RESOLUTION NO. 8947

A RESOLUTION introduced by Councilmember Elaine Schwartz supporting the Historic Jayhawk Theatre, Inc.’s request to reallocate transient guest tax funding and to amend the Development Agreement to reflect the reallocation and require approval of changes to the project scope.

WHEREAS, on November 6, 2016, the Governing Body approved execution of a Development Agreement with the Historic Jayhawk Theatre, Inc. (“Jayhawk”) granting six hundred eighty-thousand ($680,000.00) over a 12 year period for the restoration of the theatre (“the Project”) and

WHEREAS, the Project approved by the Governing Body contained an allocation of one hundred fifty-five thousand dollars ($155,000.00) for the costs associated with construction of the Jackson Street marquee; and

WHEREAS, the Jayhawk Board of Directors has determined that it would rather fundraise for the marquee and use those previously allocated funds for architectural construction documents; and

WHEREAS, on August 10, 2017, the Transient Guest Tax Committee considered the Jayhawk’s request and voted unanimously to recommend to the Governing Body: (1) approval of the reallocation through an amendment to the Development Agreement; and (2) amendment of the Development Agreement to require that changes to the scope of the Project in excess of one hundred thousand dollars ($100,000.00) be approved by the Governing Body, upon recommendation of the Transient Guest Tax Committee.

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

Section 1. Having considered the favorable recommendation of the Transient Guest Tax Committee, the Jayhawk’s reallocation request is approved.
Section 2. The Interim City Manager is directed to facilitate, through the City Attorney, amendments to the Development Agreement that: (1) reflect the reallocation; and (2) require approval of the Governing Body, upon recommendation of the Transient Guest Tax Committee, for changes to the scope of the Project in excess of one hundred thousand dollars ($100,000.00).

Section 3. Staff will prepare and submit an amended agreement and Exhibit A to the Council for approval.

ADOPTED and APPROVED by the Governing Body on September 5, 2017.

CITY OF TOPEKA, KANSAS

______________________________
Larry E. Wolgast, Mayor

ATTEST:

______________________________
Brenda Younger, City Clerk