RESOLUTION NO. 8442

A RESOLUTION introduced by Deputy Mayor Larry Wolgast to provide funding to pay the costs for a restroom/concession facility and other public infrastructure improvements at the Sunflower Soccer Association grounds by increasing the transient guest tax by 1%.

WHEREAS, the Sunflower Soccer Association (SSA) is a youth soccer organization with a 28 year history in the City of Topeka, with approximately 2,100 registered youth recreational and competitive soccer players which provides the City’s youth an opportunity to pursue an active and healthy lifestyle; and

WHEREAS, SSA contributes to the economic stability of the City of Topeka through its biannual Governor’s Cup Invitational Soccer Tournament, youth soccer leagues, high school soccer matches, and by hosting other soccer tournaments; and

WHEREAS, the Governor’s Cup tournament contributed $2.6 million in 2010-2011 to the City of Topeka’s economy based on the Visit Topeka, Inc. economic impact formula including approximately $19,700 in transient guest tax contribution generated by 4690 hotel nights; and

WHEREAS, the construction of a restroom/concession facility and other public infrastructure improvements will allow the SSA to better serve existing users, improve marketability to other teams and potential players, increase tournament participation and use of the facility leading to a positive economic impact; and

WHEREAS, use of transient guest tax funds for this purpose promotes the general economic welfare of the City and its environs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, that:
Section 1. The City shall allocate 1% of transient guest tax funds per year to assist in paying the costs of two public improvement projects through the payment of special assessments on property owned by SSA. The City’s financial commitment shall begin in Fiscal Year 2012 and continue until the debt service for the bonds has been paid in full which is anticipated to occur in Fiscal Year 2032. The first project is an extension of a sanitary sewer main to the SSA property, including all related appurtenances. The second project will include the following components:

(a) Design and construction of a multifunctional facility including restrooms, concessions, pro shop, offices and storage.

(b) Improvement of internal roads and parking lots.

(c) Landscaping, signage and shade structures.

(d) Five additional soccer fields.

Section 2. The City’s funding commitment shall be conditioned upon the following:

(a) Enactment of a charter ordinance increasing the current transient guest tax by 1% for a period of a 20 years; and

(b) Approval by the Governing Body of Resolutions of Advisability and Authorization for the projects described in Section 1 designating that the costs of the project are to be paid 100% through special assessments on property owned by SSA.

Section 3. Further, the City’s funding commitment to SSA shall be subject to the execution of an agreement between the SSA and the City of Topeka which shall at a minimum, provide the following:

(a) Prior to commencement of construction, conveyance to the City of certain tracts of land owned by SSA for the construction of the facility and improvements identified in Section 1. Upon payment of all special assessments by SSA and satisfaction of the debt
service on the bonds, the land and improvements shall be conveyed to SSA.

(b) Prior to commencement of construction, execution of an agreement to restrict use of SSA’s remaining property to uses compatible with athletic sporting events.

(c) Funds committed by the City of Topeka represent the entirety of the City’s commitment to SSA, specifically that no more funds will be requested or committed for these projects.

(d) The transient guest tax funds identified in Section 1 shall be applied solely to payment of the special assessments levied to pay the costs of the Projects described in Section 1 and for payment of the annual premiums for insurance for water damage, and any damage or loss resulting from flooding or a flood event.

(e) SSA shall be solely responsible for payment of all special assessments levied to pay for the debt service even if the governing body should elect not to allocate transient guest tax in a future year or years or if the revenue generated from the 1% increase is not sufficient to pay the assessments.

(f) Execution of an agreement between the City and SSA addressing use of the facility by SSA.

Section 4. All financial commitments referenced in the Resolution shall be subject to the State of Kansas Budget and Cash Basis laws and all governing body approvals as required by state law or City ordinance.

ADOPTED and APPROVED by the City Council July 10, 2012.

CITY OF TOPEKA, KANSAS
William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk