

(Published in the Topeka Metro News October 1, 2012)

ORDINANCE NO. 19763

AN ORDINANCE introduced by Councilmember Chad Manspeaker, amending City of Topeka Code § 3.25.100, concerning the historic asset tourism fund and specifically repealing said original section.

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

Section 1. That section 3.25.100, Historic asset tourism fund, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Historic ~~asset tourism~~ preservation fund.

(a) There is hereby created in the city a special fund to be known as the historic ~~asset tourism~~preservation fund. Moneys from the ~~city's~~ general fund, community block grant funds, ~~any~~ transient guest tax funds ~~allocated to this fund~~, or funds from any other source legally available for such purpose shall be credited to this special fund.

(b) Moneys ~~deposited into this fund~~ shall be expended only on projects ~~of a public heritage tourism benefit located within the city and shall not be expended on projects that are private or primarily commercial in nature, unless open or intended to be open to the public on a regularly scheduled basis~~ that facilitate tourism resulting from the preservation and promotion of the City's historical assets, including but not limited to:

(1) Restoring and preserving sites listed on a local, state or national register of historic sites that are not private or primarily commercial in nature unless open or intended to be open to the public on a regularly scheduled basis.

(2) Marketing the City's historical assets.

29 (3) Providing financial commitments associated with securing grant
30 funding from government or private sources.

31 Disbursement of funds for projects identified in subsections (b)(2) and (3)
32 shall not exceed fifteen percent (15%) of the total amount of historic preservation
33 funds allocated for each calendar year.

34 (c) ~~Projects funded by these funds shall be subject to the review and~~
35 ~~recommendations of the historic sites for heritage tourism committee (The historic~~
36 ~~tourism committee) consisting~~shall:

37 (1) Make recommendations to the transient guest tax committee which
38 shall determine whether to approve disbursement of transient guest tax funds for
39 projects identified in subsection (b).

40 (2) Make recommendations to the city manager who shall determine
41 whether to approve disbursement of funds, other than transient guest tax funds,
42 credited to the historic preservation fund for projects identified in subsection (b).

43 (3) Establish bylaws and guidelines for grant applications, subject to
44 review and approval by the transient guest tax committee.

45 (d) The historic tourism committee shall consist of the following members:

46 (a1) ~~Two~~All members of the landmarks commission;

47 (b2) ~~Two~~One members of the Topeka tourism alliance selected by the
48 transient guest tax committee;

49 (c3) ~~Two~~One members of the Topeka and Shawnee County area
50 "Freedom's Frontier" heritage tourism alliance selected by the transient guest tax
51 committee; and

52 (d4) ~~One member~~The president or designee of the Topeka lodging
53 association;

54 (5) The chief executive officer or designee of Visit Topeka, Inc.

55 The individuals selected by the transient guest tax committee shall serve for as
56 long as each is a member of the respective organization identified in subsection (d) or
57 until removed by the transient guest tax committee. The chairperson of the landmarks
58 commission shall chair the historic tourism committee which shall meet at the call of the
59 chairperson.

60 ~~Bylaws for the historic tourism committee, as well as guidelines for grant~~
61 ~~application and the grant application form, will be established and may be amended by~~
62 ~~the historic tourism committee, subject to approval by the city council transient guest tax~~
63 ~~committee.~~

64 ~~The expenditure recommendations of the historic tourism committee, for~~
65 ~~disbursement of transient guest tax moneys from this fund, shall be forwarded to the city~~
66 ~~council transient guest tax committee for final approval of the expenditures. The~~
67 ~~expenditure recommendations of the historic tourism committee, for disbursement of~~
68 ~~moneys from this fund that are from sources other than transient guest tax, shall be~~
69 ~~forwarded to the city manager for final approval of the expenditure.~~

70 Section 2. That original § 3.25.100 of The Code of the City of Topeka, Kansas,
71 is hereby specifically repealed.

72 Section 3. This ordinance shall take effect and be in force from and after its
73 passage, approval and publication in the official City newspaper.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on September 25, 2012.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk