



# City Council Committee Meeting Notice

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CITY COUNCIL  
City Hall, 215 SE 7th Street, Suite 255  
Topeka, KS 66603-3914  
Tel: (785) 368-3710  
Fax: (785) 368-3958  
[www.topeka.org](http://www.topeka.org)

**Committee:** Transient Guest Tax (TGT)  
**Meeting Date:** March 12, 2025  
**Time:** 1:00pm  
**Location:** Virtual Only

**Agenda:**

1. Call to order
2. Downtown Topeka Foundation-Ice Rink Resolution
3. Sunflower Soccer Association-Project NextGen Resolution
4. Other Items
5. Adjourn

**Staff Requested:** Dr. Robert M. Perez, City Manager  
Amanda Stanley, City Attorney  
Josh McAnarney, Budget & Finance Division Director

**Committee Members:** Christina Valdivia-Alcalá - District 2  
Spencer Duncan-District - 8  
Michelle Hoferer-District - 9

**Council Office Contacts:** Tonya Bailey, Senior Executive Assistant  
Tara Jefferies, Senior Executive Assistant  
[councilassist@topeka.org](mailto:councilassist@topeka.org) 785-368-3710

In-person and virtual attendance options are available. Members of the public are asked to contact the City Council office at 785-368-3710 or email [councilassist@topeka.org](mailto:councilassist@topeka.org) before 5:00pm on day prior of meeting to receive the log-in information. The meeting will be live-streamed on the City of Topeka Facebook and City4 Communications platforms.



**City of Topeka**  
**Transient Guest Tax Committee**  
**214 SE 8th Street**  
**Topeka, Kansas 66603**  
**[www.topeka.org](http://www.topeka.org)**

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**DATE:** March 6, 2025

**CONTACT PERSON:** Michelle Hoferer, Chair

**SUBJECT:** Downtown Topeka Foundation Ice Rink

**PROJECT #:** Ice Rink

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**DOCUMENT DESCRIPTION:**

Re-allocate remaining Transient Guest Tax funding for the Downtown Topeka Foundation Ice Rink in the amount of \$180,188.44.

**ATTACHEMENTS:**

Resolution

Contract

1 RESOLUTION NO. \_\_\_\_\_  
2

3 A RESOLUTION introduced by Councilmembers Duncan, Valdivia-Acala, and  
4 Hoferer sitting as the Transient Guest Tax Committee, re-allocate  
5 remaining transient guest tax funding for the Downtown Topeka  
6 Foundation Ice Rink.  
7

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

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

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

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

19 WHEREAS, via Resolution No. 8732, the City allocated \$300,000.00 over a  
20 period of Twelve (12) years to provide funding for the Evel Knievel Museum subject to  
21 the terms and conditions contained in the Resolution and Development Agreement; and

22 WHEREAS, the Evel Knievel Museum ceased operations in the summer of 2021  
23 within the City of Topeka prior to the end and disbursement of the allocated funds and  
24 payments of TGT funds terminated; and

25 WHEREAS, via Resolution No. 9568, the City re-allocated those remaining funds  
26 to the Downtown Topeka Foundation Ice Rink.

27 WHEREAS, the TGT Committee is desirous of re-allocating the undistributed and

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) A project design document.

(5) The anticipated economic impact of the project.

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

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

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

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

(d) If the entity contracting on behalf of Ice Rink 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.

(e) The entity contracting on behalf of Ice Rink 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 \_\_\_\_\_

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Michael A. Padilla, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

CITY OF TOPEKA CONTRACT NO. \_\_\_\_\_

AMENDMENT NO. 2 TO CITY OF TOPEKA CONTRACT NO. 52270

1 This Amendment No. 2 to City of Topeka Contract No. 52270 is entered into on  
2 this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by and between the City of Topeka, Kansas,  
3 a duly organized municipal corporation, hereinafter referred to as "City" and Downtown  
4 Topeka Foundation, a Not For-Profit Corporation, hereinafter referred to as "Grantee."

5 WHEREAS, City and Grantee entered into City of Topeka Contract No. 52270 to  
6 provide for a Development Agreement for the use of Transient Guest Tax develop plans  
7 and construct an Ice Rink in the Evergy Plaza area of the City of Topeka; and

8 WHEREAS, the parties desire to amend City of Topeka Contract No. 52270.

9 NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS  
10 CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

11 Section 1. Paragraph 1(b) of City of Topeka Contract No. 52270 and  
12 Amendment No. 1 is hereby specifically amended to state the following:

13 **1. Funding Allocation; Distribution and Use**

14 (b) Use. The Allocated Funds will be used to complete Phase 1 of the Ice Rink  
15 Project by designing and constructing an approximate 40 feet by 100 feet concrete slab.  
16 The Grantee shall use the Allocated Funds only for the Project. Any changes to the scope  
17 of the Project pertaining to the use of Allocated Funds shall be approved by the City  
18 Manager, or his/her designee. Non use of the fund or failure to complete Phase 1 of the  
19 Ice Rink Project will result in the Allocated Funds returning to the TGT fund for  
20 consideration of other projects.

21 In order to ensure that the Allocated Funds are used only for the Project, and as

specified in this Agreement, the Grantee shall provide certificate of expenditures within sixty (60) days of the expenditure of TGT funds on the Ice Rink. The supporting documentation shall be copies of invoices reflecting amounts billed, copies of checks, evidence of wire transfer or other payment of cash by the Grantee.

The Grantee shall provide a progress report every six (6) months to the City Manager or his/her designee, in a form acceptable to the City. Each progress report shall identify expenditures of Allocated Funds and progress toward completion of the Project.

The first report shall be due six (6) months from the date of execution of this Agreement and shall cover progress in fundraising efforts and planning and design of the facility during the first six (6) months of the Project. The final report shall be due six (6) months after completion of the Project and include the plans and specifications to complete the Project. The City reserves the right to audit financial documents relative to the Project at any time during this Agreement and to request reimbursement for expenditures determined to be improper, unauthorized or unsubstantiated. The City shall have sole authority in this regard and shall base its decision upon reports submitted or, in the alternative, the absence of documents to substantiate expenditures.

If at the end of the first six (6) month project report, no progress in fundraising efforts and planning and design of the facility has been made toward the Project, any portion of the distributed TGT funds shall be re-allocated back to the City for consideration of other uses of the TGT funds.

Section 2. Paragraph 2 of City of Topeka Contract No. 52270 is hereby specifically amended to state the following:

**2. Project Installation Costs.** Distribution of the Allocated Funds will be

contingent upon the Grantee's compliance with use of all the Allocated Funds toward the 2025 Installation costs more of a concrete slab fully set out in **Exhibit A**, which is attached hereto and incorporated herein by reference, (hereinafter "Installation Costs"). The City has no obligation to fund any additional funds. The Grantee must submit documentation to the City Manager, or his/her designee, confirming that it has secured all of the remaining funds for the Installation Costs not covered by the City's Allocated Funds. This documentation must be submitted by December 31, 2025, and the City shall have sole discretion in determining whether or not the documentation is acceptable for all purposes associated with the distribution of the Allocated Funds to assist with the Project.

Section 3. Paragraph 3 of City of Topeka Contract No. 52270 is hereby specifically amended to state the following:

**3. Project Design and Construction; Timeline.** Distribution of the Allocated Funds will be contingent upon the Grantee's compliance with the various deadlines and milestones established in the Project design and construction documents. The Grantee will provide design and construction documents for the Project to the City Manager, or his/her designee, as documented in Grantee's progress reports as submitted in Section 1(b) of this Agreement as well as any additional information demonstrating that the Project is on schedule and/or proceeding in a timely manner considering all of the facts and circumstances involved.

Section 4. Paragraph 7 of City of Topeka Contract No. 52270 is hereby specifically amended to state the following:

**7. Project Completion.** The Grantee shall complete the Project within no later than July 1, 2026. The City may extend the completion date at the request of the

Grantee with thirty days written notice and the City may grant an extension if continuing to receive satisfactory progress reports as submitted in Section 1(b) of this Agreement. Any request for an extension of time shall be submitted to the City Manager, who shall submit the request to the TGT Committee. The TGT Committee, after providing the Grantee with the opportunity to be heard, will make a recommendation to the Governing Body as to whether or not to grant or deny the request for extension with or without conditions; although requests shall not be denied unless for good cause.

Section 5. Exhibit A of City of Topeka Contract No. 52270 is hereby specifically amended to state the following:

**EXHIBIT A**

**Installation Costs**

The amount of TGT Funds requested is a maximum of \$180,188.44 to design and construct the Phase 1 of the slab for the Ice Rink. The Grantee will raise and furnish any additional funds necessary to complete the Ice Rink.

Section 6. All other terms and conditions of City of Topeka Contract No. 52270 not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereto executed this Amendment as of the day and year first above written.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Robert M. Perez, Ph.D., City Manager

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE \_\_\_\_\_ BY \_\_\_\_\_

## DOWNTOWN TOPEKA FOUNDATION

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James W. Parrish, Chair



**City of Topeka**  
**Transient Guest Tax Committee**  
**214 SE 8th Street**  
**Topeka, Kansas 66603**  
**[www.topeka.org](http://www.topeka.org)**

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**DATE:** March 6, 2025

**CONTACT PERSON:** Michelle Hoferer, Chair

**SUBJECT:** Sunflower Sports Association

**PROJECT #:** NextGen

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**DOCUMENT DESCRIPTION:**

Allocate Transient Guest Tax funds to the Sunflower Sports Association to begin Phase 1 of Project NextGen in the amount of \$450,000.00.

**ATTACHEMENTS:**

Resolution

1 RESOLUTION NO. \_\_\_\_\_  
2

3 A RESOLUTION introduced by Councilmembers Duncan, Valdivia-Acala, and  
4 Hoferer sitting as the Transient Guest Tax Committee, to allocate  
5 transient guest tax funds to the Sunflower Sports Association to  
6 begin Phase 1 of Project NextGen.  
7

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

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

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

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

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

21 WHEREAS, in 2024 the 1% for Sunflower Sports Association allocates  
22 \$437,066.00 bringing the current balance to \$702,779; and

23 WHEREAS, Sunflower Sports Association has presented the Committee plans to  
24 use the \$450,000.00 from the fund to begin Phase 1 of Project NextGen to upgrade the  
25 Sunflower Sports Complex; and

26 WHEREAS, the City's Transient Guest Tax Committee (hereinafter "TGT  
27 Committee"), consisting of Council Members Duncan, Valdivia-Acala and Hoferer,

reviewed the request to re-allocate the funds to the Grantee; and

WHEREAS, on March 12, 2024, the TGT Committee adopted Sunflower Sports Association's request for Phase 1 of Project NextGen to allocate \$450,000.00 from the TGT fund.

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

Section 1. The City shall allocate \$450,000.00 to provide funding for Phase 1 of Project NextGen as planned and developed by Sunflower Sports Association subject to the terms and conditions contained in this Resolution.

Such funds will be allocated annually in an one-time sum of \$450,000.00. The commitments will continue until the maximum expenditure amount of \$450,000.00 is met, whichever event is earlier.

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

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

(b) If the entity contracting on behalf of Sunflower Sports Association 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.

(c) The entity contracting on behalf of Sunflower Sports Association 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 \_\_\_\_\_

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk