

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, February 3, 2014

7:00 p.m.

MEETING #4947

CALL TO ORDER

ROLL CALL

INVOCATION by Philip Scott of First Christian Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Close out of CDBG Housing Grant. Report by Faye Trent, Great Plains Development.

PETITIONS & PROCLAMATIONS

Boy Scout Week Proclamation

Girl Scout Cookie Proclamation

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

Kathy Ramsour, Principal of Northwest Elementary School – Sidewalk from 6th Avenue to 14th Avenue - Safety of Children.

Roger Proffitt - Dodge City Community College, is requesting a letter of support for a Tax Credit Grant through the State of Kansas.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, January 21, 2014
2. Appropriation Ordinance No. 3, February 3, 2014;

3. Kathy Denhart Transportation Consulting Contract Renewal.

ORDINANCES & RESOLUTIONS

Resolution No. 2014-01: A Resolution Approving the Matching Funds for the Transportation Alternative (TA) Application for Development and Stabilization of the Atchison, Topeka and Santa Fe Railway Depot. Report by Project Coordinator Director, Melissa McCoy.

Resolution No. 2014-02: A Resolution of the City of Dodge City, Kansas Determining that the City is Considering Establishing A Rural Housing Incentive District within the City and Adopting a Plan for the Development of Housing and Public Facilities in Such Proposed District; Establishing the Date and Time of a Public Hearing on Such Matter, and Providing for the Giving of Notice of Such Public Hearing. (PRAIRIE POINTE). Report by Special Projects Asst. Leslie Lomas.

Resolution No. 2014-03: A Resolution of the City of Dodge City, Kansas Determining that the City is Considering Establishing A Rural Housing Incentive District within the City and Adopting a Plan for the Development of Housing and Public Facilities in Such Proposed District; Establishing the Date and Time of a Public Hearing on Such Matter, and Providing for the Fiving of Notice of Such Public Hearing. (SUMMERLON V). Report by Special Projects Asst. Leslie Lomas.

UNFINISHED BUSINESS

1. Direction to Staff concerning letter regarding Point of Rocks to KDOT. Report by City Manager, Cherise Tieben.

OTHER BUSINESS

NEW BUSINESS

1. Appointments of Boards & Commissions. Report by Director of Public Information, Jane Longmeyer.

ADJOURNMENT

Memorandum

To: Cherise Tieben, City Manager
From: Nannette Pogue, Finance Director/City Clerk
Date: January 29, 2014
Subject: Public Hearing – CDBG Housing Grant Close Out
Agenda Item: Public Hearing

Recommendation: This is a required public hearing, so the Public Hearing will be opened and anyone from the public can speak. Faye Trent from Great Plains Development will be there to present the summary. At the close of the Public Hearing, I would recommend that the City Commission accept the close out of the CDBG Housing Grant and de-obligate the funds.

Background: The City of Dodge City applied for and received a CDBG Housing Grant in July of 2011. The history of this grant and what has happened since it was awarded is described in the attached Dodge City Project Summary. Because we were unable to fulfill the grant, it is required to have a public hearing to close the grant and de-obligate \$256,179 worth of CDBG funds that we are unable to use to accomplish the grant goals.

Justification: The public hearing is required.

Financial Considerations: None

Legal Considerations: All legal requirements will be met by Public Hearing and final paperwork sent to the Kansas Department of Commerce

Attachments: Dodge City Project Summary and Dodge City Expense Summary

City of Dodge City
CDBG #11-HR-011
Project Summary

The original funding as addressed in the application was \$391,500.00 from Kansas Department of Commerce's Community Development Block Grant (CDBG) funds to rehabilitate approximately 15 deteriorated homes occupied by low-to-moderate income families located in a specified target area. The City provided \$500.00 in matching funds to complete the environmental review. The City was awarded CDBG funds in the amount of \$266,000.00 to rehabilitate 10 homes.

Rehabilitation applications were received for seven owner occupied homes and three rental homes. One rental application was pulled by the tenant and landlord. Additional information was requested and not received on four homes. Five homes were assigned to the inspector. One homeowner was not home and could not be located therefore four homes were inspected. Estimates on two homes were over \$30,000.00 and not bid. Bids were received from two contractors on three homes. Bids for two homes were over the amount available for rehabilitation and one home was awarded to a contractor from Ellis, Kansas. After numerous contacts with the contractor to get the project started, a certified letter was sent by the City giving the contractor a timeline to sign and return the contract and complete the rehabilitation. The contract was returned unsigned with a note from the contractor stating the he did not have time to work on the home.

A local contractor was asked if he would be interested in completing the rehabilitation. After reviewing the inspection write-up and home, he felt he would be unable to complete the rehabilitation with the funds available.

The City will be de-obligating \$256,179.00 of CDBG funds. See the attached spreadsheet for the budget and expenditure breakdown.

City of Dodge City
 CDBG #11-HR-031

ACTIVITY	BUDGET		TOTAL	CDBG EXPENSE	CDBG OVER/UNDER	LOCAL EXPENSE	LOCAL OVER/UNDER	TOTAL EXPENSE	OVER/UNDER
	CDBG	LOCAL							
Housing Rehabilitation	200,000.00		200,000.00		(200,000.00)		0.00	0.00	(200,000.00)
LSWP/Cleaning for Clearance	20,000.00		20,000.00		(20,000.00)		0.00	0.00	(20,000.00)
HQS Inspection	8,000.00		8,000.00	2,000.00	(6,000.00)		0.00	2,000.00	(6,000.00)
LBP Assessments	10,000.00		10,000.00	3,000.00	(7,000.00)		0.00	3,000.00	(7,000.00)
LBP Clearance Testing	3,000.00		3,000.00		(3,000.00)		0.00	0.00	(3,000.00)
Relocation	5,000.00		5,000.00		(5,000.00)		0.00	0.00	(5,000.00)
Administrative Activities	20,000.00	500.00	20,500.00	4,820.80	(15,179.20)	709.30	209.30	5,530.10	(14,969.90)
Totals	266,000.00	500.00	266,500.00	9,820.80	(256,179.20)	709.30	209.30	10,530.10	(255,969.90)

LOCAL EXPENSE INCLUDES COST TO PUBLISH THE PERFORMANCE PUBLIC HEARING NOTICE.

SCOUT WEEK PROCLAMATION
FEBRUARY 2, 2014 - FEBRUARY 8, 2014

WHEREAS, Chicago publisher William D. Boyce founded the Boy Scouts of America on February 8, 1910, after learning of the Scouting movement in London; and

WHEREAS, the purpose of the Boy Scouts is to develop citizens who are physically, mentally and emotionally fit, have a high degree of self-reliance and resourcefulness, personal values based on religious concepts, the desire and skills to help others and a keen respect for the basic rights of all people; and,

WHEREAS, there are 26 churches, service and fraternal clubs, and other community organizations that have been chartered in our Council by the Boy Scouts of America to service the Scouting program; and,

WHEREAS, the volunteer leaders selected by these chartered organizations are performing an outstanding service for 3105 boys and young men and women; and

WHEREAS, the Santa Fe Trail Council of the Boy Scouts of America and its corps of 639 dedicated volunteer leaders are providing necessary support to the 74 Cub Scout Packs, Boy Scout Troops, Explorer Posts and Venture Crews; be it

RESOLVED, that I, Kent Smoll, Mayor of Dodge City, Kansas, do hereby designate February 2-8, 2014 as Scouting Anniversary Week and urge our citizens to join with me in expressing appreciation to the community organizations that sponsor Scouting, to the volunteers who serve with the partner organizations, and to the youth in the Santa Fe Trail Council of the Boy Scouts of America.

IN OFFICIAL RECOGNITION THEREOF, I hereby affix my signature, and cause to be affixed the official seal of the City of Dodge City, this 3rd day of February, 2014.



E. Kent Smoll, Mayor

SEAL

Nannette Pogue, City Clerk

PROCLAMATION

WHEREAS, Girl Scouts, the pre-eminent organization for girls in the United States and around the world, has been an active part of the Dodge City-area community; and

WHEREAS, through the Girl Scout Cookie Program, girls learn about business, goal-setting, the value of teamwork and money management, all of which helps them become leaders who are confident in themselves and their abilities, use their knowledge to effect change in their lives and in the lives of those around them; and

WHEREAS, through the support of generous donors and annual product-sale activities, such as the Girl Scout Cookie Sale, the Girl Scout organization is able to offer quality programs on a year-round basis to girls in all racial, ethnic, cultural, religious and socioeconomic groups; and

WHEREAS, the City of Dodge City is committed to supporting the programs provided by the Girl Scouts of Kansas Heartland and encourages our communities to support Girl Scouting and its annual money-earning activity: the annual Girl Scout Cookie Sale;

NOW, THEREFORE, BE IT RESOLVED, that I Kent Smoll, Mayor of the City of Dodge City, do hereby proclaim February of 2014 as

Girl Scout Cookie Month

and encourage all citizens to support the *Annual Girl Scout Cookie Sale*, which begins February 8 and will end March 9, and making an investment in the lives of girls and upholding the enterprising spirit of Girl Scouts to remain a self-sufficient organization.

IN OFFICIAL RECOGNITION THEREOF, I hereby affix my signature, and cause to be affixed the official seal of the City of Dodge City, this 3rd day of February, 2014.

Mayor

Nannette Pogue, City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Tuesday, January 21, 2014

7:00 p.m.

MEETING #4946

CALL TO ORDER

ROLL CALL: Vice Mayor Brian Delzeit, Commissioners Joyce Warshaw, Rick Sowers, Jim Lembright present, Mayor Kent Smoll absent.

INVOCATION by Kirk Larson, Grace Community Church

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Vice Mayor Brian Delzeit opened the Public Hearing on Economic Development Local Revolving Loan Fund – Swift Investments, LLC dba Dodge House Motel and Convention Center.

Vice Mayor, Brian Delzeit closed the Public Hearing, Commissioner Rick Sowers moved, Commissioner Jim Lembright seconded to add to New Business –
3. Approval of Economic Development Local Revolving Loan Fund to Swift Investments, LLC.

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

DC/Fort Dodge Cimarron Chapter of Santa Fe Trail Association - Point of Rocks/Highway Expansion. – Bill Bunyan, President, Mike Strodman, Vice President of Dodge City/Fort Dodge Cimarron Chapter of the Santa Fe Trail Association. Both individuals encouraged the City to support the 16' median versus the 60' median.

Jack Fox owner of Point of Rocks -If the State decides to put in the 60' median, he does not want the City of Dodge City's Silhouette any further north on his property, so the City will have to move them.

Vernon Bogart – Encourage Dodge City to contemplate dividing the City into voting districts. Wants the Commission to rethink the interlocal agreement for the Why Not Dodge Projects. Cherise and Rick Sowers responded.

CONSENT CALENDAR

1. Approval of City Commission Work Session Minutes, January 6, 2014.
2. Approval of City Commission Meeting Minutes, January 6, 2014
3. Appropriation Ordinance No. 2, January 20, 2014;
4. Cereal Malt Beverage License Applications;
(a) Water Sports Campground, 500 Cherry Street.
5. Ratification of City Manager Employment Agreement.

Commissioner Jim Lembright moved to approve the Consent Calendar as presented; Commissioner Joyce Warshaw seconded the motion. The motion carried 4-0.

ORDINANCES & RESOLUTIONS**UNFINISHED BUSINESS****NEW BUSINESS**

1. Commissioners Brian Delzeit and Joyce Warshaw were appointed as representatives to Economic Development Board of Directors on a motion by Commissioner Rick Sowers, seconded by Commissioner Jim Lembright. Motion carried 4 - 0.
2. Corey Keller Superintendent of Public Works presented a draft of the Water Conservation Plan, and Ordinance. The Commission discussed the plan and asked that it be brought back to the Commission within 45 days for final approval.
3. The Economic Development Local Revolving Loan Fund to Swift Investments dba Dodge House Motel and Convention Center – Pending City Attorney review, was approved on a motion by Commissioner Rick Sowers. Commissioner Joyce Warshaw seconded, the motion carried 4 - 0.

OTHER BUSINESS

City Manager, Cherise Tieben:

- Ken and Cherise will be at Department of Commerce tomorrow afternoon;
- Please provide Cherise with dates not available in the next 30 days for Joint City Commission;
- TOC is this weekend.

Commissioner, Joyce Warshaw:

- During cold weather watch pets.

ADJOURNMENT

Commissioner Jim Lembright moved to adjourn the meeting; Commissioner Rick Sowers seconded the motion. The motion carried 4 - 0.

Mayor

Attest:

Nannette Pogue, City Clerk



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, Parks & Recreation Director 

Date: January 30, 2014

Subject: Mobility Manager Contract

Agenda Item: Consent Calendar

Recommendation: Staff recommends authorizing the City Manager to execute a contract with Denhardt LLC to provide services as a Mobility Manager for the City.

Background: The City has contracted with Kathy Denhardt for the last three years to provide organizational and management services related to the Public Transportation program. Those services have been provided on an annual basis through the contractual arrangement. The existing contract has expired and this agreement will continue that relationship for a period of 18 months until June 30 of 2015.

Justification: With Denhardt's assistance, the Public Transportation has grown substantially and now provides three busses on a demand response basis operating 11 hours daily, Monday through Friday. Beginning in the second half of 2014, we anticipate the program will expand again to provide fixed route service in addition to the demand response/paratransit service. Denhardt is responsible for coordinating that development as well as soliciting private dollars and service contracts to help support the program financially.

Financial Considerations: The monthly cost for these services is \$5,190 or \$62,280 on an annual basis. That rate reflects a 7.5% increase from the previous contract. The cost for this contract is offset by a KDOT grant that provides 80% of the cost. The remaining 20% is shared by the City and Ford County who are continuing to work together to enhance the public transportation service.

Purpose/Mission: A core value of the City is to make Dodge City the best place to be. Public Transportation provides an important service helping transportation challenged individuals address their daily needs, seniors age in place, and assisting those with medical issues obtain the services essential to their health.

Legal Considerations: This contract contains a 30 day notice of termination allowing either party to terminate the agreement for any reason.

Attachments: Denhardt Consulting Contract

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into this 1st day of January, 2014, by and between the City of Dodge City, Kansas (hereinafter "City"), and Kathryn G. Denhardt of Denhardt Consulting LLC ("Denhardt").

PURPOSE: The purpose of this Agreement is to engage Denhardt as an independent contractor to provide professional services to the City, and to provide a basis for compensation for such services.

1. Kathryn G. Denhardt, Denhardt Consulting LLC, is hereby engaged as an independent contractor to provide the services as set out here in and is not an employee of the City.

2. Denhardt shall provide at her expense Commercial General Liability Insurance in the amount of \$2 million general aggregate limit, products-completed operations aggregate limit and \$1 million personal and advertising injury limit.

3. Duties and Responsibilities. The City provides a public transportation service operating within the city limits, and expanding to provide regional service to Ford County and Gray County. It is funded in part through State and Federal funds administered by the Kansas Department of Transportation. The City desires to contract for the services of Denhardt to review daily operations under the direction of Paul Lewis, Director of Parks and Recreation, serve as on-call supervisor, review existing public transportation services, research and propose enhancements, and develop

policies and procedures to implement those enhancements. In addition, the City is contracting Denhardt to explore and develop service contracts, grants, and other funding opportunities for the operation of the public transportation system.

To accomplish this service, Denhardt shall:

- a. Direct and control the manner and means necessary to complete the contractual expectations of this Agreement;
- b. Develop a 3-5 year long range Transportation Plan for the City and Ford County;
- c. Develop and recommend submission of grant applications which may include, but not be limited to KDOT 5311 and 5316 programs as authorized by City;
- d. Develop possible implementation of a fixed route bus system in Dodge City and Ford County and explore a deviated fixed route program serving Gray County; and
- e. Fulfill grant requirements as established by the State of Kansas in accordance with U.S.C 49-5311 and U.S.C 49-5316 funding programs.

4. Facilities. Denhardt shall be responsible to provide office space and computer equipment as needed at her expense. City upon request shall make rooms available as necessary for meetings with public officials, agencies, and other interested parties related to the transportation program.

5. Compensation. In exchange for the professional services rendered by Denhardt to the City under this Agreement, Denhardt shall be compensated \$5190.00 per month to be paid bi-monthly. Denhardt acknowledges and accepts that this is a

professional services agreement and that Denhardt is an independent contractor and not an employee of the City. As an independent contractor, Denhardt shall not be entitled to any benefits extended to any employees of the City.

6. Reimbursable Expenses. City will reimburse Denhardt for travel expenses when an overnight stay is required.

7. Conflict of Interest. Nothing contained herein shall prevent Denhardt from engaging in other contracts however Denhardt shall inform the City's Director of Parks and Recreation of any existing or future contracts that might in any way impact Denhardt's ability and availability to perform the responsibilities of this Agreement.

8. Term. This Agreement shall be for a term of 18 months from and after the January 1, 2014 date of this Agreement. Notwithstanding this 18 month term, this Agreement may be terminated by either party, with or without cause, upon thirty (30) days written notice to the other party.

This Agreement shall constitute the entire agreement between City and Denhardt. This Agreement may not be assigned without the written consent of the parties. This Agreement shall be interpreted and governed by the laws of the State of Kansas.

IN WITNESS WHEREOF the parties to this Agreement have affixed their signatures effective the date first above written.

CITY OF DODGE CITY

BY: _____
 CHERISE TIEBEN
 City Manager

BY: _____
 KATHRYN G. DENHARDT



City of Dodge City

806 N. Second Ave. Phone: 620-225-8100
PO Box 880 FAX: 620-225-8144
Dodge City, KS 67801 www.dodgecity.org

Memorandum

To: City Manager
Assistant City Manager
City Commissioners

From: Melissa McCoy

Date: January 30, 2014

Subject: Transportation Alternative Application

Recommendation: Staff recommends approval of matching funding for the Transportation Alternative (TA) Application for Development and Stabilization of the Atchison, Topeka and Santa Fe (ATSF) Depot.

Background: Resolution 2014-01 supports a Transportation Alternative application to the Kansas Department of Transportation (KDOT). The ATSF Development and Stabilization Project will repair and restore interior walls throughout the building and perform tuck pointing as well as brick and stone repair in the basement. It includes the purchase and installation of a dehumidification and air filtration system for the facility to control the humidity in the basement and help prevent limestone and mortar loss. The project also allows for the development of the 2nd and 3rd floors of the facility into office and meeting space for the Dodge City Convention and Visitor's Bureau (CVB), Dodge City Ford County Transit and other public and private offices. Minor Modifications will be made to the Amtrak Train Station for the addition of a Public Transportation Transit Center as well as updates to the existing stop light at the cross walk on Wyatt Earp Boulevard to improve pedestrian access to the facility.

The ATSF Railway Depot plays a significant role in the revitalization of the Downtown Heritage District and the overall expansion of Tourism for Dodge City. The proposed plan will insure that the building is preserved for generations to come. These critical repairs were purposefully planned for the last phase of the overall stabilization project because the exterior brick and stone work as well as the windows/doors and soffits had to be completed first in order to stop moisture infiltration into the building. The addition of the Dodge City CVB, Public Transit and other public offices will serve as compatible tenants for the Depot Theater Company and the Fred Harvey Style Dining Room (which

is currently in process of development) as they will aid in bringing the public and visitors into the historic structure on a daily basis.

Justification: The Development and Stabilization of the ATSF Railway Depot will restore what was deemed in the Master Tourism Plan as one of the most historically significant buildings in Dodge City. The ATSF Depot is the largest Depot still standing between Kansas City and Albuquerque. Its size shows the historic importance of Dodge City to the railroad. The Depot reflects the rich history and heritage of Dodge City through Agriculture, the legacy of Fred Harvey and the Harvey Girls. The building also served as a gateway to the West and the last stop before a vast undeveloped area. The Dodge City/Ford County Tourism Task Force and the City of Dodge City have been working diligently on preservation and redevelopment plans to continue to turn the Depot into a major cultural, entertainment and tourism destination for and the Southwest Kansas region. In addition, the purposed improvements will provide additional revenue streams through lease agreements to help maintain the building and cover the costs of utilities. The Public Transportation Transit Center will add much needed public access to transportation in the downtown core while also bringing other community members into the downtown area.

Financial Considerations: The Cost estimate for the multi-phased project is \$1,669,820. Per the guidelines of the TA funding the grantee is required to provide the 20 % match for the 80/20 grant prior to the start of Construction. The estimated 20 % plus all preliminary design fees is \$333,960. Funds provided by the Tourism Task Force Depot Development Budget as well as the Dodge City CVB will be used to fund the required match. The Tourism Task Force Depot Development Budget which is funded by the “Why Not Dodge” sales tax will be responsible for repairs and restoration in the amount of \$17,740. The Dodge City CVB as the principal tenant will provide the match for the development of the 2nd and 3rd floor in the amount of \$316,225. The stabilization of the interior walls and brick and stone work will begin in spring of 2015. The Development of the office and meeting space would begin in fall 2015.

Purpose/ Mission: The Project is consistent with the City’s Core Purpose of “Making Dodge City the best place to be” and our core value of Ongoing Improvement.

Legal Considerations: N/A

Attachments:

Architects Cost Estimate
Contractors’ Bid Estimate

Resolution 2014-01

RESOLUTION OF SUPPORT AND ADMINISTRATION

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF DODGE CITY TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ALTERNATIVES FUNDS SET FORTH BY THE FEDERAL MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT FOR THE ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT PROJECT IN DODGE CITY AND AUTHORIZING THE CITY MANAGER, CHERISE TIEBEN TO SIGN THE APPLICATION.

WHEREAS, the City of Dodge City, Kansas, has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the City of Dodge City, Kansas, desires to submit an application to the Kansas Department of Transportation for Transportation Alternatives program funds set forth by the Federal Moving Ahead for Progress in the 21st Century Act; and

WHEREAS, the City of Dodge City, Kansas, is participating in the Kansas Department of Transportation's Transportation Alternatives Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a Transportation Alternatives program set forth by the Federal Moving Ahead for Progress in the 21st Century Act, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Bicycle and Pedestrian projects; and

WHEREAS, After appropriate public input and due consideration, the Governing Body of the City of Dodge City, Kansas has recommended that an application be submitted to the State of Kansas for the (project name) project.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:
SECTION 1. That the City of Dodge City, Kansas does hereby authorize the City Manager, Cherise Tieben to submit an application to the Kansas Department of Transportation for Transportation Alternatives program funds set forth by the Federal Moving Ahead for Progress in the 21st Century Act on behalf of the citizens of City of Dodge City, Kansas.

SECTION 2. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the construction of the ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT project is available.¹¹

SECTION 3. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that sufficient funding for the operation and maintenance of the ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT project will be available for the life of the project.

SECTION 4. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that the City of Dodge City, Kansas, will have title or permanent easement to the ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT project by the time of project letting.

SECTION 5. That the City Manager of the City of Dodge City, Kansas, is authorized to sign the application to the Kansas Department of Transportation for Transportation Alternatives program funds set forth by the Federal Moving Ahead for Progress in the 21st Century Act on behalf of the citizens of City of Dodge City, Kansas. The City Manager is also authorized to submit additional information as may be required and act as the official representative of the City of Dodge City in this and subsequent related activities.

SECTION 6. That the City of Dodge City, Kansas, hereby assures the Kansas Department of Transportation that the City of Dodge City Kansas, is willing and able to, if the ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT project is selected for funding, administer the designing, letting and construction of the ATCHISON, TOPEKA AND SANTA FE RAILWAY DEPOT project.

ADOPTED AND PASSED by the Governing Body of the City of Dodge City Kansas, this day of February 3, 2013.

Kent Smoll, Mayor

ATTEST:

Nanette Pogue, City Clerk



401 Hudson, Fort Scott, KS 66701
Ph: 620-223-3700 Fx: 620-223-5052

PROPOSAL / CONTRACT

From: Paul Underwood, Senior Estimator / Project Manager, Fort Scott, Kansas January 13, 2013
To: Melissa McCoy, Project Development Coordinator, City of Dodge City, 806 N. 2nd Avenue,
Dodge City, KS 67801
Subject: Interior Basement Repairs
Job Name: Santa Fe Depot, 201 Wyatt Earp, Dodge City, KS 67801

BASE BID: TUCKPOINTING & STONE REPAIR AT DESIGNATED LOCATIONS IN THE BASEMENT



- (1) A careful inspection of all brick and stone mortar joints in the original basement area shall be completed and joints that are found to be void, open or defective shall be cut back to a depth $\frac{1}{4}$ -inch deeper than the width of the joints, or to sound backing. All cut mortar joints and face of masonry shall be cleaned with air and/or water pressure to remove any loose or foreign residue.
- (2) Defective mortar joints that have been cut and cleaned shall then be pointed (filled and tightly packed) with a non-staining, non-shrinking, Type N masonry pointing mortar, colored and tooled to match the adjacent joints in appearance as closely as possible.

- (3) An area of severely deteriorated stone at the east basement wall shall have loose and deteriorated material removed. The existing voids in the mortar and stone shall be filled with a Type N mortar.
- (4) Upon completion of the mortar repairs, the surfaces shall be given one (1) application of a heavy bodied latex modified grout that will secure the area from further deterioration.



- (5) Applicable taxes are excluded from the price stated within this proposal. **It is the owner's responsibility to provide Tax Exemption Certificate Form PR-74, a project specific exemption certificate prior to ordering materials or beginning the project.** The application for this form can be accessed on-line at www.ksrevenue.org under Forms and Publications. The application is Form PR-76 (see attached). Upon receipt of the PR-74, it shall be forwarded to Mid-Continental Restoration for their use when ordering materials for the project. **If the Form PR-74 is not received by MCR prior to ordering of materials or beginning the project, applicable tax will be added to the stated contract price.** Should you have any questions or concerns regarding the Project Exemption Certificate, please feel free to contact Clint Womeldorff at (620) 223-3700.
- (6) The **OWNER** shall be responsible for the covering of electrical wires and, in case wires cannot be covered, re-routing or shutting down of the electricity for the work to be accomplished.
- (7) During the construction phase, all precaution shall be taken to protect any other building surfaces, pedestrians, and automobiles. Mid-Continental follows all OSHA safety regulations in scaffolding and public protection. Upon completion, all surrounding surfaces of the building and premises shall be cleaned and left in an orderly fashion.
- (8) Mid-Continental Restoration Co., Inc. has been retained to perform defined installation and/or repair work on the building or at the job-site and has not guaranteed the removal or eradication of any mold/fungi/organic pathogens and other airborne contaminants. Mid-Continental Restoration Co., Inc., shall be held harmless from and against any and all claims, suits or damages resulting in anyway whatsoever from mold/fungi/organic/ pathogens or other airborne contaminants, that may be present at the job-site before, during and after Mid-Continental has completed its work pursuant to this contract.

- (9) For complete insurance coverage, see **Exhibit "A"** attached hereto.
- (10) Please review the Terms and Conditions attached hereto and marked **Exhibit "A"**.

We shall accomplish the above outlined work for the sum of:
FIVE THOUSAND NINE HUNDRED FIFTY DOLLARS **\$5,950.00**
The above price shall be valid for a period of sixty (60) days

TO ACCEPT THE BASE BID, PLEASE SIGN BELOW

If BASE BID is accepted, please sign here: **Mid-Continental Restoration Co., Inc.**

By: _____ **By:** _____

THE ABOVE PROPOSAL IS ACCEPTED UPON THE TERMS AND CONDITIONS SET FORTH IN EXHIBIT "A" ATTACHED.

PLEASE SIGN AND RETURN BOTH COPIES TO THE HOME OFFICE. OUR COMPANY WILL RETURN ONE COPY TO YOU UPON EXECUTION. IF DESIRED, YOU MAY FAX THE ACCEPTANCE TO THIS OFFICE AT 620-223-5052. THE FAXED COPY OF THE SIGNED PROPOSAL WILL BE CONSIDERED A LEGAL BINDING DOCUMENT.

THE PROPOSAL SET FORTH HEREIN IS THE RESULT OF THE COMPANY'S INITIAL INSPECTIONS OF THE OWNER'S PROPERTY AND WAS DEVELOPED BASED UPON THE COMPANY'S EXPERIENCE IN THE INDUSTRY AND THE COMPANY'S WORK ON SIMILAR PROJECTS. MID-CONTINENTAL RESTORATION COMPANY, INC. DOES NOT EMPLOY A LICENSED ARCHITECT OR ENGINEER, THEREFORE THE "PROPOSAL" IS NOT AND SHOULD NOT BE CONSIDERED AN "ENGINEER'S REPORT" OR AN "ARCHITECT'S REPORT." AS A RESULT, THE COMPANY HEREBY DISCLAIMS ANY LIABILITY WHATSOEVER THAT MAY RELATE TO THE COMPANY'S ANALYSIS OF THE EXISTING CONDITIONS OF THE OWNER'S BUILDING AND THE COMPANY'S RECOMMENDATIONS FOR REPAIR/REMEDATION THEREOF.

pishny

Restoration Services

SAM Registered
Prime Contracting
Historic Masonry Restoration and Plaster Stabilization
Historic Structure Consulting and Materials Testing
Structural Stabilization and Repairs
Historic Window and Door Restoration and Duplication
Member of the National Trust for Historic Preservation
Member of Association for Preservation Technology
Member of Preservation Trades Network

PROPOSAL

DATE: 1-18-14
PREPARED FOR: Melissa McCoy – City of Dodge City, KS
PROJECT: Santa Fe Depot – Interior Plaster Repairs

Pishny Restoration Services proposes to furnish and install all materials and labor to complete the above referenced project as outlined below.

Base Bid: \$79,050.00

Base Bid Includes:

- Interior plaster stabilization and repairs at locations identified during walkthrough with city officials. These locations are over 18 different areas of the building. Plaster repair includes consolidation, re-adhesion to substrate, patching, and texturing as needed to match surrounding surfaces as closely as possible.
- Repainting of areas repaired.
- Replacement of any wallpaper removed during repairs.
- Scraping and painting of approximately 280 lf of wood base that is peeling due to previous moisture infiltration.
- Varnishing of approximately 100 lf of wood base in hotel lobby that is peeling due to previous moisture infiltration.
- Removal of 36 tiles in ladies restroom, repair of plaster behind, and replacement of tile and grout.
- Clean up of any construction related debris.

Exclusions:

- Additional items not listed in the base bid above.
- Payment and performance bond

Voluntary Alternate: Add \$2,371 for a payment and performance bond

Thank you for the opportunity to present a proposal for this project. We appreciate your business.

Sincerely,



Corey Thomas
VP - Business Development

Pishny Restoration Services

12202 West 88th Street, Lenexa, Kansas 66215 p 913-227-0251 f 913-227-0176
www.pishny.com

Proposal

License Number 2770

For Office Use Only

INSTALLATION DATE _____

Kansas

Basement and Foundation Repair

804 N. Haverhill Rd. • El Dorado, KS 67042

1-800-736-9255

Melissa McCoy

PROPOSAL SUBMITTED TO

City of Dodge City

PHONE (HOME) 620-561-0877

DATE BID

12-11-13

STREET

101 E. Wyatt Earp

PHONE (WORK) 620-225-8100

ALTERNATIVE PHONE

FAX

CITY, STATE AND ZIP CODE

Dodge City, Ks 67801

E-MAIL

JOB LOCATION Ford Co. Central Ave

We will drop off 2 Sani Dry CSB units to the above address, to control the

humidity of the basement to help prevent limestone mortar loss and stucco coming loose from brick & stone.

2 Sani Dry Units @ \$1,850⁰⁰ ea = 3,700⁰⁰
Tax & 6 paper filters for extra:

System Features	Quantity
WaterGuard®	
WaterGuard® Port	
TrenchDrain™	
TripleSafe™	
SuperSump®	
UltraSump®	
WaterWatch® Alarm	
CleanPump® Stand	
IceGuard®	
LawnScape™ Outlet	
LawnScape™ Well	
1 1/2" Pipe	
3" or 4" Pipe	
BrightWall®	
ThermalDry® Wall	
CleanSpace® Wall	
RainChute®	
SaniDry™XP (upright)	
SaniDry™ CSB	2
□ tile	
□ wood	
FlexiSpan®	
SunHouse™	
WellDuct®	
FloodRing®	
Drainage Matting	
Vent Covers	
EverLast™ Door	
The Turtl™	
SmartSump™	
SmartJack™	

Type of Wall:
 Block Stone
 Poured Concrete
 Other Brick

Type of Wall Finish:
 Plain over-
 Paneling studs
 Sheetrock furring
 Other

Type of Floor Finish:
 Concrete
 Tile
 Carpeting
 Other

Discharge line length away from house: _____

All material is guaranteed to be as specified. All work to be completed according to the standard practices. Customer fully understands and accepts the transferable warranty provided, which covers only the areas of the basement addressed and does not cover water damage. Partial perimeter systems carry a limited warranty. Sump pumps are covered by a separate manufacturer warranty. Installation of the system does not include painting, finished carpentry extending discharge lines, electrical work, or replacement of floor tile or carpeting. Contractor cannot be responsible for frozen discharge lines without an IceGuard, condensation, damp spot discoloration, water once pumped from house, window well flooding, or fuel tanks or lines. Customer shall grant contractor a 60 day right to remedy any problem after reported. Homeowner responsible for moving objects away from walls and back. Some dust should be expected from work. Payments to be made in full upon completion. Any alteration from above specifications will be executed only upon written orders, and will become an extra charge. All agreements contingent upon accidents or delays beyond our control. Our workers are fully covered by Workmen's Compensation Insurance. Homeowner assumes all responsibility for damages due to breakage of any hidden fuel/utility service lines, though we will do our best to avoid such damage. All proposals based primarily on homeowners description of problem. Warranty does not cover water damage. This proposal may be withdrawn by us if not accepted within 20 days. Customer fully understands these terms. **X**

Company Representative Dave Jensen

We propose to furnish material and labor in accordance with above specifications for:

Three Thousand Seven Hundred

dollars \$ 3,700⁰⁰

Deposit Required \$	<u>0</u>
Deposit Paid \$	<u>0</u>
Balance Due upon Installation \$	<u>3,700⁰⁰</u>

Acceptance of Proposal - The above prices, specifications, conditions and separate warranty are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: **X**

Date of Acceptance **X**

A full perimeter system was recommended **X NO**

A TripleSafe Pumping System was recommended **X NO**

Customer is aware of warranty on reverse **X yes**

SANTA FE DEPOT
2nd & 3rd FLOOR REMODEL
CITY OF DODGE CITY
SUMMARY OF PROBABLE COST
January 16, 2014

	ITEM	UNIT OF MEASURE	QUANTITY	UNIT COST	LINE TOTAL	DIVISION TOTAL
1.00	GENERAL CONDITIONS	mo	6	\$22,000.00	\$132,000.00	\$132,000.00
2.00	SITWORK					\$0.00
2.80	DEMOLITION					\$26,668.00
2.81	INTERIOR/ EXTER DEMO	sf	13334	\$2.00	\$26,668.00	
3.00	CONCRETE					\$0.00
4.00	MASONRY					\$5,000.00
4.30	BRICK/BLOCK REPAIR	ls			\$5,000.00	
5.00	STEEL					\$19,500.00
5.10	STEEL STRUCT MISC	ls			\$15,000.00	
5.30	METAL FABRICATIONS	ls			\$4,500.00	
6.00	CARPENTRY					\$76,670.50
6.10	ROUGH CARPENTRY	sf	13334	\$0.50	\$6,667.00	
6.15	WOOD FLOOR REPAIR	sf	13334	\$1.25	\$16,667.50	
6.20	FINISH CARPENTRY	sf	13334	\$1.00	\$13,334.00	
6.40	ARCH WOODWORK	sf	13334	\$3.00	\$40,002.00	
7.00	THERMAL & MOISTURE PROTECTION					\$27,468.00
7.20	INSULATION					
	-BUILDING	sf	13334	\$2.00	\$26,668.00	
7.70	SEALANTS	ls			\$800.00	
8.00	DOORS AND WINDOWS					\$47,500.00
8.20	WOOD DOORS	ea	40	\$450.00	\$18,000.00	
8.50	DOOR HARDWARE	ea	40	\$600.00	\$24,000.00	
8.60	GLAZING	ls			\$5,500.00	
9.00	FINISHES					\$323,932.00
9.20	GYP SUM DRYWALL / STU	sf	13334	\$13.00	\$173,342.00	
9.21	GYP SUM BOARD CEILING	sf	13334	\$4.00	\$53,336.00	
9.50	ACOUSTICAL CEILINGS	sf	13334	\$2.00	\$26,668.00	
9.55	VINYL COMPOSITION	sf	1834	\$2.00	\$3,668.00	
9.80	CARPET	sf	11500	\$3.50	\$40,250.00	
9.90	PAINTING	sf	13334	\$2.00	\$26,668.00	

10.00	SPECIALTIES						\$1,200.00
10.50	FIRE EXTINGUISHERS	ea	4	\$300.00	\$1,200.00		
11.00	EQUIPMENT						\$0.00
12.00	FURNISHINGS						\$0.00
15.00	MECHANICAL						\$353,351.00
15.10	HEATING AND AIR COND	sf	13334	\$22.00	\$293,348.00		
15.20	SPRINKLER FIRE	sf	13334	\$2.50	\$33,335.00		
15.25	PLUMBING	sf	13334	\$2.00	\$26,668.00		
16.00	ELECTRICAL						\$180,009.00
16.10	POWER AND LIGHTING	sf	13334	\$12.00	\$160,008.00		
16.30	FIRE ALARM	sf	13334	\$1.50	\$20,001.00		
	SUBTOTAL						\$1,193,298.50
17.00	CONTRACTOR OVERHEAD /PROFIT			6.0%			\$71,597.91
18.00	TOTAL ESTIMATED CONSTRUCTION COST						\$1,264,896.41
						\$94.86	
19.00	CONSTRUCTION SUPPORT COSTS						\$316,224.10
	(includes equipment, professional fees, contingency, and administrative costs)						
20.00	TOTAL PROJECT COSTS						\$1,581,120.51

Memorandum

*To: City Manager
City Commissioners*

*From: Leslie Lomas
Special Projects/Housing*

Date: 2/3/14

Subject: Prairie Pointe

Agenda Item: Resolution No. 2014-02

Recommendation: Staff recommends adoption of Resolution 2014-02 which states City's intent to establish a Rural Housing Incentive District (RHID) for the construction of the Prairie Pointe multi-family development and establishes a date for a Public Hearing concerning the matter.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2012, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. Working with City Staff the group has prepared a development plan providing for a series of multi-family complexes to be located in the Prairie Pointe Addition on the South-east corner of Avenue K and Comanche.

Under the proposed RHID plan, the developer finances the infrastructure and complex construction. The developer is then reimbursed for a portion of the infrastructure costs through the incremental real estate taxes assessed against the completed improvements, which allows the developer to price the units at an affordable rate. The development will include eleven (11) complexes, with each complex consisting of twelve (12) units each. Each unit will include 2 bedrooms, 2 bathrooms, individual laundry facilities with washer/dryer provided in each unit, cable television hook-ups and on-site parking.

Justification: Housing continues to be a constant challenge in the Dodge City area. Establishment of the RHID is necessary in order to address the City's critical housing shortage.

Financial Considerations: Infrastructure costs are paid by the incremental real estate tax resulting from the development.

Purpose/Mission: To provide adequate housing in order for the City to accommodate present and future growth.

Legal Considerations: The RHID is established under the statutory provisions authorizing city's of our size to provide incentives for housing development as approved by the State Department of Commerce.

Attachments: Resolution No. 2014-02

RESOLUTION NO. 2014-02

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING. (PRAIRIE POINTE)

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 40,000 located in a county with a population of less than 60,000, to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of approximately 28,000, is located in Ford County, Kansas, which has an estimated population of approximately 34,000, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated May 9, 2012 (the “Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2011-17 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated July 20, 2011, authorized the City to proceed with the establishment of a Rural Housing Incentive District pursuant to the Act (the “District”); and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the proposed District in accordance with the provisions of the Act (the “Plan”); and

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5245;
2. The existing assessed valuation of the real estate in the proposed District listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, which shows the public benefits derived from such District will exceed the costs and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in such District; and

WHEREAS, the Governing Body of the City proposes to continue proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act, and adopt the Plan, by the calling of a public hearing on such matters.

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas as follows:

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares an intent to establish within the City a Rural Housing Incentive District. The

District is proposed to be formed within the boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the map depicting the existing parcels of land attached hereto as *Exhibit B*. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District and the existing assessed valuation of said real estate, listing the land and improvement values separately, is attached hereto as *Exhibit C*.

Section 2. Proposed Plan. The Governing Body hereby further declares an intent to adopt the Plan in substantially the form presented to the Governing Body this date. A copy of the Plan shall be filed in the office of the City Clerk and be available for public inspection during normal business hours. A description of the housing and public facilities projects that are proposed to be constructed or improved in the proposed District, and the location thereof are described in *Exhibit D* attached hereto. A summary of the contractual assurances by the developer and the comprehensive feasibility analysis is contained in *Exhibit E* attached hereto.

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City to consider the establishment of the District and adoption of the Plan on March 17, 2014, at the City Commission Meeting Room, City Hall, 806 N. Second Avenue, Dodge City, Kansas 67801; the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on such matters, and may, after the conclusion of such public hearing, consider the findings necessary for establishment of the District and adoption of the Plan, all pursuant to the Act.

Section 4. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions;

- a. A certified copy of this resolution shall be delivered to:
 - (i) the Board of County Commissioners of Ford County, Kansas;
 - (ii) the Board of Education of U.S.D. No. 443; and
 - (iii) the Planning Commission of the City.
- b. This Resolution, specifically including *Exhibit A* thru *E* attached hereto, shall be published at least once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

Section 5. Further Action. The Mayor, City Manager, City Clerk and the officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This Resolution shall take effect after its adoption by the Governing Body.

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ADOPTED by the Governing Body of the City of Dodge City, Kansas, on February 3, 2014.

(SEAL)

Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2014-02 adopted by the Governing Body of the City on February 3, 2014 as the same appear of record in my office.

DATED: February 3, 2014

Nannette Pogue, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR PRAIRIE POINTE PROJECT**

Lot One (1) and Two (2) Prairie Pointe Addition, Dodge City, Ford County, Kansas. Formerly known as, Lot One (1), Block Two (2), Correction Map of Final Replat of Haggard Addition, Dodge City, Ford County, Kansas. Deed to Control.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR PRAIRIE POINTE PROJECT**

EXHIBIT C

**NAMES AND ADDRESSES OF THE OWNERS OF RECORD OF ALL REAL
ESTATE PARCELS WITHIN THE PROPOSED RURAL HOUSING INCENTIVE
DISTRICT AND THE EXISTING ASSESSED VALUATION OF SAID
REAL ESTATE PARCELS**

Owner of Record: Kansas Builders, LLC
13830 Santa Fe Trail Drive, Suite 110
Lenexa, KS 66215

2011 Assessed Valuation: Land: \$49,270.00
Improvements: \$0 (vacant land)

EXHIBIT D

DESCRIPTION OF THE HOUSING AND PUBLIC FACILITIES PROJECT OR PROJECTS THAT ARE PROPOSED TO BE CONSTRUCTED OR IMPROVED IN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT

Housing Facilities

The housing facilities will include eleven (11) multi-family twelve (12) unit apartment complexes. The apartment complexes will be constructed in three phases, which are currently planned to include the following:

Phase I: Three (3) multi-family twelve (12) unit apartment complexes.

Phase II: Three (3) multi-family twelve (12) unit apartment complexes.

Phase III: Five (5) multi-family twelve (12) unit apartment complexes.

The complex will include walking paths and green space. Each apartment unit will be a 2 bedroom, 2 bathroom unit, which includes individual laundry facilities with washer/dryer provided in each unit, cable television hook-ups and on-site parking.

Public Facilities

Public improvements include the extension of water and sewer by the City of Dodge City, gas distribution lines by Black Hills Energy and electric distribution lines to the boundaries of the District by Victory Electric.

Public improvements will include the construction of infrastructure improvements located within the boundaries of the District, including electric, gas, water, sanitary sewer, storm sewer, storm water detention, streets, street lighting, fire services and sidewalks. Infrastructure improvements will be constructed concurrently with the project.

EXHIBIT E

**SUMMARY OF THE CONTRACTUAL ASSURANCES BY THE DEVELOPER
AND OF THE COMPREHENSIVE FEASIBILITY ANALYSIS**

Contractual Assurances.

The Governing Body of the City of Dodge City has entered into a development agreement with Kansas Builders, LLC. This agreement, as supplemented and amended, includes the project construction schedule, a description of projects to be constructed, financial obligations of the developer and financial and administrative support from the City of Dodge City.

Feasibility Study.

The City conducted a study to determine whether the public benefits derived from the District will exceed the costs and that the income from the District, together with other sources of revenue provided by the developer, would be sufficient to pay for the public improvements to be undertaken in the District. The analysis estimates the property tax revenues that will be generated from the development, less existing property taxes to determine the revenue stream available to support the costs of the public infrastructure. The estimates indicate that the revenue realized from the project would be adequate to pay the costs of the public infrastructure.

CERTIFICATE OF DELIVERY AND PUBLICATION

STATE OF KANSAS)
) §:
COUNTY OF FORD)

The undersigned, City Clerk of the City of Dodge City, Kansas (the “City”), does hereby certify, as follows:

- (a) On February _____, 2014, I caused a certified copy of Resolution No. 2014-02 with *Exhibits A* thru *E* attached (the “Resolution”), to be delivered to the following:
 - (1) the Board of County Commissioners of Ford County, Kansas;
 - (2) the Board of Education of U.S.D. No. 443; and
 - (3) the Planning Commission of the City.

- (b) I caused a copy of the Resolution to be published one time in *The Dodge City Daily Globe*, the official newspaper of the City, on February ____, 2014, which date was not less than one week nor more than two weeks after preceding the date fixed for the public hearing. A true copy of the affidavit of publication of the Resolution is attached to this Certificate.

WITNESS my hand and seal on February ____, 2014.

(Seal)

Nannette Pogue, City Clerk

Memorandum

*To: City Manager
City Commissioners*

*From: Leslie Lomas
Special Projects/Housing*

Date: 2/03/14

Subject: Summerlon Phase V

Agenda Item: Resolution No. 2014-03

Recommendation: Staff recommends adoption of Resolution No. 2014-03 which states City's intent to establish a Rural Housing Incentive District (RHID) for the construction of the Summerlon Phase V multi-family development and establishes a date for a Public Hearing concerning the matter.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2012, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. Working with City Staff the group has prepared a development plan providing for twenty-five (25) multi-family duplexes, one (1) multi-family tri-plex, and three (3) multi-family quad-plexes to be located in the Summerlon Phase V Addition.

Under the proposed RHID plan, the Summerlon Properties, L.L.C., has financed the infrastructure and will utilize developers to construct twenty-five (25) multi-family duplexes, one (1) multi-family tri-plex, and three (3) multi-family quad-plexes. The land developer is then reimbursed for a portion of the infrastructure costs through the incremental real estate taxes assessed against the completed improvements, which allows the developer to price the land at an affordable rate.

Justification: Housing continues to be a constant challenge in the Dodge City area. Establishment of the RHID is necessary in order to address the City's critical housing shortage.

Financial Considerations: Infrastructure costs are paid by the incremental real estate tax resulting from the development.

Purpose/Mission: To provide adequate housing in order for the City to accommodate present and future growth.

Legal Considerations: The RHID is established under the statutory provisions authorizing city's of our size to provide incentives for housing development as approved by the State Department of Commerce.

Attachments: Resolution No. 2014-03

RESOLUTION NO. 2014-03

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH PROPOSED DISTRICT; ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING. (SUMMERLON PHASE V)

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 40,000 located in a county with a population of less than 60,000, to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of approximately 28,000, is located in Ford County, Kansas, which has an estimated population of approximately 34,000, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated May 9, 2012 (the “Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2009-30 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated February 3, 2010, authorized the City to proceed with the establishment of a Rural Housing Incentive District pursuant to the Act (the “District”); and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the proposed District in accordance with the provisions of the Act (the “Plan”); and

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5245;
2. The existing assessed valuation of the real estate in the proposed District listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, which shows the public benefits derived from such District will exceed the costs and that the income therefrom, together with all public and private sources of funding, will be sufficient to pay for the public improvements that may be undertaken in such District; and

WHEREAS, the Governing Body of the City proposes to continue proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act, and adopt the Plan, by the calling of a public hearing on such matters.

THEREFORE, BE IT RESOLVED by the Governing Body of the City of Dodge City, Kansas as follows:

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares an intent to establish within the City a Rural Housing Incentive District. The

District is proposed to be formed within the boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the map depicting the existing parcels of land attached hereto as *Exhibit B*. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District and the existing assessed valuation of said real estate, listing the land and improvement values separately, is attached hereto as *Exhibit C*.

Section 2. Proposed Plan. The Governing Body hereby further declares an intent to adopt the Plan in substantially the form presented to the Governing Body this date. A copy of the Plan shall be filed in the office of the City Clerk and be available for public inspection during normal business hours. A description of the housing and public facilities projects that are proposed to be constructed or improved in the proposed District, and the location thereof are described in *Exhibit D* attached hereto. A summary of the contractual assurances by the developer and the comprehensive feasibility analysis is contained in *Exhibit E* attached hereto.

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City to consider the establishment of the District and adoption of the Plan on March 17, 2014, at the City Commission Meeting Room, City Hall, 806 N. Second Avenue, Dodge City, Kansas 67801; the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on such matters, and may, after the conclusion of such public hearing, consider the findings necessary for establishment of the District and adoption of the Plan, all pursuant to the Act.

Section 4. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions;

- a. A certified copy of this resolution shall be delivered to:
 - (i) the Board of County Commissioners of Ford County, Kansas;
 - (ii) the Board of Education of U.S.D. No. 443; and
 - (iii) the Planning Commission of the City.

b. This Resolution, specifically including *Exhibit A* thru *E* attached hereto, shall be published at least once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

Section 5. Further Action. The Mayor, City Manager, City Clerk and the officials and employees of the City, including the City Attorney, Stiefel Nicolaus & Company, Inc., Financial Advisors and Gilmore & Bell, P.C. and Bond Counsel are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This Resolution shall take effect after its adoption by the Governing Body.

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ADOPTED by the Governing Body of the City of Dodge City, Kansas, on February 3, 2014.

(SEAL)

E. Kent Smoll, Mayor

ATTEST:

Nannette Pogue, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2014-03 adopted by the Governing Body of the City on February 3, 2014 as the same appear of record in my office.

DATED: February 3, 2014

Nannette Pogue, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR SUMMERLON PHASE V**

Lot 1 & 2, Block 1, Summerlon Phase V and Lot 1, Block 2 Summerlon Phase V an Addition to the City of Dodge City, Ford County, Kansas.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR SUMMERLON PHASE V**

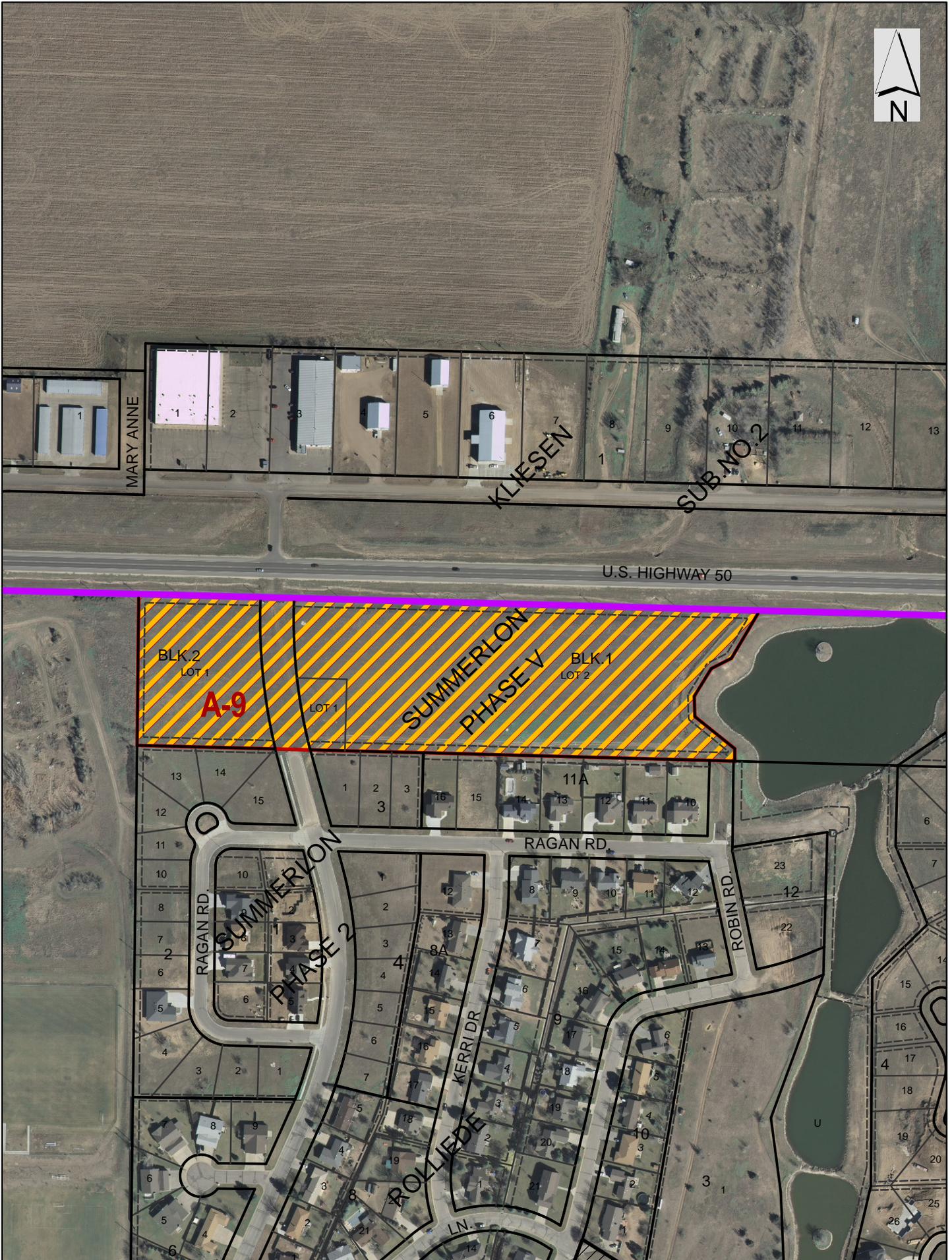


EXHIBIT C

NAMES AND ADDRESSES OF THE OWNERS OF RECORD OF ALL REAL ESTATE PARCELS WITHIN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT AND THE EXISTING ASSESSED VALUATION OF SAID REAL ESTATE PARCELS

Owner of Record: Summerlon, Inc.
1902 Hi Street
Dodge City, KS 67801

Contract Purchaser: Summerlon Properties, L.L.C.
P.O. Box 608
Dodge City, KS 67801

Developer: Summerlon Properties, L.L.C.
P.O. Box 608
Dodge City, KS 67801

2013 Assessed Valuation: Land: \$56,980
Improvements: \$0 (vacant land)

EXHIBIT D

DESCRIPTION OF THE HOUSING AND PUBLIC FACILITIES PROJECT OR PROJECTS THAT ARE PROPOSED TO BE CONSTRUCTED OR IMPROVED IN THE PROPOSED RURAL HOUSING INCENTIVE DISTRICT

Housing Facilities

The housing facilities will be composed of twenty-five (25) multi-family duplexes, one (1) multi-family tri-plex, and three (3) multi-family quad-plexes. The housing facilities will consist of a variety of 2 and 3 bedroom duplexes. Each individual family unit will have laundry hook-up, cable television hook-ups and garage parking.

Public Facilities

Public improvements include the extension of water and sewer by the City of Dodge City, gas distribution lines by Black Hills Energy and electric distribution lines to the boundaries of the District by Victory Electric.

Public improvements will also include construction of infrastructure improvements located within the boundaries of the District, including electric, gas, water, sanitary sewer, storm sewer, storm water detention, streets, street lighting, fire services and sidewalks. Infrastructure improvements will be constructed concurrently with the project.

EXHIBIT E

SUMMARY OF THE CONTRACTUAL ASSURANCES BY THE DEVELOPER AND OF THE COMPREHENSIVE FEASIBILITY ANALYSIS

Contractual Assurances.

The Governing Body of the City of Dodge City has entered into a development agreement with Summerlon, Inc. This agreement, as supplemented and amended, includes the project construction schedule, a description of projects to be constructed, financial obligations of the developer and financial and administrative support from the City of Dodge City.

Feasibility Study.

The City conducted a study to determine whether the public benefits derived from the District will exceed the costs and that the income from the District, together with other sources of revenue provided by the developer, would be sufficient to pay for the public improvements to be undertaken in the District. The analysis estimates the property tax revenues that will be generated from the development, less existing property taxes to determine the revenue stream available to support the costs of the public infrastructure. The estimates indicate that the revenue realized from the project would be adequate to pay the costs of the public infrastructure.

CERTIFICATE OF DELIVERY AND PUBLICATION

STATE OF KANSAS)
) §:
COUNTY OF FORD)

The undersigned, City Clerk of the City of Dodge City, Kansas (the “City”), does hereby certify, as follows:

- (a) On February _____, 2014, I caused a certified copy of Resolution No. 2014-03 with *Exhibits A* thru *E* attached (the “Resolution”), to be delivered to the following:
 - (1) the Board of County Commissioners of Ford County, Kansas;
 - (2) the Board of Education of U.S.D. No. 443; and
 - (3) the Planning Commission of the City.

- (b) I caused a copy of the Resolution to be published one time in *The Dodge City Daily Globe*, the official newspaper of the City, on _____, 2014, which date was not less than one week nor more than two weeks after preceding the date fixed for the public hearing. A true copy of the affidavit of publication of the Resolution is attached to this Certificate.

WITNESS my hand and seal on _____, 2014.

(Seal)

Nannette Pogue, City Clerk

Memorandum

To: City Commissioners
From: Cherise Tieben
Date: 01-30-14
Subject: Point of Rocks
Agenda Item: Old Business

Recommendation: After hearing opposing viewpoints regarding the 50/400 highway design and the impact on the Point of Rocks, staff recommends issuing a letter to the Kansas Department of Transportation (KDOT) in support of KDOT's recommendation to design Highway 50/400 with a 60' median in the area adjacent to the Point of Rocks and the City's western entrance sign.

Background: The KDOT has offered two proposals for highway design work near this area, the first proposal is for a 16' median and the second is for a 60' median. KDOT advocates that the 60' median enhances the safety of the driver in an area that has seen numerous accidents as compared to other more open areas along the proposed project.

Justification: City Staff has given consideration to many issues in an effort to weigh our recommendation to the Commission:

1. The Point of Rocks will be further reduced under either median design.
2. The Point of Rocks is not and will not be recognized as a historical site, due to the extensive modifications to the Point as a result of previous highway/railroad projects.
3. The south face of the Point of Rocks will no longer be visible due to the planned retaining wall regardless of median design.
4. As signified by numerous projects in our community, we work to preserve our heritage. Even though the site no longer qualifies formally as a historical site due to the modifications, the City still wishes to encourage the State to acquire adequate land to allow for the creation of a pull off or small road side park at the site. We desire to create story boards describing the original site and sharing the historical importance of the Point of Rocks in order to retain the significance of this piece of our incredible heritage. We would encourage acquiring an architectural design for the park that would utilize the existing rocks that will be displaced or moved from the remaining Point.

5. A 60' median would be preferable to serve an access road for east bound traffic to cross and enter a proposed roadside park containing historic markers. This is the safest method of crossing back to the appropriate east bound lanes.
6. Safety carried the strongest consideration when simply considering the current accidents in this vicinity. It is magnified when you consider the anticipated traffic growth that is projected in the region over the next 20-30 years.

Financial Considerations: None

Purpose/Mission: Together we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future.

Legal Considerations: None

Attachments: NA

Memorandum

To: City Commission
CC: City Manager Cherise Tieben
From: Jane Longmeyer, Director of Public Information
Date: 1/30/2014
Re: Board and Commission Appointments

The process of soliciting interested citizens to fill the expired/vacant positions on the city-appointed boards and commissions ended on January 27, 2014. Staff has reviewed the applications and supports the following Mayor's recommendations to the City Commission for appointment:

Airport Advisory Board – Steve Durrant, Paul Yaroslaski, Jeff Hutton

Building Board of Appeals – Alex Chavez, Esteban Gallegos, Ryan Scott, Charles Sellens

Convention & Visitors Bureau – for Hospitality Kim Cunningham; at-large Kim Unruh

Cultural Relations Advisory Board – Mary Marquez representing United Way, Greta Clark representing DCCC, Lawrence Romero representing Cargill, Sergio Holquin representing Chamber of Commerce, Oliver Bland at-large.

Dodge City Planning Commission – Jeff Turner, Bill Pennington

Golf Advisory Board – Bob Carlson

Historic Landmark Commission – Terry Lee, Kathie Bell

Housing Authority Board – Sarah Doll-Heeke

Library Board – Beth Love, Hailey Zimmerman

Parks & Recreation Advisory Board – Gretchen Torrez, Mike Mariche

Recycling Advisory Board – Kathy Redman, Ron Hamm, Jon Scheffing, Luke Schulte

Santa Fe Trail Community Corrections – Melissa Rodriguez

Shade Tree Commission – Bernie Weller, Frank Rose, Lyle Smith