



28 remaining funds to the Downtown Topeka Foundation to complete its plan for Phase  
29 One of the Ice Rink; and

30 WHEREAS, the City's Transient Guest Tax Committee (hereinafter "TGT  
31 Committee"), consisting of Council Members Duncan, Valdivia-Alcala and Hoferer,  
32 reviewed the request to re-allocate the funds to the Grantee; and

33 WHEREAS, on May 23, 2024, the TGT Committee adopted Grantee's request for  
34 the Project to re-allocate up to \$180,188.44 to fund Phase One of the Concrete Slab of  
35 the Ice Rink.

36 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
37 CITY OF TOPEKA, KANSAS, that:

38 Section 1. The City shall re-allocate up to \$180,188.44 of the remaining TGT  
39 fund to fund Phase One of the Ice Rink as planned and developed by the Downtown  
40 Topeka Foundation subject to the terms and conditions contained in this Resolution and  
41 a subsequently executed development agreement.

42 Such funds will be allocated in an amount determined by the City's chief financial  
43 officer or designee. The commitments will begin in fiscal year 2025 and continue until  
44 December 31, 2027 or until the maximum expenditure amount of \$180,188.44 is met,  
45 whichever event is earlier.

46 Section 2. The City's funding commitment will be conditioned upon the  
47 occurrence of the following:

48 (a) Continuation of a charter ordinance with the current 1% TGT which  
49 expires on December 31, 2027.

50 (b) Approval of a development agreement between the governing body and

51 the appropriate legal entity responsible for the project. Such agreement will contain  
52 provisions addressing the use of TGT funds, including but not necessarily limited to:

53 (1) A project development budget identifying all funding sources and  
54 the manner in which TGT funds will be spent.

55 (2) An operating plan for the project identifying various performance  
56 metrics.

57 (3) A project timeline identifying established deadlines for various  
58 milestones.

59 (4) A project design document.

60 (5) The anticipated economic impact of the project.

61 (6) An outline of the various responsibilities related to reporting,  
62 inspections, audits, indemnification, insurance, and fund repayment in certain  
63 specified circumstances.

64 The development agreement will also acknowledge that grant funding may be  
65 reduced to correspond to lower than expected TGT revenues.

66 The development agreement will also acknowledge that non-use of the fund will  
67 be reimbursed back to the TGT fund.

68 (c) The development agreement will be submitted to the governing body for  
69 its consideration and approval within 180 days from the date of this Resolution; unless  
70 an extension is granted by the governing body.

71 (d) If the entity contracting on behalf of Ice Rink is a not-for-profit entity, it will  
72 comply with the requirements of K.S.A. 45-240 and amendments thereto regarding  
73 recordkeeping requirements for not-for-profit entities that receive public funds.

74 (e) The entity contracting on behalf of Ice Rink shall not owe any debt due to  
75 the City, including, but not limited to property taxes and special assessments and shall  
76 be in good standing with the Kansas Secretary of State.

77 Section 3. All financial commitments referenced in this Resolution shall be  
78 subject to the Budget and Cash Basis laws and any other applicable ordinances or  
79 statutes.

80 ADOPTED and APPROVED by the Governing Body on March 18, 2025.

81 CITY OF TOPEKA, KANSAS

82  
83  
84  
85  
86 \_\_\_\_\_  
Michael A. Padilla, Mayor

87 ATTEST:

88  
89  
90  
91 \_\_\_\_\_  
92 Brenda Younger, City Clerk