(Published in the Topeka Metro News October 25, 2006)

ORDINANCE NO. 18730

AN ORDINANCE introduced by Councilmember Clark Duffy amending City of Topeka Code §§ 2-326, 2-328, 2-331, 2-332 and 2-335 concerning the expenditure of monies from special funds established by the City Council, and specifically repealing said original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That City of Topeka Code § 2-326, Park land acquisition and development fund, is hereby amended to read as follows:

Park land acquisition and development fund.

(a) There is hereby created a park land acquisition and development fund. The purpose of the fund shall be to act as a depository for moneys to be used for the purchase and development of land for park purposes.

(b) The park land acquisition and development fund may receive budgeted transfers from the general improvement fund, the parks and recreation fund, or any other fund having available resources and the legal authority to be so transferred. All such transfers shall be subject to budget appropriations and shall be specifically authorized by resolution of the city council.

(c) Expenditures. All expenditures from the park land acquisition and development fund shall only be for the purpose stated in this section and shall only be made upon approval by resolution of the city manager council.

Section 2. That City of Topeka Code § 2-328, Zoo improvement reserve fund, is hereby amended to read as follows:
Zoo improvement reserve fund.

(a) There is hereby created a zoo improvement reserve fund. The fund is established for the purpose of providing a depository for moneys to be used for capital improvements at the city zoo.

(b) The fund shall receive grants or donations from either public or private sources, interest on the funds held in the fund, and any other fund having available resources and legal authority to be so deposited or transferred. All such transfers shall be subject to budget appropriations and shall be specifically authorized by resolution of the city council. All expenditures from the fund shall only be for the purpose stated in this section and shall only be made upon approval by resolution of the city council.

Section 3. That City of Topeka Code § 2-331, Historic asset preservation fund, is hereby amended to read as follows:

Historic asset preservation fund.

There is hereby created in the city a special fund to be known as the historic asset preservation fund. Monies from the city's general fund, community block grant funds or funds from any other source legally available for such purpose shall be credited to this special fund. Monies so credited may be expended, upon approval by the city manager for the acquisition, rehabilitation and preservation of historic landmarks or historic resources located within the city.

Section 4. That City of Topeka Code § 2-332, [Graffiti removal fund.], is hereby amended to read as follows:

[Graffiti removal fund.]
(a) The council of the city, hereby creates a special fund to be known as the graffiti removal fund. Moneys from the city's general fund, community development block grant funds, or funds from any other source legally available for such purpose may be credited to this special fund. Moneys in the graffiti removal fund shall be used for activities relating to the removal of graffiti.

(b) Written requests for grants to be used for programs and projects aimed at the expeditious removal of graffiti shall be submitted to the city. By resolution, the council shall establish the procedure to govern the grant application and review. The city manager shall make the final determination on awards.

Section 5. That City of Topeka Code § 2-335, Economic development fund, is hereby amended to read as follows:

Economic development fund.

(a) There is hereby created the city economic development fund. The purpose of the fund shall be to promote, stimulate, and improve the economic welfare of the city and assist in the creation, retention, expansion, and development of economic opportunities for its citizens. The fund shall be administered by the director of the financial services department.

(b) Monies from the fund shall be used to promote, stimulate, and improve economic development in the City of Topeka and its environs, to encourage and assist in the location of new business, and the expansion, relocation, or retention of existing business, industry, and health development. To further the goal of economic development, monies from the fund may be expended for or transferred to, specifically for, but not limited to, the Topeka Arts Fund.
(c) Monies from the city’s general fund, origination fees collected from economic development revenue bonds issued by the city pursuant to K.S.A. 12-1740, et seq., and monies from any other source legally available for such purpose may be credited to the economic development fund.

(d) All transfer or expenditure of monies from the economic development fund shall be only for the purposes of this section and shall be specifically authorized by the city manager resolution of the city council.

Section 6. That City of Topeka Code §§ 2-326, 2-328, 2-331, 2-332 and 2-335 are hereby specifically repealed.

Section 7. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council October 17, 2006.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Iris E. Walker, City Clerk