

**JEDO BOARD**  
**Joint Economic Development Organization**  
**Wednesday, August 25, 2004**  
**3:00 P.M.**

The JEDO Board met in the Chamber of Commerce Board Room with the following JEDO voting members present: City of Topeka Council members, John Nave, Jeff Preisner and Deputy Mayor Clark Duffy; Board of County Commissioners Vic Miller, Marice Kane and Theodore D. Ensley. Also present: Doug Kinsinger-Go Topeka/Topeka Chamber of Commerce, Mark Wittenburg-Go Topeka/Topeka Chamber of Commerce, Doris Williams-DBE Advisory Council, Dean Ferrell-Chamber Board-Ferrell Construction, David Kerr-SBC, John C. Bottenberg-Heartland Park, Henry McClure-McClure Real Estate, Dave Graversen-City of Topeka, Karen Weichert-Chamber Board/Midland Hospice, Jack Porteous-Go Topeka, Jeff Berke-Chamber Board/CJS Industries, Bill Griffin-Heartland Park, Jefferson George-DCI, Lydia Chan-DCI, Rob DeRocker-DCI, John Armbrust-Governor's Strategic Military Planning Commission, Richard Forester-TCVB, Nancy Griffin-HPT, Chris Bovis-HPT, Bill Griffin-HPT, Linda Ramirez Gonzalez-Chamber Board/Kansas Dept of Commerce, Senator Dave Jackson, Kathy Moellenberndt-Go Topeka, Tony Augusto-Go Topeka, Thomas Officer-Go Topeka, Nora Patton Taylor-Go Topeka, Doug Kinsinger-Go Topeka and Deputy County Clerk Deb Childers.

**ITEM NO. 1: Approval of Minutes of the meeting held March 3, 2004.**

A motion was made by Commissioner Marice Kane to approve the minutes of the meeting held March 3, 2004, seconded by Councilman John Nave. Motion carried unanimously.

**ITEM NO. 2: Mr. Paul Hirsch, President, Madison Government Affairs reported on the federal projects funding requests.**

Mr. Hirsch reported to date the defense appropriations bill was the only bill to be sent to the President for signature. He noted that bill had not been signed. There were 12 other appropriations bills needing to be signed and a defense authorization bill that needed to be reviewed. There were also the 9-11 Commission recommendations relating to revamping of the intelligence system for the Country, which he believed would take priority over much of the appropriations and other legislative activity.

Topeka Boulevard Bridge

Mr. Hirsch reported last year in the annual transportation appropriations bill Congress provided \$8.5 million for the Topeka Boulevard Bridge project. They requested \$20 million and authorization for the T-21 (Transportation Authorization Bill), but that bill

stagnated in Congress. It was short-term extended three times and probably would be extended again. He said they received a \$7 million identification of funds in the house version, which was Congressman Ryan's doing on their behalf. However, there was no mark up yet in the senate corresponding to that \$7 million. So, they would have to wait for an outcome, which he hoped would be in September or October.

#### 190th Operations & Training Facility

Mr. Hirsch reported a Congressional request of \$9.8 million was requested and approved in the House in the military construction appropriations bill and the defense authorization bill. He advised no similar action was taken in the Senate, which was normal operating procedure. He stated those would be finalized in conference and hopefully military construction and homeland security would be one of the bills discussed and not pushed to continuing resolution in November. He noted they would need an authorization for that project, which was in the defense authorization bill that had stagnated. Mr. Hirsch said as a legislative fix, they would pull the legislative authorizations out of defense authorization and attach them to another bill. He anticipated in the next 30-day segment military construction appropriations would be approved and they would see \$9.8 million for an operations and training facility for the 190th at Forbes. Mr. Hirsch said that would not hurt them in the BRAC process to have the project on the books.

#### Forbes Field Taxiway B

Mr. Hirsch said there was a taxiway request for \$1 million for Forbes Field for the MTAA. He explained that had been line item approved in the transportation bill and, as was common on discretionary grant projects in the FAA section of the Department of Transportation Appropriations, no dollars had been assigned. He said historically if it had been line itemed and placed in by one body or the other, they would see funding once it went to Congress.

#### Commerce Park Infrastructure

Mr. Hirsch reported they requested \$1.75 million, which was in the VA/HUD Independent Agencies Appropriations bill. He said he was hopeful they would see funding for that project.

#### Brown vs. the Board of Education

Mr. Hirsch advised \$250,000 was requested for lighting and streetscape work. He reported the Delegation had not seen any activity on that

project in appropriations. But, that did not mean the project would not be funded.

#### The Great Overland Station

Mr. Hirsch recalled last year The Great Overland Station project received \$500,000. This year they were requesting \$750,000. He said it was currently in VA/HUD and neither body had recorded any activity.

Mr. Doug Kinsinger asked Mr. Hirsch the time frame for JEDO to have their projects identified and prioritized for the next fiscal year. Mr. Hirsch suggested November or early December. He said some activity might not be completed in Congress by early November. But, he felt they should be proactive. Mr. Hirsch explained with a new Congress there would be changes in committees, so it was good to get projects identified as early as possible. Mr. Hirsch said after the 108th Congress concluded, he would sit down with staffs of the respective offices to get feedback as to what they encountered with their dealing with committee and report back with his recommendations on how to proceed with the 109th Congress. Commissioner Miller said it would be his hope if JEDO met in the next month and a half or so, at that meeting to commit some discussion to Mr. Kinsinger's comments.

#### **ITEM NO. 3: Mr. Rob DeRocker with Development Counselors, Int'l. presented National Public Relations Results and Plans.**

Using a Powerpoint slideshow, Mr. Rob DeRocker gave a presentation that included an overview of DCI, a summary of DCI's recent work for Topeka, where they were going and directions for Phase III. Mr. DeRocker handed out a packet entitled Major Media Results. (Copies of both are attached to the original set of minutes.)

#### **ITEM NO. 4: Mr. John Armbrust, State of Kansas Military Coordinator discussed Military/BRAC.**

Mr. Kinsinger recalled at JEDO's last meeting (March 3, 2004) they authorized funding \$125,000 towards a statewide effort made up of four of the other major communities with military establishments (Wichita, Topeka, Manhattan/Junction City and Leavenworth). He stated the state had contracted with their organization to administer that fund. In addition, Mr. Armbrust reported he was selected by the Lt. Governor as the state staff person to run the program at the state level. He extended his thanks to JEDO for their contribution to the Governor's Strategic Military Planning Commission.

Mr. Armbrust asked JEDO to keep in mind the real objective with Forbes Field was to keep the jobs already in place. He explained his job was to

coordinate across the state all the activities associated with base realignment and closure. He said he needed to make sure they did not emphasize one installation over the other; at least not to the detriment of the other. He acknowledged they may place higher priority on a given installation, but it would always be done in the context of full coordination.

Mr. Armbrust reported to date an analysis of each installation had been completed, including Forbes. That analysis examined the strengths and weaknesses in terms of the installations with military value. He acknowledged one difference that affected this community and Forbes was that in the past the guard units had not really been an official part of the BRAC process. Mr. Armbrust stated Fort Riley, Fort Leavenworth, and McConnell were truly growth-oriented strategy. He clarified growth meant flying and non-flying missions and bringing in people.

Next, Mr. Armbrust said they were organizing military value briefings. He said they were scheduling a briefing and would be requesting support from JEDO. That briefing should be the basis of the discussions anyone had with people in Topeka about Forbes. He explained the story they had to tell was of the military value and why Forbes should be kept active.

Mr. Armbrust said they were looking at what state legislation would be needed to help the soldiers and airmen in the state of Kansas. Most would be Guard related, but there would be some things that would affect the active duty. They did not know what those things would be, so right now they were doing a survey of all the other state legislators to see what kinds of things were being done and to see if there was a core set of activities they should be doing.

**ITEM NO. 5: Report on inter-city visit to Lincoln and Omaha, September 30 and October 1, 2004.**

Christy Caldwell with the Chamber of Commerce recalled they started a program a couple years ago of inter-city visits. The first trip was to Springfield, Missouri and the second was to Oklahoma City, Oklahoma. This year they were visiting two communities: Lincoln and Omaha, Nebraska. She reported this event was being chaired by Chris Robbins. Several weeks ago, she went with Mr. Robbins and Doug Kinsinger to Lincoln and Omaha to visit with them about some of the things they would like to hear about from those communities. Ms. Caldwell said they received a good reception and she felt this trip would be valuable for this community.

**ITEM NO. 6: Presentation of Audit performed by Berberich Trahan.**

aren Keehn with Berberich Trahan & Co., P.A. presented the financial statements for years ended December 31, 2003 and 2002. (The handouts presented at the meeting are attached to the original set of minutes.)

**ITEM NO. 7: Presentation by Heartland Park.**

Mr. Ray Irwin, owner of Heartland Park explained the repair and development project planned for Heartland Park. He stated their plans for the future was to turn Heartland Park into the multi-use facility as it was originally designed to be and to diversify their operation so they were not completely dependent upon spectators. He explained the repairs and improvements would be done in three phases. All phases needed to be completed by 2008. Mr. Irwin felt making Heartland Park the world-class facility would benefit the NHRA National and would allow them to attract other types of events, i.e., something similar to the Country Stampede held in Manhattan, Kansas. He said they could bring things on the entertainment side to the community that other facilities in the county did not have the capacity to handle. (A copy of "Repair and Development Project for Heartland Park Topeka-A City of Topeka Facility 2004-2008" is attached to the original set of minutes.)

Mr. Irwin reported the Topeka City Council was presented this information last night (Tuesday, August 24, 2004) and approved \$2.5 million to fund part of the first phase. The City Council also authorized an additional \$2.5 million in 2006. The other \$10 million would be developed either through state and federal or other private funding. Mr. Irwin said he saw this as an opportunity for the City, County and State to say this was something they wanted to support for the community. The City and County joining together would send a good signal to the state.

Topeka City Council member Jeff Preisner acknowledged the City Council approved funding by majority vote and they believed in the project.

Commissioner Miller asked Mr. Irwin if he had explored the viability for obtaining state and federal funding. Mr. Irwin said yes and explained the first step had to be a commitment from the community (city or county). They would now begin to discuss other avenues to achieve the final portion. Mr. Kinsinger suggested the funds could be available at the state and federal level for infrastructure related items, i.e., utilities and roads, or anything leading up to the track. This could also be a decision of JEDO whether to include Heartland Park in their funding priorities for next year. He acknowledged Topeka City Councilman Clark Duffy had suggested they get better educated about STAR bonds. Mr. Kinsinger agreed that would be a great method to capture additional funds from the sales tax.

ITEM NO. 8: IBSA vs. City of Topeka et al was discussed and JEDO Resolution No. 2004-1 establishing purchasing procedures involving the expenditure of JEDO funds was approved.

Shawnee County Counselor Rich Eckert outlined the Order from the Judge in IBSA vs City of Topeka et al., and recommended JEDO approve the resolution establishing purchasing procedures for the expenditure of JEDO funds. He reported he had briefed his County clients and transmitted this document to Brenden Long with the City Attorney's office via e-mail.

City of Topeka Councilman Jeff Preisner asked if the resolution was adopted would it run until December 31, 2004. Mr. Eckert stated this procedure would follow JEDO as long as it lived, or the document was amended, etc. Councilman Preisner stated the City and County would have to enter into a new interlocal agreement due to the sales tax. Mr. Eckert agreed they should do a new agreement, but that would not change JEDO. Mr. Preisner agreed and said they could readdress the issue at that point. Mr. Eckert indicated that was correct. Mr. Preisner stated he felt it was important to have a policy in place.

City of Topeka Councilman John Nave expressed concern that City of Topeka Mayor John McClinton and others were not present and made a motion to delay this issue for two-(2) weeks. Commissioner Miller said he did not believe there was a major policy being crafted with this action; they were simply covering themselves in light of the litigation. Commissioner Miller acknowledged Mayor McClinton was aware of this item.

City of Topeka Councilman Lover Chanclor stated this would not fix the City's problem and that she felt this proposed resolution went above the Order and could warrant more study. Commissioner Miller explained the rest of the resolution established a competitive bid process and Section H established the exception that addressed the immediate difficulty. He did not believe the City necessarily had a problem because they did not have that exception, they simply chose a different course than the County.

The motion to defer the item 2 weeks DIED FOR LACK OF A SECOND.

A motion was made by Shawnee County Commissioner Ted Ensley to adopt the Resolution. Commissioner Kane seconded the motion. Motion carried with Councilman Nave dissenting.

ITEM NOS. 9 & 10: Discussion of City of Topeka Resolution Nos. 7493 and 7494 was pulled from the agenda.

Topeka City Councilman Clark Duffy stated he believed with the repeal of the quarter-cent sales tax both Items 9 and 10 were now moot to JEDO. Commissioner Miller understood both resolutions came to JEDO from the City Council and that Mr. Duffy was the sponsor. Councilman Duffy responded that was correct and added that was before the repeal of the current quarter-cent sales tax, which terminated JEDO.

Commissioner Miller asked to clarify if Mr. Duffy wished to take these items up for discussion today. Councilman Duffy reiterated he believed both items were moot to this body.

Commissioner Miller asked if there were other City Council members who wished to take up these items. Councilman Nave and Preisner both stated they did not wish to take up this item.

There was no further discussion of this item.

**ITEM NO. 11: Discussion of Incentive Package Offers.**

Doug Kinsinger acknowledged JEDO had provided Go Topeka in their authorized budget a certain amount of money to offer incentive packages to companies. Mr. Kinsinger reported they had several offers pending. He reminded JEDO in the package offered to Goodyear Tire & Rubber Co. they made a commitment of \$750,000. He explained that would be paid out over a minimum of a three-year period based on their performance, retention of jobs and the investment of \$120 million. Mr. Kinsinger reported Goodyear was making good progress. Most recently, Josten's had accepted the offer of incentives for jobs.

Mr. Kinsinger explained due to the contractual agreement between Go Topeka and JEDO, they were authorized they expend the budget JEDO gave them on an annual basis. But, if that commitment went beyond one year they needed the approval of JEDO to make a multiple year commitment, or they would have to set aside a reserve in their funds. He explained he was bringing this forward in case there was some reason or action that Go Topeka was not the administrator of this program next year. So, he wanted to make sure JEDO recognized this was an obligation of the sales tax funds.

Kathy Mollenberndt reported Josten's just announced Topeka as the recipient of their expansion project. This expansion would result in approximately 200-225 new jobs over a period of the next 12-18 months. As a result, there would be an additional capital investment that could be upwards of \$7 million. Ms. Mollenberndt stressed this was a competitive process and the expansion could have gone to any one of the other manufacturing facilities Josten's had throughout the United States.

3. Mollenberndt explained Josten's was offered an incentive of \$375,500 based upon the creation of the 200-225 jobs. This payment would be spread out over a three-year period. One stipulation in that contract was that those jobs would be retained in the community at least five years. Mr. Kinsinger emphasized not only did those jobs have to be retained, but those funds would only be paid based upon Josten's performance. Josten's would only receive the maximum amount if they fully performed. If they did not provide the jobs or retain those jobs, a portion of the money would be held back.

After a full discussion, Commissioner Marice Kane made the motion to ratify the terms of the Josten's attached incentives as outlined. Councilman Preisner seconded the motion. Motion carried unanimously.

#### ADDED DISCUSSION

Curtis Pitts updated JEDO about current events relating to the Black Expo.

Mr. Kinsinger explained DTI, Go Topeka and the Chamber were trying to work on some entryway/gateway improvements into the community. This was an effort to connect into the 8th Street corridor project, especially on the main visible part of I-70 from 6th to 10th Street. He reported Deb Miller with the Department of Transportation had advised them they had a grant source and could fund 80% of that project. She then connected them with the Kansas State Landscape Architect Department. Mr. Kinsinger asked everyone to look at the pictures on the wall. He said they were eight of the best design team ideas from the Kansas State Landscape Architect Department. He stated it would be the City Council's final decision on the grant submission. He estimated this to be a \$1 million.

Linda Ramirez Gonzalez stated she was a member of the Go Topeka Board of Directors stated as a life long member of the community she felt there were many things going on in the community for everyone.

Councilman Duffy asked the status of Section 9 of the Interlocal Agreement to this body given the County's recent action. Commissioner Miller clarified the electorate voted to repeal the sales tax. But, regarding the status of JEDO, he stated the attorney's for both City and County were currently working with the elected leadership to craft a new agreement he hoped would be put before the respective bodies prior to the half-cent sales tax being in place January 1, 2005.

Councilman Duffy restated his question about Section 9 of the Interlocal Agreement. Commissioner Miller said he did not have the Interlocal Agreement with him and did not know what Section 9 contained. He reiterated the City and County's legal counsels were working on crafting a



aw Interlocal Agreement. Councilman Duffy stated the current agreement said JEDO would be resolved one year after repeal of the sales tax. Commissioner Miller commented he felt that was moot given passage of the sales tax question. Councilman Duffy stated section 9 said neither the city or county could ask the question for the voters to repeal the sales tax. Commissioner Miller responded if the City wanted to sue the County, he believed they would be on solid legal basis to bring action, but there may be default. He noted he had not received any indication from the Mayor that he wanted to discontinue the relationship. But, what he understood from the Mayor was that he wanted the lawyers to craft an agreement setting forth the terms and conditions for a lasting relationship over the course of the sales tax.

Meeting adjourned.

  
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Vic Miller  
JEDO Chair