property. The
544 transfer of the property shall be approved by the City Manager.

545 (b) If no City department indicates an interest in the surplus real property, the
546 ~~Director of the Department of Neighborhood Relations~~City Attorney or designee will
547 provide the following information to the Governing Body:

548 (1) An aerial or other depiction of the property showing the dimensions
549 and the location of buildings and improvements thereon.

550 (2) A legal description and the current zoning.

551 (3) A statement of City ownership of the property, detailing the date the
552 City acquired the property and the reason therefor.

553 (4) The current use and potential use of the property.

554 (5) The appraised value of the property.

555 (6) The procedure proposed for disposal of the property.

556 (7) The financial impact of the proposed transaction.

557 (c) The Governing Body shall determine whether to dispose of the property

and, if so, approve one of the following methods of disposal identified in TMC 3.30.340.:

(1) Transfer to Government Agency. Transfer to a local governmental, State or Federal agency by donation, exchange or sale.

(2) Public Auction. Auction to the highest bidder after advertisement in the official City newspaper at least ten (10) days prior to the auction date.

(3) Competitive Bidding. Competitive sealed bids based upon a written request for proposals. A notice of the proposed sale shall be published in the official City newspaper at least ten (10) days prior to acceptance of proposals. All proposals shall be delivered to the City Attorney or designee by the time and date specified in the request for proposals.

(4) Private Sale. By private sale, in the following cases:

(i) Sale to an owner of the real property contiguous to the real property being sold, provided the property being sold is less than the minimum required for development under the City zoning ordinance and is without any capital improvement thereon. All abutting property owners shall have an equal opportunity to purchase the property through an invitation to bid.

(ii) No purchase contract is secured after six months from the date of the public auction referenced in subsection (c)(2) of this TMC 3.30.330 or notice of the bid request referenced in subsection (c)(3) of this TMC 3.30.330.

(iii) Sale to an individual or entity where the use of the property will be used solely for a public benefit, including, but not limited to, affordable

housing.

(5) Donation. Donation to an individual or entity where the use of the property will be used solely for a public benefit, including, but not limited to, affordable housing.

(6) Other Methods. Any other method approved by the Governing Body.

Section 23. That section 3.30.340, Method of disposal for surplus property, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Method of disposal for surplus property.~~

Surplus property may be disposed of by any of the following methods:

~~(a) — Transfer to Government Agency. Transfer to a local governmental, State or Federal agency by donation, exchange or sale.~~

~~(b) — Public Auction. Auction to the highest bidder after advertisement in the official City newspaper at least 10 days prior to the auction date.~~

~~(c) — Competitive Bidding. Competitive sealed bids based upon a written request for proposals. A notice of the proposed sale shall be published in the official City newspaper at least 10 days prior to acceptance of proposals. All proposals shall be delivered to the Director of the Department of Neighborhood Relations City Attorney or designee by the time and date specified in the request for proposals.~~

~~(d) — Private Sale. By private sale, in the following cases:~~

~~(1) Sale to an owner of the real property contiguous to the real property being sold, provided the property being sold is less than the minimum required for development under the City zoning ordinance and is without any capital~~

improvement thereon. All abutting property owners shall have an equal opportunity to purchase the property through an invitation to bid.

~~(2) No purchase contract is secured after six months from the date of the public auction or the date of the notice of the bid request in subsection (c) of this section.~~

~~(3) Sale to an individual or entity where the use of the property will be used solely for a public benefit, including but not limited to affordable housing.~~

~~(e) — Donation. Donation to an individual or entity where the use of the property will be used solely for a public benefit, including but not limited to affordable housing.~~

~~(f) — Other Methods. Any other method approved by the Governing Body.~~

Section 24. That section 3.30.380, Purpose, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Purpose Federally-funded repair and rehabilitation of real property.

(a) Bids. It is hereby declared to be the purpose of this article to require all
bids which related to property for the repair and rehabilitation of real property that involve
the use of federal funds shall, private and public, assisted by the Department of
Neighborhood Relations, to be submitted to the Director of the Department as described
in this article of Planning and Development ("Director") or designee, in accordance with
the following procedures and conditions:

(1) Sealed bid proposals must be received by the Department of
Planning and Development ("Department") at the time stated in the invitation to
bid and in conformance with all requirements of the bid invitation and the project
specifications.

627 (2) The Department shall maintain a list of qualified contractors by
628 trade and type of work to whom bid invitations are offered. The Department will
629 establish written administrative policies for the acceptance and removal of
630 contractors for purposes of establishing a qualified bidders list.

631 (3) No bid bond or deposit is required to be submitted with a proposal;
632 however, no advance payments for an awarded contract shall be made.
633 Payments for contract work shall only be made for completed work and
634 acceptably-installed material. A retainage may be designated to be withheld from
635 payment to the contractor until final completion of the entire project.

636 (4) Bidders shall have in force adequate liability and workers
637 compensation insurance coverage as determined by the Department in
638 consultation with the risk management officials of the City.

639 (5) The awarding of a contract can only be made jointly by the Director
640 of the Planning and Development Department, or designee, and the property
641 owner.

642 (6) Each bidder must furnish accurate current information as to name,
643 residence, post office address and Federal tax identification number. Failure to
644 keep this information current may be sufficient cause for removal from the
645 qualified bidders list.

646 (7) The Director may provide for a method of probationary inclusion of
647 contractors on the qualified bidders list due to a contractor's lack of experience in
648 certain types of work or shortcomings in completing work.

649 (8) The Department reserves the right to reject any or all bids and to

waive defects in bids or, if necessary, to make other adjustments that the Director may deem advisable within the limits of the law. The Department reserves the right to reject bids received by persons or firms who may be in arrears to the City or who may be otherwise legally obligated and raise legitimate questions as to their ability to fulfill a contract.

(9) Bidders are invited to be present at the opening of bids. All bids are made with the understanding that the bidder must accept the terms and conditions contained in the contract documents.

(10) The Department also reserves the right to delay the awarding of contracts in order to provide sufficient time within which to conduct a thorough investigation of equipment and material to be purchased or the subcontractors to be used.

(11) Bids must be made on forms supplied by the Department, unless otherwise indicated in the invitation for bids.

(12) Contractors shall be required to provide lien waivers or other acceptable evidence of payment to subcontractors and material suppliers as determined by the Department.

(13) Except as specifically modified by this section, all bids and contracts referred to herein shall comply with the City of Topeka purchasing regulations as established by Articles I through IV of this chapter.

(b) Exceptions. Due to the nature and purposes of the various housing assistance programs provided (e.g., emergency assistance, assistance to persons with disabilities and other limited assistance activities) the Director of the Department of

Planning and Development, or designee reserves the right to follow informal bid procedures in order to prevent unnecessary delay in providing assistance, undue hardship to the program recipients, unnecessary administrative costs or the continued detrimental health and safety conditions for the applicant, neighbors or the City.

Section 25. That section 3.30.400, Procedure and conditions, of The Code of the City of Topeka, Kansas, is hereby repealed.

Procedure and conditions.

~~(a) — Sealed bid proposals will be received by the Department of Neighborhood Relations at the time stated in the invitation to bid and in conformance with all requirements of the bid invitation and the project specifications.~~

~~(b) — The Department shall maintain a list of qualified contractors by trade and type of work to whom bid invitations are offered. The Department will establish written administrative policies for the acceptance and removal of contractors for purposes of establishing a qualified bidders list.~~

~~(c) — No bid bond or deposit is required to be submitted with a proposal; however, no advance payments for an awarded contract shall be made. Payments for contract work shall only be made for completed work and acceptably installed material. A retainage may be designated to be withheld from payment to the contractor until final completion of the entire project.~~

~~(d) — Bidders shall have in force adequate liability and workers compensation insurance coverage as determined by the Department in consultation with the risk management officials of the City.~~

~~(e) — The awarding of a contract can only be made jointly by the Department~~

and the property owner.

~~(f) Each bidder must furnish accurate current information as to name, residence, post office address and Federal tax identification number. Failure to keep this information current may be sufficient cause for removal from the qualified contractor's list.~~

~~(g) The Director may provide for a method of probationary inclusion of contractors on the qualified contractor list due to a contractor's lack of experience in certain types of work or shortcomings in completing work.~~

~~(h) The right is reserved to reject any or all bids and to waive defects in bids or, if necessary, to make other adjustments which the Director may deem advisable within the limits of the law. The Department reserves the right to reject bids received by persons or firms who may be in arrears to the City or who may be otherwise legally obligated and raise legitimate questions as to their ability to fulfill a contract.~~

~~(i) Bidders are invited to be present at the opening of bids. All bids are made with the understanding that the bidder must accept the terms and conditions contained in the contract documents.~~

~~(j) The Department also retains the right to delay the awarding of contracts, sufficient in time to make a thorough investigation of equipment and material to be purchased or the subcontractors to be used.~~

~~(k) Bids must be made on forms supplied by the Department, unless otherwise indicated in the invitation for bids.~~

~~(l) Contractors shall be required to provide lien waivers or other acceptable evidence of payment to subcontractors and material suppliers as determined by the~~

Department.

~~(m) Except as specifically modified by this section, all bids and contracts referred to herein shall comply with the City of Topeka purchasing regulations as established by Articles I through IV of this chapter.~~

Section 26. That section 3.30.410, Exception to bid procedure and condition, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~Exception to bid procedure and condition.~~

~~Due to the nature and purposes of the various housing assistance programs provided (e.g., emergency assistance, assistance to persons with disabilities and other limited assistance activities) the Director of the Department of Neighborhood Relations or designee reserves the right to follow informal bid procedures in order to prevent unnecessary delay in providing assistance, undue hardship to the program recipients, unnecessary administrative costs or the continued detrimental health and safety conditions for the applicant, neighbors or the City.~~

Section 27. That section 3.30.420, Incorporation of affirmative action, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Incorporation of affirmative action.

~~The Department of Neighborhood Relations adopts and incorporates by reference all~~All affirmative action procedures required for public contracts shall be applicable and are incorporated by reference.

Section 28. That section 3.30.430, Powers of Director of Neighborhood Relations, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

742 **Powers of Director of ~~Neighborhood Relations~~Planning and Development.**

743 The Director of ~~Neighborhood Relations~~Planning and Development or designee
744 is acting within the powers of TMC 2.25.020 for the purposes of this article.

745 Section 29. That section 8.60.030, Code Official designated, of The Code of the
746 City of Topeka, Kansas, is hereby amended to read as follows:

747 **Code Official designated.**

748 Whenever the term “Code Official” is used in the IPMC, it shall be construed to
749 mean the ~~Director of the Department of Neighborhood Relations~~Chief of Police or
750 designee.

751 Section 30. That section 8.65.020, Definitions, of The Code of the City of
752 Topeka, Kansas, is hereby amended to read as follows:

753 **Definitions.**

754 The following words, terms, and phrases, when used in this chapter, shall have
755 the meanings ascribed to them in this section, except where the context clearly
756 indicates a different meaning:

757 “Default” shall mean that the mortgagor has not complied with the terms of the
758 mortgage on the property, or the promissory note, or other evidence of the debt,
759 referred to in the mortgage.

760 “Director” shall mean the ~~Director of Neighborhood Relations~~ or the
761 ~~Director’s~~Chief of Police or designee.

762 “Enforcement officer” shall mean any law enforcement officer, building official,
763 zoning inspector, code enforcement officer, fire inspector, building inspector, or other
764 person authorized by the City to enforce any applicable ordinance.

765 “Foreclosure or foreclosure action” shall mean the legal process by which a
766 mortgagee, or other lien holder, terminates or attempts to terminate a property owner’s
767 equitable right of redemption to obtain legal and equitable title to the real property
768 pledged as security for a debt or the real property subject to the lien. The legal process
769 is not concluded until the property obtained by the mortgagee, lien holder, or designee,
770 by certificate of title, or any other means, is sold to a bona fide purchaser in an arm’s
771 length transaction to satisfy the debt or lien.

772 “Governmental entities” shall mean any Federal agency, city, county, school
773 district or other taxing subdivision.

774 “Mortgagee” shall mean the creditor, including but not limited to trustees;
775 mortgage servicing companies; lenders in a mortgage agreement; any agent, servant,
776 or employee of the creditor; any successor in interest; or any assignee of the creditor’s
777 rights, interests or obligations under the mortgage agreement; or any other person or
778 entity with the legal right to foreclose on the real property, excluding governmental
779 entities.

780 “Owner” shall mean every person, entity, or mortgagee, who alone or severally
781 with others has legal or equitable title to any real property; has legal care, charge, or
782 control of any such property; is in possession or control of any such property; and/or is
783 vested with possession or control of any such property, excluding governmental entities.
784 A property manager shall not be considered the owner. In the absence of substantial
785 evidence to the contrary, records of the Shawnee County Clerk’s Office, Registrar of
786 Deeds, certified copies of court records or judgments of any court, copies of lease
787 agreements, contracts for deed, mortgages, tax records, rental agreements and other

financial documents related to the property shall be conclusive evidence of the ownership of the property.

“Property manager” shall mean any party designated by the owner as responsible for inspecting, maintaining and securing the property as required in this chapter.

“Real property” shall mean any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the City limits.

“Registrable property” shall mean:

(1) Any real property located in the City, whether vacant or occupied, that meets any of the following conditions:

(i) The property is the subject of a foreclosure action filed by the mortgagee;

(ii) A judgment of foreclosure has been entered;

(iii) A foreclosure sale has occurred and title transferred to the beneficiary of a mortgagee; or

(iv) The property has been transferred to a mortgagee under a deed in lieu of foreclosure/sale.

The designation of a property as “registrable” shall remain in place until such time as the property is sold to a bona fide purchaser in an arm’s length transaction or the foreclosure action has been dismissed and any default on the mortgage has been cured.

(2) Any property that is vacant for more than 180 days.

811 “Registry” shall mean a web-based electronic database of searchable real
812 property records, used by the City to allow mortgagees and owners the opportunity to
813 register properties and pay applicable fees as required in this chapter.

814 “Renovation activities” shall mean actions that demonstrate that property is being
815 repaired, remodeled, or rehabilitated. Such activities shall include, but not be limited to,
816 painting, roofing, wallpapering, tiling, carpeting, installing cabinets/counter tops,
817 installing heating/cooling systems, and repairs to any part of the structure including, but
818 not limited to, the foundation, windows, doors, siding, and porches.

819 “Semiannual registration” shall mean six months from the date of the first action
820 that requires registration, as determined by the Director, and every subsequent six
821 months. The date of the initial registration may be different than the date of the first
822 action that required registration.

823 “Utility” shall mean any utility and/or service that is essential for a building to be
824 habitable and/or perform a service necessary to comply with all City ordinances. This
825 includes, but is not limited to, electrical, gas, water, and sewer.

826 “Vacant” shall mean any building or structure intended for residential or
827 commercial use which does not appear to be occupied or in use by the owner or tenant
828 on a permanent, nontransient basis. Evidence that a property is vacant shall include any
829 condition that on its own, or combined with other conditions present, would lead a
830 reasonable person to believe that the property has not been occupied or in use for at
831 least 180 days. Such conditions may include, but are not limited to: overgrown and/or
832 dead vegetation; past due utility notices and/or disconnected utilities; accumulation of
833 trash, junk or debris; abandoned vehicles, auto parts and/or materials; the absence of

furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings.

Section 31. That section 8.80.040, Procedure upon receipt of moneys – Investigation, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Procedure upon receipt of moneys – Investigation.

(a) Upon receipt of moneys as provided for by this chapter, the City Treasurer shall immediately notify the enforcement official of such receipt, and transmit all documentation received from the insurance company to the enforcement official.

(b) Within 20 days of the receipt of the moneys as provided by this chapter, the enforcement official shall determine, based upon investigation, whether the City shall instigate proceedings under the provisions of K.S.A. 12-1750 through 12-1756, as amended, and Chapter 8.60 TMC. For purposes of this chapter, the ~~Director of the Department of Neighborhood Relations~~ Chief of Police or designee shall be the enforcement official.

(c) Prior to the expiration of the 20-day period established in this section, the enforcement official shall notify the City Treasurer whether the City intends to initiate proceedings under K.S.A. 12-1750 through 12-1756, as amended, and Chapter 8.60 TMC.

(d) If the enforcement official has determined that proceedings under K.S.A. 12-1750 through 12-1756, as amended, or Chapter 8.60 TMC shall be initiated, he or

857 she will do so immediately, but no later than 30 days after receipt of the moneys by the
858 City Treasurer.

859 (e) Upon notification to the City Treasurer by the enforcement official that no
860 proceedings shall be initiated under K.S.A. 12-1750 through 12-1756, as amended, or
861 Chapter 8.60 TMC, the City Treasurer shall return all moneys received to the insured or
862 insureds as identified in the communication from the insurance company. Such return
863 shall be accomplished within 45 days of the receipt of the moneys from the insurance
864 company or companies.

865 Section 32. That original § 2.20.010 through § 2.20.070, § 2.20.090, §
866 2.20.100, § 2.20.110, § 2.20.120, § 2.25.010, § 2.25.020, § 2.25.070, § 2.25.090, §
867 2.25.100, § 3.30.330, § 3.30.380, §.3.30.420, § 3.30.430, § 8.60.030, § 8.65.020 and §
868 8.80.040 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

869 Section 33. This ordinance shall take effect and be in force from and after its
870 passage, approval and publication in the official City newspaper.

871 Section 34. This ordinance shall supersede all ordinances, resolutions or rules,
872 or portions thereof, which are in conflict with the provisions of this ordinance.

873 Section 35. Should any section, clause or phrase of this ordinance be declared
874 invalid by a court of competent jurisdiction, the same shall not affect the validity of this
875 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

876 PASSED AND APPROVED by the Governing Body on June 8, 2021.

877 CITY OF TOPEKA, KANSAS

878 ATTEST:

879 _____
880 Michelle De La Isla, Mayor

881 _____
882 Brenda Younger, City Clerk
883