

RESOLUTION NO. 7827

A RESOLUTION introduced by Councilmember Jeff Preisner concerning the appropriation and expenditure of transient guest tax funds, and expressing the intention of the City of Topeka to enter into an agreement with the Topeka Convention and Visitors Bureau to administer these funds.

WHEREAS, City of Topeka Charter Ordinance A15-24 provides that transient guest tax funds may be expended for the following purposes only:

- (1) To contract with any agency, organization or group of firms to promote conventions and tourism within the city and its environs;
- (2) To provide for the operation, maintenance, expansion or development of city facilities connected with conventions and tourism;
- (3) To defray the cost of providing municipal services to convention and tourism functions, including police, fire, street department or park and recreation department functions;
- (4) To create innovative projects and activities promoting conventions and tourism;
- (5) To promote the general economic welfare of the city and its environs, including the attraction of industry.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, that for the purpose of allocating/appropriating transient guest tax funds ("funds"), as provided by City of Topeka Charter Ordinance No. A15-24, the City Manager is hereby directed to negotiate an agreement with the Topeka Convention and Visitors Bureau (TCVB) to administer these funds, subject to the following:

- 26 (1) TCVB will administer only those funds that are appropriated for this purpose  
27 by the City Council as part of its annual budget. Any appropriation shall  
28 take into account prior contractual obligations of the City of Topeka related  
29 to the transient guest tax funds.
- 30 (2) TCVB shall establish, subject to City Council approval, the criteria for the  
31 expenditure of the funds to be administered by TCVB. Said criteria shall be  
32 consistent with and fulfill the purposes of City of Topeka Charter Ordinance  
33 No. A15-24.
- 34 (3) The decision-making process for the expenditure of and awarding of funds  
35 shall include public fund accountability safeguards that include the  
36 following:
- 37 (a) Conflict of interest rules that prevent decision-makers from directly  
38 benefiting from the expenditure or awarding of transient guest tax  
39 funds.
  - 40 (b) Financial record auditing requirements.
  - 41 (c) Such other terms and conditions necessary to ensure that public  
42 funds are expended for lawful purposes.
- 43 (4) Transient guest tax funds will, at all times, remain in the possession of and  
44 under the control of the City of Topeka. Expenditures shall only be made  
45 upon request by TCVB to the City of Topeka and upon the presentation to  
46 the City of Topeka of documentation of the appropriateness of the  
47 expenditure.

48 ADOPTED and APPROVED by the City Council July 18, 2006.

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CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY  
DATE \_\_\_\_\_ BY \_\_\_\_\_