

**Topeka Development Corporation Board of Directors Meeting Minutes
May 7, 2024**

The Topeka Development Corporation (TDC) Board of Directors met in the City Council Chambers at 5:00 p.m. with the following Board of Directors present: Karen Hiller, Christina Valdivia-Alcala, Marcus D.L. Miller, Spencer Duncan and Michelle Hoferer -5. Board Vice President Neil Dobler presided -1. Absent: Board President Michael Padilla, Board of Directors Sylvia Ortiz, David Banks and Brett Kell, -4.

Public comment for the meeting was available via Zoom or in-person. Individuals were required to contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 4:00 p.m. on May 7, 2024, after which the City Clerk's Office provided the Zoom link information and protocols prior to the meeting start time. Written public comment was also considered to the extent it was personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before May 7, 2024.

PLEDGE OF ALLEGIANCE was cited by meeting participants.

APPROVAL of the April 9, 2024 Board Meeting Minutes.

Director Miller moved to approve the minutes. The motion seconded by Director Duncan carried unanimously on voice vote. (6-0-0)

REVIEW and EVALUATE the offers received to own and operate Hotel Topeka,

Vice President Dobler announced there was a need to recess into executive session. He asked Senior City Attorney Mullen to state the motion.

Mat Mullen, Senior City Attorney, stated the motion would be to recess into executive session for a time period not to exceed 30 minutes to discuss data relating to financial affairs or trade secrets of corporations confidential offers pursuant to K.S.A. 75-4319(b)(4). The open meeting will resume in the City Council Chambers. The following staff will be necessary to assist the Board of Directors in its deliberations Public Works Director Braxton Copley, Senior City Attorney Mat Mullen and any other staff the Board finds useful.

Director Duncan moved to recess into executive session as stated by Senior City Attorney Mullen. The motion was seconded by Director Hoferer.

Vice President Dobler asked all those in favor of recessing into executive session as stated by Senior City Attorney Mullen to indicate so verbally by saying "yea" and those opposing to indicate so verbally by saying "no." The motion carried unanimously on voice vote. (6-0-0)

At the conclusion of the executive session, the meeting reconvened into open session and Vice President Dobler announced no action was taken during the executive session; however, there was a need to continue the discussion in executive session.

Director Hoferer moved to recess into executive session for a time period not to exceed 10 minutes to continue discussion on data relating to financial affairs or trade secrets of corporations confidential offers pursuant to K.S.A. 75-4319(b)(4). The open meeting will resume in the City Council Chambers. The following staff will be necessary to assist the Board of Directors in its deliberations Public Works Director Braxton Copley, Senior City Attorney Mat Mullen and any other staff the Board finds useful. The motion was seconded by Director Hoferer.

Vice President Dobler asked all those in favor of recessing into executive session as stated by the Senior City Attorney to indicate so verbally by saying “yea” and those opposing to indicate so verbally by saying “no.” The motion carried unanimously on voice vote. (6-0-0)

At the conclusion of the executive session, the meeting reconvened into open session and Vice President Dobler announced no action was taken during the executive session.

Councilmember Ortiz joined the meeting remotely.

Councilmembers Banks and Kell entered the room.

APPROVAL of \$217,254 from the Unassigned Reserve Fund for chiller rehab at Hotel Topeka contingent upon Governing Body approval of the transfer of the funds to the Topeka Development Corporation.

Braxton Copley, Project Manager, reported the Policy and Finance City Council Committee recommended approval to authorize the use of \$217,254 to rehab the Trane Chiller at Hotel Topeka contingent upon Governing Body approval at the May 7, 2024 Governing Body meeting. He expressed the importance of repairing the Trane Chiller because there was only one chiller currently operational at Hotel Topeka and if it were to fail there would be no operational air conditioning system at the hotel.

Director Duncan moved to approve the allocation of \$217,254 from the Unassigned Reserve Fund for chiller rehab at Hotel Topeka contingent upon Governing Body approval of the transfer of the funds to the Topeka Development Corporation. The motion seconded by Director Miller carried. Directors Ortiz, Valdivia-Alcala and Banks voted “no.” (6-3-0)

DISCUSSION regarding the results of the 2023 Audit of Financial Statements of the Topeka Development Corporation, a component unit of the City of Topeka, Kansas.

Ben Hart, Board Treasurer, reported the external audit for the Topeka Development Corporation (TDC) Financial Statement ending December 31, 2023, has been completed and resulted in a clean audit opinion. He noted no comments were made regarding management or issues with the

audit itself. He reported the next step in the process would be to incorporate the TDC financial audit as a component unit of the City in the City of Topeka financial audit report to be presented to the TDC Board in June 2024.

NO FURTHER BUSINESS appearing the meeting adjourned at 5:50 p.m.