

1 RESOLUTION NO. 7580

2
3
4 A RESOLUTION introduced by Councilmembers Lover Chanler and John Alcala,
5 relating to the distribution of money and financial assistance
6 administered through the City of Topeka and rescinding Resolution
7 7306.
8

9 WHEREAS, the City of Topeka administers funds received from the United States
10 Department of Housing and Urban Development (HUD) and other sources; and

11 WHEREAS, the Topeka City Council wishes to establish guidelines for the award of
12 grants, loans and other forms of financial assistance administered by the City of Topeka.

13 NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Topeka,
14 Kansas that no grant, loan or financial assistance shall be authorized or made from funds
15 administered by any City department to any person, firm, partnership, for-profit corporation,
16 not-for-profit corporation, joint venture or other association of persons who owes any debt
17 due to the City of Topeka or who owes any delinquent real estate taxes or personal
18 property taxes or special assessments at the time of entering into a contract. In addition,
19 prior to entering into any contract, the recipient of any grant, loan or financial assistance
20 shall meet the following additional conditions:

21 1. Be in good standing with the Kansas Secretary of State or be registered as a
22 foreign corporation able to transact business in Kansas.

23 2. Have a certificate of insurance including liability insurance and fire and
24 extended coverage, as applicable, and workers' compensation coverage for all covered
25 employees.

26 BE IT RESOLVED, that the City Manager or a designee may waive the provisions of
27 this Resolution for low-income individuals subject to the following guidelines:

28 1. Individuals participating in the following Housing and Neighborhood
29 Development (HND) programs as an individual or member of a family where the benefit will
30 be directed toward their primary residence:

- 31 a. Shelter Plus Care
- 32 b. Emergency Repairs
- 33 c. Major Rehabilitation
- 34 d. Accessibility
- 35 e. Homeownership (including TOTO, Infill, etc.)
- 36 f. Exterior Code

37 2. The annual income of the potential participant requesting the waiver would
38 need to fall below 80% of the Topeka area median income as adjusted annually by HUD.

39 3. As a condition to receiving a waiver, the individual will need to identify a
40 payment plan that is acceptable based upon their personal financial situation. This
41 payment plan will include any additional fees or penalties assessed prior to the request for
42 the waiver. Furthermore, it will reflect that the debt will be paid in full at the conclusion of
43 the proposed payment plan.

44 4. Non-profit organizations, which have board members who personally have
45 outstanding debts to the City of Topeka, will not be held accountable for the debts of their
46 board members.

47 5. In the case where an organization is the direct recipient of grants, loans and
48 other forms of financial assistance, the low-income persons they serve are not considered
49 to be subject to this Resolution.

50 BE IT FURTHER RESOLVED, that Resolution No. 7306 is hereby rescinded.

51 BE IT FURTHER RESOLVED, this Resolution shall become effective upon passage
52 and approval by the City Council.

53 ADOPTED and APPROVED by City Council FEB 15 2005.

54
55
56
57
58
59
60
61

CITY OF TOPEKA, KANSAS

James A. McClinton
James A. McClinton, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 2/9/05 BY JL

