



City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
June 16, 2026

DATE: June 16, 2026
CONTACT PERSON: Geoffrey Lydick, Chief of DOCUMENT #:
Litigation
SECOND PARTY/SUBJECT: ATT Kansas **PROJECT #:**
CIP PROJECT:
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Dr. Robert M. Perez, authorizing the City Attorney's Office to initiate litigation.

(Approval will authorize the City Attorney's Office to initiate a lawsuit to seek judgement for damages resulting from a breach of an agreement granted by Ordinance No. 20252 with ATT Kansas.)

VOTING REQUIREMENTS:

Action requires six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to authorize the City Attorney to initiate a lawsuit in Shawnee County District Court seeking a judgement for damages.

STAFF RECOMMENDATION:

Staff recommends moving to approve the resolution as part of the consent agenda.

BACKGROUND:

Pursuant to the caselaw of *Imming v. Topeka*, the Governing Body is required to take an affirmative vote to approve filing an action in district court and the potential damage amount exceeds the limit for the authority established in TMC 3.35.070.

BUDGETARY IMPACT:

This will be handled by staff attorneys.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

Resolution - Initiating Litigation (ATT Franchise Ordinance 20252)
Ordinance 20252 - ATT Franchise