

RESOLUTION NO. 9661

A RESOLUTION introduced by Councilmembers Duncan, Valdivia-Acala, and Hoferer sitting as the Transient Guest Tax Committee, to allocate transient guest tax funds to the NOTO Arts and Entertainment District to enhance the City's cultural and visual landscape.

WHEREAS, transient guest taxes (TGT) may be imposed on individuals who occupy hotel and motel rooms for short durations; and

WHEREAS, the funds generated by such taxes may be used for convention and tourism activities and to promote the general welfare of the city, including the attraction of industry; and

WHEREAS, the City currently imposes a 7% TGT; and

WHEREAS, on August 20, 2002, the governing body, in Resolution No. 7253, allocated 1% of the TGT for a period of 13 years to the development of the Great Overland Station, including Riverfront Park, and the historic preservation fund and extended by the governing body on October 20, 2015 by a period of Twelve (12) years via Resolution No.8732; and

WHEREAS, the TGT 7% fund is broken down to 5% for general, 1% to four (4) specific organizations and 1% to Sunflower Sports Association; and

WHEREAS, the fund currently has \$52,114.06 in undistributed funds; and

WHEREAS, the NOTO Arts and Entertainment District desires to initiate three major projects with use of the funds, including Sidewalk Art Project, North Kansas Avenue Bridge Mural and NOTO Mural Repairs; and

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

WHEREAS, on April 23, 2025, the TGT Committee adopted NOTO Arts and Entertainment District's request to allocate \$52,114.06 from the undistributed TGT funds.

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

Section 1. The City shall allocate \$52,114.06 to provide funding for NOTO Arts and Entertainment District's art initiative as planned and developed by NOTO Arts and Entertainment District subject to the terms and conditions contained in this Resolution. Such funds will be allocated by a one-time sum of \$52,114.06.

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

(a) If the entity contracting on behalf of NOTO Arts and Entertainment District is a not-for-profit entity, it will comply with the requirements of K.S.A. 45-240 and amendments thereto regarding recordkeeping requirements for not-for-profit entities that receive public funds.

(b) The entity contracting on behalf of NOTO Arts and Entertainment District shall not owe any debt due to the City, including, but not limited to property taxes and special assessments and shall be in good standing with the Kansas Secretary of State.

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

ADOPTED and APPROVED by the Governing Body on May 13, 2025.

CITY OF TOPEKA, KANSAS

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ATTEST:

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Michael A. Padilla, Mayor

Brenda Younger, City Clerk