

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Thursday, December 29, 2016

8:00 a.m.

MEETING #5054

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

2016 Budget Amendments

ORDINANCES & RESOLUTIONS

Resolution No. 2016-32: A Resolution Adopting a Title VI Policy for Public Transportation. Report by Assistant to Finance Director/Assistant to City Manager, Ernestor Delarosa.

NEW BUSINESS

1. Approval of 2016 Budget Amendments. Report by Finance Director/City Clerk, Nannette Pogue.
2. Approval of Change Order #11 for the Long Branch Lagoon Water Park Project. Report by Director of Parks & Recreation, Paul Lewis.

ADJOURNMENT

Memorandum

To: *Cherise Tieben, City Manager*
From: *Nannette Pogue*
Date: *December 27, 2016*
Subject: *Approval of 2016 Budget Amendments*

Agenda Item Public Hearing and New Business

Recommendation: I recommend the approval 2016 Budget Amendments.

Background: Kansas law provides that each year municipalities set a budget for each of the funds that the municipality has. It also provides that if the revenues exceed what was budgeted and the expenditures exceed the budget, the budget can be amended by going through the same procedure as when the budget was originally adopted. The 2016 budget was passed by the City Commission in August of 2015. A public hearing notice was published in the December 17th 2016, edition of the Dodge City Daily Globe notifying the public that the City Commission would hold a public hearing to consider the amendments for the 2016 budget.

Justification: To ensure no violations of the budget law.

Financial Considerations: Cash is available in all funds that are being amended. The following funds are being amended:

Sales Tax-Special Projects Fund – This fund accounts for the special sales tax projects and the operating budgets for those projects which include the Athletic Fields Maintenance, payment of sales tax revenue bond payments, administration of the projects, Dodge City Raceway Park and the special events centers. The original budget for this fund that was sent to the State of Kansas was a basic budget that was approved at the same time the overall city budget was approved in August, 2015. In November, 2015 the Joint City/County Commissions approved a budget for the 2016 Special Sales Tax Project Fund. Listed below are the items that caused a budget amendment.

1. Field Sports Operations budget increased from \$611,345 to \$731,515. The Field Maintenance budget was increased by \$76,000 because the parking lot cracks were repaired with mastic, there were parking lot lights that required major repairs, capital outlay projects were higher than originally budgeted and the water usage increased. The tournament budget increased by \$44,170

because the original budget included a payment to Southwest Sports for running tournaments during the summer season. Instead, in 2016 the City hired a Tournament Director/Events Coordinator, so while expenses increased the revenue all stayed with the Special Sales Tax Fund and exceeded the additional expenses.

2. The Water Park was originally budgeted as a transfer of \$75,000. The City paid the expenses as well as received all of the revenue from the water park. While, this did create a budget amendment the net Revenues vs. Expenses still resulted in less than the \$75,000 subsidy budgeted.
3. The Special Events Center transfer was increased because of the timing of the naming rights income.

Convention and Visitors – The increase to the Convention and Visitors Fund was a result of an increase of Sports Commission expenses and building remodel expenses. In 2016, two State Basketball tournaments and one 6 Man Football State tournament was held in Dodge City. Those expenses as well as the revenues run through the Convention and Visitors budget. The expenses for the building remodel are more than budgeted, but once the money is spent we will be eligible for a 25% tax credit. Cash is available in this fund for the additional budget.

Debt Service Fund – The payments for the 2016 GO Series A bonds exceeded the budgeted amount by \$9,000. Those bonds were issued in early 2016, so the exact amount of payment was not known at the time of the budget. Funds are available to pay the additional amount

Capital Improvement Fund – Some projects that were not completed in 2015, were carried to 2016, resulting in an increase in budget amounts for 2016. Funds are available for the increase.

Transportation – Transportation is an internal Service Fund which pays for vehicle maintenance on all city vehicles, then is charged back to the departments. It is difficult to anticipate the amount necessary for this department each year. Funds are available for the increase.

Purpose/Mission: To promote open communications and inform the public when necessary budget changes are needed.

Legal Considerations: This amendment will allow us to comply with the State of Kansas Budget Law.

Attachments: Notice of hearing and budget amendments.

**Notice of Budget Hearing for Amending the
2016 Budget**

The governing body of
City of Dodge City

will meet on the day of December 29, 2016 at 8:00 a.m. at City Commission Chambers, City Hall, 806 2nd Avenue for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Hall, 806 2nd Avenue and will be available at this hearing.

Summary of Amendments

Fund	2016 Adopted Budget			2016 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Sales Tax-Special Projects			6,584,647	7,288,647
Convention and Visitors			1,494,937	1,659,937
Debt Service	11.452	1,746,733	3,128,250	3,137,250
Capital Improvement Fund	2.254	343,691	388,600	640,000
Transportation (Vehicle Maintenance)			389,840	429,840

Nannette Pogue

Official Title: Finance Director/City Clerk

Page No.

City of Dodge City

2016

Adopted Budget

Capital Improvement Fund	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	349,140	349,140
Receipts:		
Ad Valorem Tax	343,691	343,691
Delinquent Tax	5,000	5,000
Motor Vehicle Tax	39,616	39,616
Recreational Vehicle Tax	217	217
16/20M Vehicle Tax	187	187
Commercial Vehicle Fee	1,889	1,889
Watercraft	99	99
Rent	15,000	15,000
Total Receipts	405,699	405,699
Resources Available:	754,838	754,838
Expenditures:		
Capital Outlay	388,600	640,000
Total Expenditures	388,600	640,000
Unencumbered Cash Balance December 31	366,238	114,838

Transportation (Vehicle Maintenance)	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	15,916	15,916
Receipts:		
Reimbursements	386,865	429,840
Total Receipts	386,865	429,840
Resources Available:	402,781	445,756
Expenditures:		
Personnel Services	122,690	122,690
Contractual	71,300	111,300
Commodities	195,850	195,850
Capital	0	0
Total Expenditures	389,840	429,840
Unencumbered Cash Balance December 31	12,941	15,916

City of Dodge City

2016

Adopted Budget

Convention and Visitors	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	826,575	826,575
Receipts:		
Intergovernmental	800,000	886,100
Trolley Charges	32,000	38,000
Other	1,500	54,330
Contributions & Donations	23,547	23,547
Sports Commission		53,650
Total Receipts	857,047	1,055,627
Resources Available:	1,683,622	1,882,202
Expenditures:		
Personal Services	406,510	406,510
Contractual	401,797	401,797
Commodities	34,500	34,500
Capital Outlay	506,700	671,700
Transfer to ST-Org Fund	85,430	85,430
Transfer to General	60,000	60,000
Total Expenditures	1,494,937	1,659,937
Unencumbered Cash Balance December 31	188,685	222,265

Debt Service	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	114,486	114,486
Receipts:		
Ad Valorem Tax	1,746,733	1,746,733
Delinquent Tax	35,000	35,000
Motor Vehicle Tax	237,527	237,527
Recreational Vehicle Tax	1,299	1,299
16/20M Vehicle Tax	1,123	1,123
Commercial Vehicle Fee	11,327	11,327
Watercraft	592	592
Special Assessments	387,500	387,500
Lottery Money	450,000	450,000
Other Sources	230,000	230,000
Total Receipts	3,101,101	3,101,101
Resources Available:	3,215,587	3,215,587
Expenditures:		
Principal Payments	2,021,250	2,306,250
Interest on bonds	740,000	830,545
Commissions & Postage	2,000	455
2015 Issues	365,000	
Total Expenditures	3,128,250	3,137,250
Unencumbered Cash Balance December 31	87,337	78,337

City of Dodge City

2016

Adopted Budget

Sales Tax-Special Projects	2016 Adopted Budget	2016 Proposed Budget
Unencumbered Cash Balance January 1	2,152,303	2,152,303
Receipts:		
Sales Tax	4,865,000	4,645,160
Sales Tax	1,270,000	1,176,000
Interest Income	2,000	4,700
Program Fees-Athletic Fields	0	94,800
Concessions	6,000	11,900
Field Rental	6,000	30,450
Other Athletic Field Inc	11,000	11,700
Sign Sponsorships	2,000	
Water Park Revenue	0	562,900
Total Receipts	6,162,000	6,537,610
Resources Available:	8,314,303	8,689,913
Expenditures:		
FIELD SPORTS		
FIELD MAINTENANCE		
Personal Services	235,645	235,645
Contractual	90,850	133,850
Commodities	80,850	90,850
Capital Outlay	57,000	80,000
Total - Field Maintenance	464,345	540,345
TOURNAMENTS		
Personal Services	0	54,170
Contractual	147,000	127,000
Commodities	0	10,000
Total - Tournaments	147,000	191,170
TOTAL FIELD SPORTS OPERATIONS	611,345	731,515
ADMINISTRATION		
Contractual	885,300	885,300
Commodities	300	300
Transfer to Depreciation & Replacement Fund	345,000	345,000
Series A & B - Debt Service	2,610,000	2,610,000
Series A 2015 - Debt Service	695,000	695,000
Other Payments	2,000	2,000
TOTAL - ADMINISTRATION	4,537,600	4,537,600
MOTOR SPORTS		
Personal Services	10,800	10,800
Contractual	277,100	277,100
Commodities	20,000	20,000
Capital Outlay	0	0
TOTAL - MOTOR SPORTS OPERATIONS	307,900	307,900
SPECIAL EVENTS CENTERS		
Contractual	830,752	966,352
Insurance & Electrical	45,600	45,600
Capital Outlay	150,000	106,430
TOTAL - SPECIAL EVENTS CENTER	1,026,352	1,118,382
SALES TAX PROJECTS-FACILITIES MAINTENANCE		
Personal Services	16,150	11,500
Contractual	500	500
Commodities	9,800	2,000
TOTAL-FACILITIES MAINTENANCE	26,450	14,000
OUTDOOR REGIONAL ACQUATICS FACILITY		
Contractual	75,000	521,400
Commodities	0	29,650
Capital Outlay	0	28,200
TOTAL-OUTDOOR REGIONAL AQUATICS FACILITY	75,000	579,250
Total Expenditures	6,584,647	7,288,647
Unencumbered Cash Balance December 31	1,729,656	1,401,266

**Notice of Budget Hearing for Amending the
2016 Budget**

The governing body of
City of Dodge City

will meet on the day of December 29, 2016 at 8:00 a.m. at City Commission Chambers, City Hall, 806 2nd Avenue for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Hall, 806 2nd Avenue
and will be available at this hearing.

Summary of Amendments

Fund	2016 Adopted Budget			2016 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Sales Tax-Special Projects			6,584,647	7,288,647
Convention and Visitors			1,494,937	1,659,937
Debt Service		1,746,733	3,128,250	3,137,250
Capital Improvement Fund		343,691	388,600	640,000
Transportation (Vehicle Maintenan			389,840	429,840
			0	0

Nannette Pogue
Official Title: Finance Director/City Clerk



Public Transportation

Santa Fe Depot Transit Center * 101 E. Wyatt Earp * Dodge City Ks 67801 * 620-225-8119

Memorandum

To: Cherise Tieben, City Manager
City Commissioners
From: Ernestor De La Rosa, Asst. Finance Director
Brenda Martinez, Transportation Supervisor
Date: December 29th, 2016
Subject: Resolution 2016-32: Title VI Policy
Agenda Item: Ordinances and Resolutions

RECOMMENDATION: Staff recommends approval of Resolution 2016-32 for renewal of the existing Title VI policy for the City of Dodge City, repealing and replacing all other resolutions and policies in conflict.

BACKGROUND: As requirement from the Kansas Department of Transportation (KDOT) involving the Public Transportation Program, staff has reviewed the existing Title VI policy which prohibits discrimination on the basis of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The intent of this policy is to repeal and replace any existing policies and renew the existing, comprehensive plan for the City in all departments.

JUSTIFICATION: This policy is required for the City to remain in good standing with KDOT, State and Federal Government. It provides a complaint procedure and process for anyone who believes they have been subject to discrimination.

FINANCIAL CONSIDERATIONS: Failure to maintain an appropriate Title VI policy would potentially disqualify the City from receiving Federal funds for programs such as Public Transportation, Federally Highway funds and other funding programs.

PURPOSE/MISSION: This policy is consistent with the City's core value of making Dodge City the best place to be.

LEGAL CONSIDERATIONS: This policy does not expose the City to any additional liability. It details plan for how discrimination issues will be addressed. The City Attorney has reviewed and approved the resolution.

ATTACHMENTS: Resolution 2016-32:
Title VI Complaint Procedures
Title VI Complaint Form
Limited English Proficiency Plan

RESOLUTION 2016-32
A RESOLUTION OF THE GOVERNING BODY OF
THE CITY OF DODGE CITY, KANSAS ADOPTING A
TITLE VI POLICY

WHEREAS, Title VI of the Civil Rights Act of 1964 [42 U.S.C. §2000d et seq.], states that:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance

WHEREAS, the intent of Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency” (65 FR 50121) is to reduce language barriers and improve access to programs receiving Federal financial assistance, especially by persons who are limited in their English proficiency; and,

WHEREAS, the City of Dodge City, Kansas (“City”) is a recipient of Federal financial assistance through the Public Transportation Program and other City programs, and is therefore obligated to have policies in place to adhere to Title VI and Executive Order 13166; and,

WHEREAS, a broad cross section of community members has begun using public transportation services, driving dramatic increases in ridership numbers; and,

WHEREAS, our community residents include people from more than twenty (20) nations, with recent immigrants sometimes needing access to interpreters and translated documents; and,

WHEREAS, the City departments of Parks and Recreation and Human Resources, as well as the Kansas Department of Transportation, have reviewed and approved the attached documents; and,

WHEREAS, these Title VI, Limited English Proficiency and Public Participation plans are consistent with the intent and actions already followed by the City of Dodge City.

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

- 1) The City hereby adopts a compliance policy and procedure governing complaints associated with Title VI of the Civil Rights Act of 1964 and Executive Order 13166.
- 2) Related Documents - Policy documents shall be kept and updated from time to time as needed by the Title VI Coordinator and will include:
 - a. Title VI Complaint Procedures
 - b. Title VI Policy Notice
 - c. Limited English Proficiency (LEP) Plan
 - d. Title VI Coordinator Responsibilities
- 3) The Human Resource Director for the City will serve as the Title VI Coordinator as called for in said policy documents.

- 4) A Public Transportation Advisory Committee is hereby established and shall be a subcommittee of the Parks and Recreation Advisory Committee.

ADOPTED AND PASSED by the Governing Body of the City of Dodge City, Kansas on December 29, 2016.

Rick Sowers, Mayor

ATTEST:

Nannette Pogue, City Clerk

TITLE VI Complaint Procedures For Dodge City Public Transportation Program

Title VI Complaint Procedure: The following pertains only to the Title VI complaints regarding the services of Dodge City's Public Transportation Program.

Title VI of the Civil Rights Act of 1964 {42 U.S.C. S2000d et seq.}, states that:
No person in the United States shall, on the ground of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Dodge City Public Transportation Program has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter III of the Federal Transit Administration Circular 4702. 1B, dated October 1, 2012. If you believe that the Dodge City Public Transportation Program has violated your civil rights on the basis of race, color, or national origin, you may file a written complaint by the following the procedure outlined below.

1. Submission of Title VI Complaint

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the Dodge City Public Transportation Program, may file a written complaint with the Supervisor the Public Transportation Program. A sample complaint form is available for download at www.dodgecity.org/PublicTransportation and is available in hard copy at the offices of Dodge City Public Transportation. Upon request, Dodge City Public Transportation will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

***Note:** Assistance in the preparation of any complaints will be provided to a person or persons upon request and as appropriate. If information is needed in another language, then contact the supervisor of the Public Transportation Program at 620-225-8119, or by email title.vi.complaint@dodgecity.org, or visit our administrative office at 806 N. Second Avenue, Dodge City, KS 67801.*

Complaints may be emailed to title.vi.complaint@dodgecity.org, or may be mailed to or Submitted by hand to:

Title VI Coordinator
City of Dodge City
806 N. Second Avenue
P.O. Box 880
Dodge City, KS 67801

2. Referral to Review Officer

Upon receipt of the complaint, the Supervisor of the Public Transportation Program shall Appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint. If necessary, the Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the agency received the complaint. If more

time is required, the Supervisor of the Public Transportation Program shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the Dodge City Public Transportation program's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the Supervisor of the Public Transportation Program for concurrence. If the Supervisor concurs, he or she shall issue the Dodge City Public Transportation program's written response to the Complainant. This final report should include a summary of the investigation, all findings with recommendations, or corrective measures where appropriate.

Note: Upon receipt of complaint, Dodge City Public Transportation Program shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA Region 7 Contacts.

3. Request for Reconsideration

If the Complainant disagrees with the Supervisor of the Public Transportation Program's response, he or she may request reconsideration by submitting the request, in writing, to the Supervisor within 10 calendar days after receipt of the Supervisor's response. The request for consideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Supervisor. The Supervisor will notify the Complainant of his or her decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the Supervisor agrees to reconsider, the matter shall be returned to the staff review officer(s) to reevaluate in accordance with Section 2 above.

4. Appeal

If the request for reconsideration is denied, the Complainant may appeal the supervisor's response by submitting a written appeal to the City Manager of Dodge City, no later than 10 calendar days after receipt of the Supervisor's written decision rejecting reconsideration. The City Manager will make a determination to either request reevaluation by the staff review officer(s) or forward the complaint to KDOT for further investigation.

5. Submission of Complaint to the State of Kansas Department of Transportation

If the Complainant is dissatisfied with the Dodge City Public Transportation Program's resolution of the complaint, he or she may also submit a written complaint to the State of Kansas Department of Transportation (KDOT) for further investigation. The submission of complaint must be received by KDOT within 180 days after the alleged date of discrimination, or 10 calendar days after receipt of the written decision rejecting reconsideration or appeal, whichever is later. Complaints submitted to KDOT should be mailed to:

KDOT Office of Contract Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West

Topeka, KS 66603

The Complainant may also file a complaint directly with the Federal Transit Administration,
at:

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

Notifying the Public of Rights Under Title VI

City of Dodge City, Kansas

- The City of Dodge City, Kansas, operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Dodge City.
- For more information on Dodge City's civil rights program, and the procedures to file a complaint, contact the Human Resource Department at 620-225-8100 or email title.vi.complaint@dodgecity.org; or visit our administrative office at 806 N. Second Avenue, Dodge City, Kansas 67801. For more information, visit www.dodgecity.org/TitleVI
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
 - If information is needed in another language, contact 620-225-8160.
 - Si se necesita información en otro idioma, comuníquese con 620-225-8160.

Notificación al Público de los Derechos Bajo el Título VI

Cuidad de Dodge City, Kansas

- La Ciudad de Dodge City, Kansas, opera sus programas y servicios, sin distinción de raza, color u nacionalidad, de acuerdo al Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido ofendido por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja con la Ciudad de Dodge City.
- Para obtener más información sobre el programa de derechos civiles de la Ciudad de Dodge City y los procedimientos para presentar una queja, comuníquese con el Departamento de Recursos Humanos al 620-225-8100 o por correo electrónico: title.vi.complaint@dodgecity.org; o visite nuestra oficina administrativa en 806 N. Second Avenue, Dodge City, Kansas 67801. Para obtener más información, visite: www.dodgecity.org/TitleVI
- Un demandante puede presentar una queja directamente con la Administración Federal de Tránsito (Federal Transit Administration) mediante la presentación de una denuncia ante la Oficina de Derechos Civiles (Office of Civil Rights), atención: Title VI Program Coordinator, East Building, 5th Floor TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- Si necesita información en otro idioma, comuníquese al 620-225-8160.
- If information is needed in another language, contact 620-225-8160.

City of Dodge City
Title VI Coordinator Responsibilities

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring the City's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by the City.
2. Collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of federally funded programs, as well as affected citizens and impacted communities.
3. Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid contracts administered through the City.
5. Review City program directives in coordination with Title VI liaisons for special emphasis program areas (e.g. Public Transportation). Where applicable, include Title VI language and related requirements.
6. Conduct training programs on Title VI and other related statutes for City employees.
7. Prepare a yearly report of Title VI accomplishments and goals, as required.
8. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
9. Conduct post-grant approval reviews of City programs and applicants, for compliance with Title VI requirements.
10. Identify and eliminate discrimination.
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

Limited English Proficiency (LEP) Plan Dodge City Public Transportation

The intent of Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency” (65FR 50121) is to reduce language barriers and improve access to programs receiving federal funds, especially by persons who are limited in their English proficiency. As a federally funded program, the Dodge City Public Transportation Program will identify barriers to LEP individuals, and implement a language assistance plan which will reduce language barriers and enhance access to our services by persons with Limited English Proficiency.

Four Factors Analysis for Dodge City and Ford County

1. Number and Proportion of LEP individuals who can utilize the service provided by Dodge City Public Transportation.

Table 1 shows the Limited English Proficiency (LEP) Population Groups residing in Ford County. The 7,041 Spanish speakers who speak English “less than very well” represent 23% of the Ford County population, and meets the criteria for providing written translations of all materials. There are an additional 532 people who speak nine different languages and English “less than very well”, but as each is a small number none of those fit the criteria requiring written translations of materials. We do, however, encounter these persons as we provide Public Transportation services, and our LEP Plan is developed with them in mind as well as the many Spanish speakers.

2. Identify the frequency in which LEP individuals come into contact with our Public Transportation Program.

Spanish speakers with limited English proficiency make up 23% of the Ford County population. Hispanics (both those who speak English very well and less than very well) made up approximately 47% of our ridership in July and August 2016. We know from experience that many have limited English proficiency.

While no other population or language group meets the LEP threshold for mandatory translation of all materials, we do encounter many individuals with limited English proficiency. Two large beef processing plants employ about 5,600 workers, and recruit internationally to fill these positions. Many new immigrants with limited English proficiency come to our community for these jobs, and many choose to ride our buses.

3. Identify the importance of our Public Transportation service to the LEP community.

As new immigrants to the United States, and new job holders in our community, many LEP individuals have neither driver’s licenses nor cars. They are very public transit dependent. As time passes, many of these individuals acquire cars or at least a network of friends with whom they can carpool. Even then they may be transit dependent because a family (2 adults plus children) might have just one car. In such cases, either one adult might need public transportation to get to work, or the other adult and children might need public transportation for shopping and medical appointments. Both data and anecdotal evidence tells us that public transportation is very important to the LEP community.

4. Identify resources available for assisting LEP individuals and the respective costs of these resources.

Resources for Spanish Speakers: Spanish is the most common language spoken by our LEP population, and meets the Title VI threshold requiring that translations be available in Spanish. Therefore, we have developed a number of different resources.

- Translations: All essential documents are available in English and Spanish, including:
 - Passenger Policies and Guidelines
 - All notices posted on buses
 - Title VI Notice, Complaint Form and Complaint Procedures

Cost: For documents containing complex language requiring high level Spanish – English proficiency, we utilize the services of a professional translator who charges 11 cents per word plus \$25 per hour of translation work. For brief, simple notices posted on buses, we utilize bilingual staff at City Hall. While there is a cost (staff time), the Public Transportation Program is not billed for this work.

- Bilingual Staff: Three of our full-time drivers is bilingual in English and Spanish. When communication difficulties arise, other drivers use cell phones to get the assistance from the bilingual driver. When recruiting new drivers our job advertisement notes that ‘bilingual skills are strongly preferred but not required’. We contract with Finney County Transit to provide Dispatch services, so they encounter each of the LEP clients when reservations are taken. FIT has one dispatcher who is bilingual, and utilize various other resources for understanding LEP clients.

Cost: Bilingual staff members in Dodge City are paid up to 7% over base salary because of this important skill. There is also a cost in terms of the time these staff members spend dealing with communication difficulties encountered by staff members who do not have bilingual skills. Finney County Transit bills us (and KDOT) for all the extra time it takes to work with LEP clients due to communication difficulties. However, there is no way to know what portion of the cost is related to communication with LEP clients.

- “Basic Spanish for Transit Employees”: To provide an additional resource for our drivers we will provide each driver, and place in each bus a copy of small book “Basic Spanish for Transit Employees”. We will train drivers utilizing the accompanying training DVD. Finney County Transit provides this resource for Dispatches.

Cost: each book costs \$4.50 and training video costs \$7.

Resources for Speakers of other Languages: because we have 532 persons who speak nine different languages (neither English nor Spanish) we have identified a resource we can utilize to assist when working with these clients.

- Pay as You Go Personal Interpreter Service: An additional resource we can utilize for simultaneous telephone translation in any language is the Pay- as-You-Go Interpreter Service provided by Language Line (www.language.com). When an LEP client calls our office (or Dispatch), this service can be utilized by calling their number and asking for a specific language interpreter. The interpreter joins in a 3 way telephone conversation and provides simultaneous translation between the caller and our staff. This resource can be especially valuable with LEP clients who speak a language other than Spanish, because we have no staff members who speak languages such as Arabic, Somali, or Laotian. It is possible to have documents translated if needed.

Cost: \$3.95 per minute which KDOT has determined can be charged to the 5311 grant as an operating cost.

Limited English Proficiency Plan

Identified LEP Individuals Table 1 contains information about Ford County’s LEP populations. Spanish is the only language group which meets the threshold to require written translations of all documents.

Language Assistance Measures In order to meet the needs of all LEP populations we will take the following steps.

For LEP Spanish Speakers: We will take the following actions:

- Translate all documents into Spanish, utilizing City Hall staff when possible and hiring professional translators when necessary. This includes:
 - Passenger Policies and Guidelines

- All notices posted on buses
- Title VI Notice, Complaint Form, and Complaint Procedures
- Use Google Translate to enable our website to be translated and presented in Spanish.
- Make every effort to recruit and hire bilingual staff who speak Spanish
- Provide each driver, and place in each bus a copy of “Basic Spanish for Transit Employees” and utilize the training video in training all drivers.
- Work with Finney County Transit to assure that Dispatchers can work effectively with LEP Spanish Speakers.
- Utilize Pay-As You-Go Personal Interpreter and Translation Service (www.language.com) when necessary.

For LEP Speakers of Other Languages:

- Use Google Translate to enable LEP individuals to translate our Website information into their native language.
- Utilize Pay-As-You-Go Personal Interpreter and Translation Service (www.language.com)
- Utilize “I Speak” cards (see attached) to help identify the language being spoken by our LEP client, recognizing that our only resource for helping them will be the Pay-as-You-Go Personal Interpreter service. Many times they will bring another member of their language community who speaks English well and who can help interpret for us.

Training Staff – Identify how agency staff will be trained in utilizing language assistance measures.

- Our Drivers will be trained in using the “Basic Spanish for Transit Employees” by utilizing the training video which accompanies the resource.
- Our Administrative Staff will be trained in how to utilize the Pay-As-You-Go Interpreter service.
- We will collaborate with Finney County Transit to assure that Dispatch staff has the skills needed to meet the communication challenges with all LEP language groups.

Providing Notice - Identify how Dodge City Public Transportation will provide notice of the LEP plan and the Title VI procedures.

- LEP Plan will be posted on Dodge City Public Transportation website.
- LEP Plan will be provided to any person or agency requesting a copy.
- The person to contact in regards to the LEP plan is Brenda Cecil-Martinez, Public Transportation Supervisor, and can be reached at 620-225-8119 or brendam@dodgecity.org
- On our website we will post “If a Complaint Procedures posted on this website”

Monitoring and Updating LEP Plan - Dodge City Public Transportation Program will take the following actions to monitor and update the LEP Plan:

- At a minimum, our agency will update the LEP Plan every three years as required by the Title VI update schedule.
- We will examine the LEP Plan annually as new drivers are being hired and trained in order to assure we are carrying out the plan to the fullest extent.
- If large number of LEP individuals present us with new challenges (e.g. a new language is introduced into the community), we will examine the LEP Plan to determine if any changes might be necessary, or any resources might be utilized which we had not known about previously.



Parks and Recreation

PO Box 880 • Dodge City KS 67801 • Phone: 620/225-8160 • Fax: 620/225-8144

Memorandum

To: Cherise Tieben, City Manager
City Commissioners

From: Paul Lewis, Director 

Cc: County Commissioners
J.D. Gilbert, County Administrator
Ray Slattery, City Engineer
Nannette Pogue, Finance Director

Date: December 21, 2016

Subject: Long Branch Lagoon CO #11

Agenda Item: New Business

RECOMMENDATION: Staff recommends approving Change Order #11 for the Long Branch Lagoon water park project in the amount of \$33,406.93.

BACKGROUND: During the construction process, the requirements for slide footings and supporting mechanical needs for the Boomerango slide were revised by the manufacturer. Change Order #11 accounts for those revisions and was necessary for the proper installation and function of the slide. The work includes revised pier designs, a drainage structure for the slide and a supplemental pump system.

JUSTIFICATION: The revisions were a requirement for the proper operation and safety of the Boomerango slide. Funds would have been available for this change order from the construction account, however, as the project closed, unanticipated fees came in from one of the contractors forcing the project to exceed the GMP. We have verbally agreed to accept this change order only due to the fact that we did purchase additional deck chairs, shade sales, trash cans, concessions tables, cash registers and other ancillary products under the GMP when we were told funds would be available. If we would have known that funds were not available under the GMP, those products may have been purchased through the operating budget.

FINANCIAL CONSIDERATIONS: Funds for this expense are available in the Water Park Operating account. That budget provided for a subsidy to the facility of \$75,000. As of the end of November, the subsidy required was only \$7,562 leaving adequate funds for this expense.

PURPOSE/MISSION: This project is consistent with the City's Core Value of Ongoing Improvement as it created a new destination water park to support the community and the tourist economy.

LEGAL CONSIDERATIONS: N/A

ATTACHMENTS: McCownGordon CO#11



McCownGordon
 227 Blue Earth Place Suite 205
 Manhattan, Kansas 66502
 Phone: (785) 789-3100

PCCO #OCO011

Project: 1-07-0557 - DodgeCity Regional Aquatic
 111 S. 4th Street
 Dodge City, Kansas 67801
 Phone: 785-789-3100
 Fax: 785-789-3096

Prime Contract Change Order #OCO011: Additional Slide Footings

TO:	City of Dodge City & Ford County 806 N 2nd Ave Dodge City, Kansas 67801	FROM:	McCownGordon Construction, LLC - KS Office 227 Blue Earth Place, Suite 205 Manhattan Kansas 66502
DATE CREATED:	8/ 01 /2016	CREATED BY:	Barry Schmidt (McCownGordon Construction, LLC - KS Of)
CONTRACT STATUS:	Pending - In Review	REVISION:	0
DESIGNATED REVIEWER:		REVIEWED BY:	
DUE DATE:		REVIEW DATE:	
INVOICED DATE:		PAID DATE:	
SCHEDULE IMPACT:		EXECUTED:	No
CONTRACT FOR:	1:DodgeCity Regional Aquatic Prime Contract	TOTAL AMOUNT:	\$ 33,406.93

DESCRIPTION:

OCO 011 includes costs for additional concrete footings at the slide structures. Additional footings are required for the slide structures and are in addition to the included footing allowance in the guaranteed maximum price documents.

ATTACHMENTS:

CHANGE ORDER REQUESTS IN THIS CHANGE ORDER:

COR #	Title	Schedule Impact	Amount
OCO044	Additional Slide Footings		\$ 33,406.93
TOTAL:			\$ 33,406.93

CHANGE ORDER LINE ITEMS:

PCO # OCO044 : Additional Slide Footings

#	Cost Code	Description	Type	Amount
1	80-10008 - Construction Contingency	Additional Slide Footings	Contingency	\$ 31,650.00
Subtotal:				\$31,650.00
General Liability Insurance: 0.95% on Labor, Equipement, Material, Subcontractor, Fee, and Contingency				300.68
Builder's Risk Insurance: 0.35% on Labor, Equipement, Material, Subcontractor, Fee, and Contingency				111.83
Warranty: 0.50% on Labor, Equipement, Material, Subcontractor, Fee, and Contingency				160.31
Performance and Payment Bond: 0.90% on Labor, Equipement, Material, Subcontractor, Fee, and Contingency				290.01
Fee: 2.75% on Labor, Equipement, Material, Subcontractor, Fee, and Contingency				894.10
Grand Total:				\$33,406.93

The original (Contract Sum)	\$ 1,742,561.00
Net change by previously authorized Change Orders	\$ 12,424,818.53
The contract sum prior to this Change Order was	\$ 14,167,379.53
The contract sum would be changed by this Change Order in the amount of	\$ 33,406.93
The new contract sum including this Change Order will be	\$ 14,200,786.46
The contract time will not be changed by this Change Order	



PCCO #OCO011

Dave Schwartz (Waters Edge Aquatic Design)

11205 W 79th St
Lenexa Kansas 66214

City of Dodge City & Ford County

806 N 2nd Ave
Dodge City Kansas 67801

McCownGordon Construction, LLC - KS Office

227 Blue Earth Place, Suite 205
Manhattan Kansas 66502

SIGNATURE **DATE**

SIGNATURE **DATE**

SIGNATURE **DATE**