

MINUTES

JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION

September 17, 2008
Room 545-N—Statehouse

Members Present

Senator Dwayne Umbarger, Chairperson
Representative Joe Humerickhouse, Vice-Chairperson
Senator Pat Apple
Senator Laura Kelly
Senator Stephen Morris
Representative Bob Grant
Representative Bill Feuerborn
Representative Jo Ann Pottorff

Staff Present

Audrey Dunkel, Kansas Legislative Research Department
Kimbra Caywood McCarthy, Kansas Legislative Research Department
Kelly Navinsky-Wenzl, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Christina Butler, Kansas Legislative Research Department
Mike Corrigan, Office of the Revisor of Statutes
Helen Abramson, Committee Secretary

Conferees

Richard Gaito, Deputy Director, Division of Facilities Management, Department of Administration
Dick Koerth, Assistant Secretary, Department of Wildlife and Parks
Norm Davis, Project Engineer, Department of Wildlife and Parks
Gary Hibbs, Manager, Facilities Planning, Division of Facilities Management, Department of Wildlife and Parks
Colonel Cliff Silsby, Army National Guard Construction and Facilities Manager, Adjutant General's Office
Robert E. Blecha, Director, Kansas Bureau of Investigation
Sheryl Weller, Chief Fiscal Officer, Kansas Highway Patrol
Mike Gaito, Director of Capital Improvements, Department of Corrections
Roger Werholtz, Secretary, Department of Corrections
J. Russell Jennings, Commissioner, Juvenile Justice Authority
Keith Bradshaw, Director of Operations, Juvenile Justice Authority

Stuart Little, Jayhawk Tower Partnership
Susan Mahoney, Executive Director, Downtown Topeka, Inc.
Patrick Zollner, Director of Cultural Resources, Kansas State Historical Society
Hi Stockwell, Preservation Chairman, Shawnee County Historical Society
Terry Marmet, Director of Historical Sites, Kansas State Historical Society

Others Attending

See guest list.

Morning Session

Richard Gaito, Deputy Director, Division of Facilities Management, Department of Administration, announced that the Adjutant General's Office (AGO) Salina lease presented at the August 2008 Building Committee meeting was tabled until this month's meeting. However, the Adjutant General asked that the Salina lease be tabled until the November Committee meeting, as the AGO presently is in negotiations with Kansas State University.

Director Gaito re-presented a lease that was tabled last month for the Kansas Department of Wildlife and Parks, the Kansas City Office Building Project, and recapped the terms and conditions ([Attachment 1](#)). An RFP was issued by the Division of Purchases, Department of Administration (DOA) and proposals were received. The ten-year lease being presented today is the total lowest cost of the proposals. The lease is for a total of 7,604 square feet (s.f.) of which 4,570 is for offices and the remainder is for vehicle equipment and storage. It is a ten-year lease at a rate of \$18.52 per s.f. The lease contained two renewal options for five additional years each at a rate of \$24.88 for the first renewal period and to \$28.84 for the second period. The lease contains an option for the agency to purchase the building and property at any time during the lease. The lease purchase price will be determined by the fair market value of three independent appraisers. The lease requires that any improvements to the building made by the agency be credited to the purchase price in the event that the agency purchases the property. In order to determine the current market value to office space in Shawnee, the Division of Facilities Management, Real Estate Department, contacted the Shawnee Chamber of Commerce to determine the current rates in the area. It was determined a new building of similar size would lease between \$22.00 and \$24.00 per s.f. The amount of office space does exceed the State space standard of 250 s.f. per FTE at it is 540 s.f., but the offices in the floor plan are within or very near the space standards as a large portion of the remaining office space is for evidence rooms, interrogation rooms, customer service area, and vehicle storage. The lease followed the established procedures and is acceptable to the DOA.

Dick Koerth, Assistant Secretary, Department of Wildlife and Parks (KDWP), said that the agency presently has the funds to buy the property outright and the agency's present funding plans is to use the Kansas Development Finance Authority for bonding, and he provided Committee members with an estimated 10- and 20-year lease option. The debt service summary used project amounts of \$1,423,000 and \$1,630,000 ([Attachment 2](#)). At a cost of \$1,423,000 for the building, over a 20-year period, it shows that the lease purchase is \$920,000 more than buying the building. The new facility would provide a better facility, better and easier service, as well as saving almost one million dollars by purchasing the building. The bond for the Shawnee office would be paid by 50 percent Wildlife Fee Fund, 25 percent Boating Fee Fund, and 25 percent State General Fund.

To comply with the Governor's recommendation for agencies to reduce their budgets by 2 percent, Mr. Koerth remarked that the agency's capital improvement program has been cut 2 percent on the Parks' side.

Committee discussion followed concerning the total amount of space under the proposed ten-year lease, and the possibility of a lease/purchase option agreement, the number of licenses sold, and the present storage of equipment at Hillsdale that necessitates going down and back for the equipment.

Representative Humerickhouse moved that the Committee review favorably the ten-year lease with renewal options for the Shawnee Wildlife and Parks' facilities. Senator Kelly seconded. Motion carried.

Gary Hibbs, Manager, Facilities Planning, Division of Facilities Management, DOA, presented information on a change order of \$164,940 for the Kansas Department of Wildlife and Parks Wetland's Education Center being constructed at Cheyenne Bottoms for use of cement on 30,000 square feet of service road. Originally there were not enough funds to use concrete. The service road was originally graveled but did not hold up.

Norm Davis, Engineer, KDWP, said that the original intent was to put in an asphalt parking lot. The price of the bid was for a gravel surface. When the project was let, it appeared they would not have the money they thought they would so that they would come back in a year or two and put in asphalt. The agency would like to upgrade now, and because of soil problems, it is believed the gravel or asphalt would not hold, and therefore, bids were taken on concrete. The price difference is between the gravel and concrete, not asphalt and concrete.

Representative Humerickhouse moved that the Committee favorably review the change order of \$164,940 for the use of concrete for the parking lot and driveway at the KDWP's Wetlands Education Center at Cheyenne Bottoms. Representative Grant seconded. Motion carried.

Col. Cliff Silsby, Army National Guard Construction and Facility Manager, presented the Adjutant General's five-year capital improvement plan ([Attachment 3](#)). Debt service for FY 2009 is \$3,019,184. For FY 2010, four projects were shown as follows: \$4,464,650 for Great Plains Regional Training Center #1, \$3,464,650 for Armory Bond Debt Service, and \$370,428 for expansion of the Liberal Motor Vehicle Storage Compound. Great Plains Regional Centers #2, #3, and #4 are projects listed for FY 2011, FY 2012, and FY 2013. Other projects listed for these years were for Armory bond debt services, Hutchinson asphalt repairs, and Olathe asphalt repairs. Also shown in the capital improvement project list was a pictorial view of the Forbes Field Museum Addition.

Col. Silsby remarked that during last year's legislative session a percentage of lottery proceeds were allowed for the Forbes Field Museum Addition which should equate to approximately \$900,000 and that \$217,000 has already been received.

Robert E. Blecha, Director, Kansas Bureau of Investigation (KBI), presented testimony on capital improvements during FY 2008, FY 2009 projected accomplishment and activities, FY 2010 projected accomplishments and activities, and KBI's capital budget plan for additional building/maintenance items ([Attachment 4](#)).

In FY 2008, the Legislature appropriated \$50,000 to the KBI for preparation of a master site plan. That appropriation, along with carry-over fee funds dedicated by the KBI, will cover the \$140,000 fee to contract with Emig and Associates (architect) and MWL, Inc. (consulting firm) who will develop the master site plan, update the needs assessment, and create an architectural program detailing the most efficient means of providing the expansion of KBI Headquarters.

For FY 2009, \$100,000 was appropriated to continue to address the most pressing building maintenance issues. Plans for that funding will begin repair of leaking windows and to improve ventilation and temperature control in the sub-basement which houses an Uninterrupted Power

Source (a necessary item to prevent loss of data in the server room), and to operate critical laboratory, administrative, and security systems.

For FY 2010, the KBI requests \$648,000 to fund initial architectural costs associated with planning of the KBI Headquarters' expansion. Also requested is \$100,000 to replace the aging auxiliary power generator at Headquarters. The KBI is requesting \$36,560 to expand the existing evidence vault at the Kansas City Community College satellite laboratory, and \$140,000 for the Great Bend facility for repairs to the roof, replacement of non-functional humidifiers, replacement of torn carpeting, repairing of damage to walls and wall coverings, and installation of replacement of a HVAC condensing unit.

Mr. Blecha also related other KBI capital budget plan projects for FY 2011, FY 2012, FY 2013, and FY 2014.

Vice-Chairperson Humerickhouse moved that the open meeting of the Joint Committee on State Building Construction be recessed for a closed, executive meeting pursuant to subsection (b) (6) of K.S.A. 75-4319, to discuss matters relating to preliminary discussions concerning acquisition of real estate by the Attorney General-Kansas Bureau of Investigation with respect to matters which are under consideration by the Joint Committee on State Building Construction, that the Joint Committee on State Building Construction shall resume the open meeting in Room 545-N of the Statehouse at 11:25 a.m., and that this motion, if adopted, shall be recorded in the minutes of the Joint Committee on State Building Construction and shall be maintained as a part of the permanent records of the Committee. Adopted at 11:00 a.m., September 17, 2008. Senator Kelly seconded. Motion carried.

Sheryl Weller, Chief Fiscal Officer, Kansas Highway Patrol (KHP), presented main points of interest in the agency's current five-year plan as follows (Attachment 5):

- The first two projects are to continue funding for existing debt service for the Vehicle Fleet Storage and maintenance Facility at Billard Airport in Topeka and the Vehicle Inspection Facility in Olathe.
- The third project is the Highway Patrol Training Academy in Salina. The five-year plan proposed to retain the funding available for the past Academy debt service to continue funding the roof replacements and a new boiler system. The KHP currently is accepting bids for the roof replacement on the Administration/ Classroom building, with the funds that were approved for FY 2009. KHP is requesting the continued use of those funds for FY 2010 and FY 2011 to replace the remaining four roofs and to install a new boiler system at the Academy.
- The fourth project of the KHP's plan includes annual funding for routine rehabilitation and repair of the various agency buildings and repair and replacement of the large scales required for motor carrier enforcement in the amount of \$267,800.
- The final project of the KHP's plan is the replacement of the Troop F Headquarters located in Sedgwick County. KHP Troop F Headquarters operation currently is housed in a KDOT building and garage at 45th and Hillside in Wichita and in a KHP-owned building in Valley Center. As discussed in previous Building Committee meetings, the need for this building is at a critical stage. Since the FY 1993 budget cycle, funding for construction of a consolidated Troop F Headquarters has been sought. Not only has the Troop outgrown the current facilities, but there are increasing concerns that the deterioration of these facilities could be hazardous to the safety of employees and customers. The KHP is

asking for approval of a fifteen (15) year old issue to finance the construction of a 25,000 square foot facility on KDOT-owned property at K254 and Rock Road in Sedgwick County. KDOT has approved the use of this land by the KHP and the City of Kechi has approved zoning changes that were required in order to build at this location.

Mike Gaito, Director of Capital Improvements, Department of Corrections (DOC), presented the agency's five-year capital improvements requests (Attachment 6). For FY 2010, \$5,004,431 is requested for repair, remodel and additions for all of its facilities. Previously, the DOC has requested about \$3–\$3.5 million. Last year, the Governor recommended \$5 million with the additional funds coming from gaming revenue. That amount was reduced during the session and reverted to \$3.2 million. Approximately \$1 million is spent yearly on roof replacement. Some of the requests for FY 2010 include bathroom repairs at Hutchinson, replacement of concrete and storm water at Max Street at Lansing, and renovation of dorms at Topeka (two are completed and the third one will be started during the coming legislative session).

Debt service amounts totaling \$5,358,000 for FY 2010 are listed as follows:

- \$154,000 for plan/construction Labette Correctional Conservation Camp;
- \$2,267,000 for plan/construction El Dorado and Larned correctional facilities;
- \$1,398,000 for plan/construction Reception and Diagnostic Unit at El Dorado Correctional Facility; and
- \$1,542,000 for correctional facilities infrastructure projects.

Mr. Gaito announced that the Labette Correctional Conservation Camp debt service ends in FY 2010 and the El Dorado and Larned facilities debt service ends in FY 2012.

Mr. Gaito noted that the DOC owns the female camp at the Labette facility, but the male camp originally was done with the county. However, in 1992 the facility was suspended, and the State paid for it with bond money.

Roger Werholtz, Secretary, KDOC, said that, regarding the male facility, it is not clear who the owner will be once the bonds are retired as the county or the state can both have a claim to it. However, when talking with KDFA's attorneys it is believed the owner is whoever pays off the bonds first. The State funds the operations of the county and the county uses that money for the contractor when contracting the operation of the facility, but it has all been 100 percent state funded.

Mr. Gaito stated that the DOC is requesting \$183,463 in FY 2010 for an addition to the South Unit Visiting Project at the Hutchinson Correctional Facility to be funded with State General Funds (Attachment 7). The visiting room was designed to accommodate 96 inmates when it was constructed. However, the south unit now houses up to 288 inmates. There has been no increase in visiting space to accommodate the increased population. This project would expand the visiting room by 2,425 s.f. which would allow sufficient visiting space. The project would be constructed by facility staff and inmate work crews.

Mr. Gaito then referred to the Kansas Correctional Industries Private Industries Expansion at Lansing Correctional Facility (LCF) (Attachment 8). The space is needed in response to a request made by Impact Design which currently employs 280 inmates at LCF. Impact Design (Impact) needs

to relocate its current warehouse and storage space from 16 miles away to an onsite location. This will allow LCF to offer employment opportunities to inmates not permitted to lease facility grounds due to custody restriction. Impact currently employs a number of inmates at its current location and has indicated that an additional 15-25 private industry inmate jobs would be generated in the second or third year after relocation. It is important to note that no private sector jobs would be lost due to this relocation.

The DOC through Kansas Correctional Industries (KCI) proposes the construction of a 100-foot long facility west of LCF's minimum custody facility on County 5 Highway. It would be constructed on the site of the former KCI janitorial products building. The former janitorial products building would need to be razed and the ground leveled to allow for the new building and possible future expansion. Since the former janitorial building needs to be razed, an additional building would need to be constructed on the grounds of LCF's East Unit compound to replace a security facility used to process inmates going to and coming from work calls outside LCF property. The building's cost is budgeted at \$1,518,236 for the two buildings, site work, erection and architectural services.

The initial revenue for the purchase and construction of these buildings will come from the Correctional Industries revolving fund. However, Impact, through lease payments and additional inmate workers ultimately will pay for the building construction in ten years. Lease payments will be no less than \$89,400 per year and additional inmate workers in year two and beyond will generate more than \$62,500 in room and board payments per year.

Impact will repay all of the expenses for this project in the first 10 years. After that time, KCI will receive nearly \$90,000 a year in lease payments that could be used for maintenance on this structure or further expansion as KCI continues to strive for full inmate employment. Impact will be responsible for obtaining and paying for all utilities, including trash removal, for the building while occupied by them.

Discussion followed concerning any consequences that may arise if Impact decided to leave prior to the termination of the ten-year lease and the pluses of using inmates to learn labor skills.

Mr. Gaito next presented the addition to East End of Industrial Yard Building project for the Vocational Homebuilding (Attachment 9). This project will be financed by Southeast Kansas Educational Service Center – Local #609 (Greenbush) at an estimated cost of \$50,000. This building is the property of Ellsworth Correctional Facility (ECF). Maintenance and utilities of this building are the responsibility of ECF. This building would be on the location of the construction of the cabins being built for the Department of Wildlife and Parks. There was a fairly extensive need for these cabins, so the program was expanded. It would be a type of classroom for inmates to learn how to build the cabins. The ongoing operations and maintenance costs of the building would be borne by the State.

Committee discussion followed, concerning the length of time additional cabins are needed and the future need for them in the private market.

Chairperson Umbarger recessed the morning meeting at 11:55 a.m.

Afternoon Session

Chairperson Umbarger called the meeting to order at 1:45 p.m.

J. Russell Jennings, Commissioner, Juvenile Justice Authority (JJA), presented the agency's five-year capital improvement plan (Attachment 10). Commissioner Jennings informed the Committee that he is scheduled tomorrow at 10:00 a.m. to be in front of the Joint Legislative Budget Committee to review certain actions the agency has taken with respect to the Atchison Juvenile Correctional Facility. He noted in the agency's five-year capital improvement plan that there are several capital projects that JJA had anticipated being needed at that facility, but in light of changed status of that facility, the agency will not need to proceed with some rather substantial projects on that property. Tomorrow, the agency will post on its website the written testimony that will be submitted to the Budget Committee so members of this Committee who have interest in the details or do not serve on the Budget Committee will have the opportunity to review the written testimony to gain a greater insight into the fiduciary process with respect to that operation.

The five-year capital improvement plan as submitted today includes \$797,000 from the State Institutions' Building Fund (SIBF) for rehabilitation and repair projects for FY 2010, which is roughly an 8 percent increase from the approved level of FY 2009. The agency believes this number will decline based on whatever projects were initially included that would not be necessary due to the re-purposing of the Atchison facility. These projects have been prioritized according to level of need.

The master lease program grants is something the agency is looking at in terms of perimeter fence security cameras and the satellite control center at the Juvenile Correctional Complex in Topeka. The perimeter fence security camera system and perhaps the motion detectors will eliminate the need to have 24-hour daily continuous perimeter security patrol which carries with it a \$180,000 yearly expense.

Most of the projects that are in the capital improvement plan would be to continue assuming that the State maintains title and ownership of property for re-purposing the Youth Residential Center (group home) by using a private contractor at the Atchison facility. However, projects not needing to be done would be items such as putting padding or intensive treatment unit or a segregation unit, retrofitting plumbing fixtures with stainless steel, removal of some fireplaces and chimneys that were causing visual obstructions to the staff to adequately supervise the facility, and replacement of a generator or actually putting in place a generator for emergency electricity. However, because of the agency's age and the nature of some of the deficiencies, there are certain items still needing to be done if the facility is re-purposed for use as a group home. Particularly, part of the electrical upgrade project that was submitted relates to certain transformers that have an age in excess of 50 years that are at high risk. Not only are they at high risk because of the age but also because of the method of construction and the substances used in old transformers are considered hazardous with PCBs.

Included in the capital improvement plan is the remodeling of the Juvenile Correctional Facility Administration Building that houses JJA's central office to eliminate the need to pay rents and fees for office space and provide a permanent long-term home for the Juvenile Justice Authority with adequate parking. One of the advantages of this particular move is that on the old Topeka Correctional Facility Complex, there now remains a fairly modern and fairly recently renovated school building, and since the agency envisions this property as a campus, this particular school building could one day be used as a central training site for all the juvenile correctional officers who go through training, as long as they are community partners, and it could be set up to serve that purpose. Another thought is that for JJA's staff at the Beloit and Larned facilities who travel to Topeka for the purpose of basic training, there is a dormitory there that could be utilized for housing staff which would reduce motel and meal expenses. That is a longer term project, but it would be a way to utilize that campus at a higher level than at present.

The big item shown on the capital improvement plan for FY 2011 that is at the same level and has the same conditions that existed at the Atchison facility exists with the Beloit facility. Today's population is 23, and there is not any reason to think that this population will grow significantly. This

is again a complex of buildings that were not constructed with anything in mind that they would be used as a correctional facility. What has happened with juvenile justice reform is that at some level it has worked. It was anticipated that only the most serious and violent offender would be committed to state juvenile facilities and that is precisely the kind of population which they are now receiving. Low level, low risk, offenders are not being placed in the juvenile correctional facilities. In many instances these are some of the most dangerous young people that you would care to come across.

The interesting thing about the Beloit facility is that it is females only. There are not a lot of options where 23 girls could be moved to gain efficiencies in operations. There is an option being explored as the Kansas Advisory Group on Juvenile Justice is conducting a study and the findings will be reported back with respect to options that might be available in terms of the Beloit facility. One option being considered is construction of a new \$12 million, 42-bed facility on property that currently is owned in Beloit without any development on it. The entire facility would be under one roof so that operationally the staffing levels could be adjusted to gain greater efficiency in operation and have greater security. In order to go from the dining hall to the living units, to the classroom, or to anything other than the residual areas that they now reside in, the girls have to go outside. The girls have to be accompanied by staff, there are no perimeter fences, and occasionally they do tend to run off. It is not all of the girls. It is the girls that have been involved in homicide, and the girls who have been involved in numerous low level felony offenses. But, in terms of security, it was not designed to serve the purpose which it is serving today.

The agency believes it is possible that the State could realize \$1 million plus per year of operational savings by putting this under one roof with appropriate security, provide for all the program needs at the level they are today, and operating savings can be gained. It is extremely staff intensive to provide enough people in proximity of the kids when they are moving in order to avoid the risk of escape. This project was put in for FY 2011 with the understanding that it is just being put in to let the Committee know there is this discussion, and options are being developed that will be carefully examined. In the end Committee members will receive a comprehensive report of the costs and benefits and ultimately there will be a recommendation from the agency as to how they would like to go forward with respect to this particular project. Funding from the SIBF could be used. Other options are also being considered.

Commissioner Jennings presented declining numbers in various categories of the population at juvenile correctional facilities.

Keith Bradshaw, Director of Operations, Juvenile Justice Authority, informed that the SIBF could be used for the project. In FY 2013, the bond that the State incurred to support local communities developing regional juvenile detention centers will be retired which annually cost the State about \$700,000. However, through redefinition of the purpose of that particular fund there might be an optional funding source, if it was broadened to include juvenile correctional facilities.

Committee discussion followed concerning the areas from which the female juveniles come, transportation costs, proximity to families, availability of the workforce staff, the rate of staff to the juveniles in the current facility, and the proposed new facility.

Next, Commissioner Jennings reviewed the program statement for the proposed remodel of the Kansas Correctional Complex for the Juvenile Justice Authority Administration Office (Attachment 11). Commissioner Jennings said there has not been any changes since he presented this project to the Committee last year except that it cost a bit more now, based on estimates a year ago. He noted there is some inflation built into it. The total project cost is estimated at \$3,074,000 and there would be a 15-year payback on investments when considering rent savings because of no fees being paid to the Department of Administration for rental space. The agency still can revert current expenditures for electricity, heating, and cooling to maintain the JJA Complex buildings so they do not deteriorate. Commissioner Jennings remarked that where the agency stands is that either this

project needs to go forward or to move on to other concerns. Since being asked to cut budget expenses it would have been nice to not have to ask for State General Funding of \$200,000 as part of the agency's budget issue.

Committee discussion followed concerning the amount of square feet, space standards, the computation of the 15-year payback, and the \$54,000 needed to maintain present buildings.

Chairperson Umbarger reminded the Committee that this proposal is an assigned LCC topic and the Committee is charged with making a recommendation.

Commissioner Jennings remarked that this project was passed in last session's mega bill and approved, but it was removed during the Omnibus appropriation process. Also, there was a belief that a joint study with the City of Topeka and some Capitol Area Complex organization would be done, but that study was not funded. Last year the JJA extended its lease for a year and it is going to run out again. The agency will take in account if it is to renegotiate an extension to the existing lease to allow the JJA Administrative offices to stay put until this project will be completed, or a new RFP will need to be issued. If the project is not recommended, the agency will proceed with preparations for issuance of an RFP for JJA office space, or negotiate with the present landlord to extend the existing lease to a point in time slightly in excess of an anticipated completion date, so the work can be done with the lease time running as much together as possible.

Senator Kelly noted that she would still like to have the Capitol Area Complex study done; even though it was not previously funded, and to also wait on the completion of the Kansas Advisory Report before making any decision on the proposed JJA project.

Stuart Little appeared on behalf of the Jayhawk Tower Partnership, who in this specific instance is the landlord for the JJA's present leased facility. Last year when this proposal was discussed, there was not a discussion of what has been a longstanding principle or value in State government and its partnership with Capitol City of Topeka. Mr. Little noted that there are other landlords in Topeka who work with State agencies who have the exact same issues as the JJA, but do members of the Committee want State offices to move from downtown to other places. Mr. Little provided to Committee members copies of letters from the City of Topeka, Greater Topeka Chamber, and Downtown Topeka, Inc. opposing this project (Attachments 12, 13 and 14). There is a much larger issue with regard to the movement of simply the JJA administrative office out of downtown Topeka to another facility that has to do with the long range planning. Since Governor Graves' administration there has been a policy and a commitment to working with downtown landlords to provide office space for private business, invest money in improvements, work with agencies, and go through that process. If this move is allowed to go into effect, then that is a change in the policy. If the JJA does not move and it issues an RFP to move to another landlord downtown, it reflects a basic principle that there is investment in downtown, a commitment to keeping State agencies downtown. The conferee noted that his group and we and others are opposed to the move of the JJA administrative office from downtown.

Representative Pottorff remarked that there has been this same issue for a number of years, but until this year, and right now, this has become very political. People have moved from downtown for years. She noted that people who are trying to do the right thing and some landlord is upset with this, and the whole city is getting involved.

Senator Apple questioned if there was documentation regarding the downtown policy during the Graves administration. Mr. Little said that this was the policy of the Graves administration and a statute was not passed.

Susan Mahoney, Executive Director, Downtown Topeka, Inc., said this policy occurred during the construction of the Curtis Office Building. Ms. Mahoney said their biggest concern with the

downtown perspective is that the City tries desperately to keep new businesses coming in and to keep them open, and there has been some success over the last few years with some retail businesses coming in and staying. The City of Topeka with a population of roughly 122,000 does not qualify to purchase a main street program that is administered through the Department of Commerce, so the City faces some different challenges than other cities across the state. From the Downtown Topeka, Inc. perspective, it is the right thing to do to keep offices downtown and count on the partnership it has with the state. The conferee noted the respect the partnership, the City, and the State has had for many years and the need for state agencies and their employees to be there in order to support the surrounding investment that businesses have made. Also, Ms. Mahoney reviewed the expense of RFPs.

Ms. Mahoney said that the City was able to keep \$125,000 for the incentive grant program in the city budget.

Chairperson Umbarger commented that there is a Joint Budget Committee in the next few days. Members will be looking at closures and what is happening across the State which will give him a little more understanding and clarity of what is happening, and of the challenges and opportunities, so that a more informed decision on this issue can be made.

Vice-Chairperson Humerickhouse moved for the Committee to review favorably the proposed renovation of the existing administration building for the Juvenile Justice Authority Central Office at the Kansas Juvenile Correctional Complex. Representative Pottorff seconded.

Representatives Feuerborn and Grant spoke about their concerns of the proposed renovation of the existing administration building for the Juvenile Justice Authority Central Office.

A voice vote was called. Representative Feuerborn asked for a division. Motion carried, four to three.

Patrick Zollner, Director of Culture Resources, Kansas State Historical Society (KSHS), stated that when the agency appeared before the Committee in April 2008 the agency was asked for a structural report in the amount of \$30,000 for the Dillon House. At that time, the KSHS had a commitment of \$15,000 from the agency's federal fund and the agency would apply for a \$5,000 grant from the National Trust for Historic Preservation. On July 10, 2008 that grant was awarded. The Trust operates on a federal fiscal year and so they are anxious to know if there is a commitment for the remaining \$10,000 in matching funds.

Hi Stockwell, Preservation Chairman for the Shawnee County Historical Society, said he worked in the Dillon House a half a century ago and noted it was a very unique building and unique to Topeka as a family home, especially in the downtown Topeka area. The library like that was not seen in a family home when this house was built and probably has not been seen since, and he believes this unique building is a valuable asset.

Terry Marmet, Director of Historical Sites, Kansas State Historical Society, announced that Treanor Architects, P.A., the firm that was hired for the architectural study on the State Capitol Building, has offered to do the Dillon House structural report for the much reduced price. The cost estimate was probably three times greater than the agreed upon price.

Senator Kelly moved that the Committee review favorably the State commitment for the remaining \$10,000 matching funds for the structural report of the Dillon House for the Kansas State Historical Society. Representative Grant seconded. Motion carried.

Chairperson Umbarger closed the meeting at 3:10 p.m., and announced the next Committee meeting will be November 18, 2008.

Prepared by Helen Abramson
Edited by Audrey Dunkel

Approved by Committee on:

June 4, 2009

(Date)