

RESOLUTION NO. 7749

A RESOLUTION introduced by City Manager Neil Dobler establishing a Relocation Assistance Policy for certain projects undertaken by the City of Topeka, and specifically rescinding City of Topeka Resolution No. 6222.

WHEREAS, Kansas state and federal law require relocation assistance to be provided in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended 42 U.S.C. § 4601, *et seq.*, as may be amended (Uniform Relocation Act) and the implementing Regulations, 49 C.F.R Part 24 as may be amended (Regulations) to specified persons and businesses displaced by certain projects undertaken by the City; and

WHEREAS, the Council of the City of Topeka is desirous of establishing the Uniform Relocation Act and the Regulations as the Relocation Assistance Policy for the City of Topeka for certain City projects requiring relocation assistance; and

WHEREAS, the Uniform Relocation Act and the Regulations are specifically incorporated as if fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka, Kansas, that it hereby adopts the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended 42 U.S.C. § 4601, *et seq.*, as may be amended (Uniform Relocation Act) and the implementing Regulations, 49 C.F.R Part 24 as may be amended (Regulations) as the City of Topeka's Relocation Assistance Policy for City projects which require relocation assistance.

BE IT FURTHER RESOLVED that relocation benefits and assistance for all projects undertaken by the City of Topeka which require relocation assistance shall be paid in accordance with said Policy.

BE IT FURTHER RESOLVED that for redevelopment projects undertaken by the City pursuant to K.S.A. 12-1770, *et seq.*, as may be amended, relocation assistance shall also:

a) Provide for relocation payments to be made to persons, families and businesses who move from real property located in the redevelopment district or who move personal property from real property located in the redevelopment district as a result of the acquisition of the real property by the City in carrying out the provisions of this Act. With respect to any redevelopment project other than one which includes an auto race track facility, such payments shall not be less than five hundred dollars (\$500.00);

b) Provide that no persons or families residing in the redevelopment district shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents within their ability to pay. Such housing units shall be suitable to the needs of such displaced persons or families and must be a decent, safe, sanitary and otherwise standard dwelling; and

c) Provide for the payment of any damages sustained by a retailer, as defined by K.S.A. 79-3702, and amendments thereto, by reason of the liquidation of inventories necessitated by relocation from the redevelopment district.

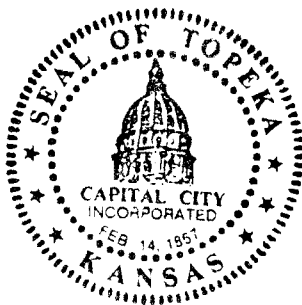
BE IT FURTHER RESOLVED that nothing contained in this Resolution or the Relocation Assistance Policy shall conflict with or supersede additional or substitute relocation benefits for projects funded in whole or in part by the Department of Housing and Urban Development which require relocation assistance under the Uniform Relocation Act and certain applicable provisions in the Housing and Community Development Act of 1974, as amended.

BE IT FURTHER RESOLVED that the City Council shall determine the funding source for any relocation assistance benefits, as part of the project budget approval process.

BE IT FURTHER RESOLVED that City of Topeka Resolution No. 6222 is hereby rescinded.

ADOPTED and APPROVED by the City Council January 31, 2006.

CITY OF TOPEKA, KANSAS



ATTEST:

William W. Bunten
William W. Bunten, Mayor

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY	
DATE <u>2/1/06</u>	BY <u>[Signature]</u>