

Wichita tried a 1% sales tax measure before. This year's election has key difference

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In less than a month, Wichita voters will decide whether to approve a 1% citywide sales tax in order to fund projects like revitalizing Century II, building a new performing arts center and offering some property tax relief.

It isn't the first time the city has asked voters to implement such a tax. Twelve years ago, voters rejected a similar 1% proposal, one that would have lasted five years and garnered nearly \$400 million

for four projects: expanding an existing water source to increase city supply (\$250 million), street repairs (\$27.8 million), job development (\$80 million) and public transit (\$40 million).

The proposal proved widely unpopular, with about 63% voting "no" on the additional tax, compared to the 37.6% who voted to approve it.

The strategy behind this year's tax referendum differs in a key way, however. It will not go on a general election ballot as the 2014 question did. Instead, the city is hosting

a special election — set to cost \$170,000 — Tuesday, March 3.

The Wichita City Council initially approved the March special election in December 2025. After pushback, Mayor Lily Wu called a special meeting in January in a failed bid to move the referendum to the August primary.

City council members who supported the March special election cited the need for revenue to address deferred maintenance at fire and police stations, as well as the need for money for the homeless shelter.

"Postponing only pushes those costs in the future," council member Dalton Glasscock said in the January meeting.

Revenues from the sales tax, if implemented, are expected to total \$850 million over the seven years it would be in place. That money would be committed to several projects: up to \$25 million for Century II, up to \$225 million to expand the convention center, up to \$75 million for a new performing arts center, up to \$225 million for public safety capital improvement projects and up to

\$150 million for homeless programs and affordable housing. The final \$150 million would go toward property tax relief.

Tuesday, amid scrutiny its tax spending plan was too vague, the Wichita City Council approved what it called guardrails, limiting the spending of the first \$300 million generated to projects involving housing, property tax relief and public safety.

The tax is conservatively estimated to cost the average Wichita family an additional \$352 a year.

QUICK INFORMATION ABOUT WICHITA'S SPECIAL ELECTION FOR A SALES TAX

If Wichita voters approve the sales tax in March, the charge will be in line with many surrounding municipalities.

Clearwater, Derby, Garden Plain, Goddard, Hayesville, Kechi, Maize, Park City and Valley Center all have 1% citywide sales taxes in place.

The deadline to register to vote in the special election has passed, and early voting begins at the Sedgewick County election office Tuesday, Feb. 17. Other early voting sites open Thursday, Feb. 26.

Election Day polls will open at 7 a.m. March 3 and close at 7 p.m. You can check your polling location at the Kansas secretary of state's VoterView portal.

Sedgewick County Republicans vote to oppose Wichita's proposed 1% sales tax

BY KYLIE CAMERON
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The Sedgewick County Republican Party unanimously approved a resolution Thursday urging Wichitaans to vote against a 1% city sales tax.

The resolution, approved by precinct committee people, cited the rushed vote to put the

sales tax question on the ballot and the increased spending from the sales tax as reasons voters shouldn't support it.

"...the Kansas Republican Party platform affirms that local governments must recognize that prosperity is best achieved when economic resources remain in the hands of the people, and that government should first con-

strain spending before increasing taxes," part of the resolution read.

Thursday's party meeting was originally scheduled to be a presentation by Wichita Forward about the sales tax, but party chair John Whitmer said the group and several of its members could not attend because of scheduling conflicts.

"Well, let's send them a

message," one precinct committee person could be heard shouting after that announcement.

The resolution originally presented to precinct committee people was thirteen paragraphs long. It ended up being condensed to about half that at seven paragraphs by the end of the meeting.

The resolution also acknowledged the regres-

sive nature of sales taxes, which economists say disproportionately affect lower-income residents.

"...a sales tax is inflation-sensitive and inherently regressive disproportionately burdening lower-income residents as well as renters, who comprise approximately 41.6 percent of Wichita households — many of whom would receive no direct property tax benefit," it reads.

Whitmer, who's also a conservative talk radio host, acknowledged that there may be some parts of the sales tax that people in the party may support,

but overall disagreed with it.

"I equate it to this; you know the little white speck on the top of bird poop? It's still bird poop," Whitmer said, "but sometimes you have to vote for the whole thing, and you swallow the bad with the good. That's why they bundle things together."

The Sedgewick County Democratic Party has yet to oppose or endorse the proposed citywide sales tax.

The Wichita Regional Chamber of Commerce recently endorsed the sales tax.

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CENTURY II

supposed to make up for operating deficits before paying for promotion.

"We would disagree with that verbiage," spokeswoman Megan Lovely said.

The discrepancy arose when The Eagle submitted a request through the Kansas Open Records Act for Century II's operating numbers as part of a larger story on the March 3 sales tax vote.

Those records showed Century II has never been a money-maker, but they also revealed how the guest tax dollars aren't being used in the order they were intended.

THE ORDINANCE

According to 2014's Wichita Charter Ordinance 221, which parallels a previous ordinance passed in 2010, the guest tax is to be spent in order of priorities.

The fourth priority is "To pay any deficit incurred in the operation or maintenance of any city owned convention or tourism facility."

The fifth priority refers to Visit Wichita, though not by name.

"Any funds remaining shall be held in reserve to pay for convention and tourism promotion."

The tax covered all the Century II deficit in a few years, but in most other years, the city gave money from the guest tax to Visit Wichita regardless of whether Century II's expenses were covered.

Take 2014, the year the charter ordinance was passed.

Century II lost almost \$1.9 million that year. It then received just over \$1.6 million in guest tax money. That still left a deficit of \$263,301.

At the same time, Visit Wichita received more than \$2.3 million in guest tax dollars that year.

THE CITY'S RESPONSE

When Eagle reporters met with city attorneys, budget specialists and Lovely, the city pointed to the first priority listed for spending guest tax money as justification for paying Visit Wichita before paying off Century II's deficits.

The first priority is "To pay any bond, lease or contractual obligation . . .

resulting from or directly attributable to the construction or use of an existing convention and tourism facility."

"This is a disagreement on the interpretation of the word use and what constitutes the use of a building," Lovely said. "OK, well, we've got to get people into that building to generate funds. That would be a use."

The Eagle contacted numerous people, including lawyers, past City Council members and other experts — most of whom spoke on background — who disagreed with that assessment.

One said the city is straining to reach its conclusion, another said that its lawyers are using "attorney speak," and others said this is not the intent of the guest tax.

Someone who would speak on the record is Heywood Sanders, a convention center expert and professor emeritus of public administration at the University of Texas at San Antonio.

"I'm not a lawyer . . . but I would interpret use as the folks that actually make use of, as in occupy, that facility," he said. "Promotion of a structure is distinct from use of a structure."

The possible reinterpretation of this ordinance speaks to some Wichitaans' concerns that so-called guardrails put in place on the proposed sales tax may not actually hold down the line.

Sanders said this is "a perfect local example of what can happen over time to restrictions and limitations and priorities that are written into local ordinances."

"People change, leadership changes, city managers come and go, and the history and commitment is lost or modified. That's just the reality."

A CONTRADICTION?

Lovely also shared information from the Kansas Legislative Division of Post Audit and wrote that it found "no concerns related to promotion of tourism and convention activities or Century II."

State auditors, though, likely would not have seen that the disbursal to Cen-



An inside view of Century II under construction in the 1960s.

tury II did not cover the entire operational deficit, as they did not look at Century II's ledger.

"I think that is a bit of a supposition," Lovely said.

However, the audit said: "We only audited the cities' transient guest tax funds. We did not audit the other funds that cities transferred a portion of transient guest tax revenue to."

Lovely shared the audit report. Appendix A of the audit contradicts the city's assertion that dollars were spent in the right order of priority.

Here's the appendix:

The city's charter ordinance requires Wichita to use guest tax revenue in the specified order of priority:

1. Bond, lease, or obligations that existed at the time the ordinance was passed that were related to conventions or tourism facilities.

2. Future obligations related to the Century II Convention Complex.

3. Future obligations related to the maintenance, modification, expansion or new construction of a convention or tourism facility.

4. Deficits incurred in the operation or maintenance of any city owned convention or tourism facility.

5. Convention and tourism promotion.

It also notes a "large portion was spent on the contract for tourism promotion with Visit Wichita, as allowed for in priority 5 of their charter ordi-

nance."

If the city can pay for Visit Wichita and its promotional efforts before paying for Century II's maintenance or deficits, why is there a need for a priority for convention and tourism promotion in the ordinance?

"It's any extra funds that are generated after all of these tiers have been funded in some capacity," Lovely said.

Frequent city critic Celeste Racette, a longtime advocate for saving Century II and one of the leaders of the Vote No campaign against the upcoming 1% sales tax vote, is not buying the city's interpretation of the ordinance.

"They have taken advantage of the hotel guest tax," she said.

Racette said the ordinance clearly states that in addition to covering Century II's deficits, the guest tax money should be spent to maintain the building as well.

She and other Century II proponents contend that some of the money that went to Visit Wichita should have gone to the upkeep of Century II, which hasn't had a lot of investment in recent years other than a new roof.

"What's really ironic is this hotel guest tax was created to take care of our buildings first and our tourism promotion second," Racette said.

Instead, she said, "Cen-

ture II has had to settle for the scraps."

DIG DEEPER?

Deficits aren't new for Century II. Since 1969, the year it opened, it has lost money more years than not.

A 1980 Wichita Eagle story about the "rapidly growing deficit" asked, "Will taxpayers be asked to dig deeper every year to support Century II?"

Century II has lost more than \$45 million since 1999. That's before transfers from the general fund and transient guest funds were used to cover those losses.

If that's the case, should Wichita voters be asked to support an updated convention center with up to \$250 million from the proposed sales tax?

"It is difficult to buck business and political leadership . . . that's committed to downtown development and public investment with the result that even when . . . public projects like convention centers fail, the call is inevitably to spend more," Sanders said.

Visit Wichita president and CEO Susie Santo said it's not simply about what a convention center can earn on its own.

"It's really important to know that a convention center is about driving visitors and dollars into the community. . . . You bring a visitor in, and it helps keep our businesses, our restaurants . . . open for all of us to enjoy."

Visit Wichita referred questions related to the guest tax to either Legends Global, which operates Century II, or the city.

Legends referred questions to Visit Wichita.

If the sales tax passes, Wichita would pay up to \$225 million to update the Bob Brown Expo Hall south of Century II, up to another \$25 million to update Century II and up to another \$75 million for a new performing arts center to replace the two theaters at Century II.

Visit Wichita is listed as a member of the coalition pushing the sales tax.

The city's capital improvement plan also already includes \$12.66 million in maintenance projects for Century II paid for by the guest tax.

"They can undo any resolution or any guardrails they put in place," she said.

"This is what the city does."

AT ISSUE

So what does it matter how Wichita pays for

Century II's deficits — from the guest tax or its general funds?

The point of the transient guest tax is that it allows cities to fund money-losing cultural facilities like Century II without taxing their own residents.

The guest tax, which is deposited into the Tourism and Convention Fund, generates around \$10 million a year. Nearly 30% of that money is expected to go to Visit Wichita over the next three years, according to the city's adopted budget.

That's 10% more than is allowed by state law, but the city's charter ordinance allows the city to opt out of that law.

According to the 2026 contract with Visit Wichita, the city will pay the CVB up to \$2,869,162 this year.

Visit Wichita also receives marketing dollars from a special tax district set up by the City Council since 2015 that adds another 2.75% tax at hotels with 50 or more rooms.

Visit Wichita has received nearly \$35 million from that hotel tax since 2015 and is expected to pull in more than \$16 million more through 2029, according to the city's budget documents.

Racette said there's something called home rule that allows Wichita to follow its own ordinance instead of state law.

She said she doesn't have a problem with that as much as she does with the city not following the priorities as they were written years ago.

Like Heywood Sanders pointed out about what happens to ordinances over time, Racette said the city's different interpretations of ordinances through the years should concern Wichitans.

The current City Council has tried to put guardrails in place for sales tax dollars. It may be a nice goal, but the city's disregard for following the letter of its own ordinances shows they are meaningless, Racette and others said.

"They can undo any resolution or any guardrails they put in place," she said.

"This is what the city does."