

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, October 15, 2018

7:00 p.m.

MEETING #5109

## **CALL TO ORDER**

## **ROLL CALL**

## **INVOCATION BY**

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

**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).

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, October 1, 2018;
2. Appropriation Ordinance No 20, October 15, 2018;
3. Cereal Malt Beverage License:

## **ORDINANCES & RESOLUTIONS**

**Ordinance No. 3697:** An Ordinance Authorizing the Issuance of Special Obligation Revenue Bonds (Power Center Project Area) in an Aggregate Original Principal Amount not to Exceed \$17,500,000 for the Purpose of Providing Funds to Finance Certain Costs Relating to the Power Center Area Project Plan; Authorizing and Approving the Execution of certain Documents in Connection with the Issuance of Said Bonds; and Authorizing Certain Other Actions in Connection with the Issuance of Said Bonds Report by Finance Director/City Clerk, Nannette Pogue.

**Ordinance No. 3698:** An Ordinance Authorizing the City of Doge City, Kansas, to Enter into a Lease Purchase Agreement, the Proceeds of Which Will be Used to Pay the Costs of Purchasing a Fire Truck; and to Approve the Execution of Certain Documents in Connection Therewith. Report by Assistant to Finance Director, Nicole May.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval to Continue with Contract for Zoo Master Plan. Report by Parks & Facilities Director, Troy Brown.
2. Approval of Southwest Kansas Coalition Policy Agenda. Report by Assistant to the City Manager/Human Resource Director, Ernestor De La Rosa.

## **OTHER BUSINESS**

## **ADJOURNMENT**

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, October 1, 2018

7:00 p.m.

MEETING #5108

## **CALL TO ORDER**

**ROLL CALL:** Mayor Kent Smoll, Commissioners Rick Sowers, Jan Scoggins, Joyce Warshaw and Brian Delzeit

## **PLEDGE OF ALLEGIANCE**

## **PETITIONS & PROCLAMATIONS**

National Manufacturing Day Proclamation

Mayor Kent Smoll read the National Manufacturing Day Proclamation and proclaimed October 5, 2018 as National Manufacturing Day.

**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).**

## **CONSENT CALENDAR**

1. Approval of City Commission Work Session Minutes, September 17, 2018;
2. Approval of City Commission Meeting Minutes, September 17, 2018;
3. Appropriation Ordinance No.19, October 1, 2018;
4. Cereal Malt Beverage License:
  - a. Paramount Hospitality, 2700 W. Wyatt Earp Blvd.
  - b. Kate's, 305 E. Trail Street.
5. Approval of Quit Claims Deed to Unified School District No. 443, Lot Three (3), Block Two (2), Civic Center Addition.
6. Approval of Sale of Lot Located at 900 W. Wyatt Earp Boulevard.

Commissioner Jan Scoggins moved to approve the Consent Calendar as presented. Commissioner Joyce Warshaw seconded the motion. The motion carried unanimously.

## **ORDINANCES & RESOLUTIONS**

## **NEW BUSINESS**

1. Commissioner Rick Sowers moved to approve the bid from Murphy Tractor in the amount of \$36,344.99 for the John Deere backhoe attachments to be used by the Public Works, Street Department. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
2. Commissioner Jan Scoggins moved to approve the Consulting Services Agreement with SMH Consultants pending review by City Attorney in the amount not to exceed \$64,150.00 for Avenue K RCB Replacement Design. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.
3. Commissioner Brian Delzeit moved to approve the Consulting Services Agreement with Schwab Eaton pending review by City Attorney in the amount of \$53,305.00 for drainage improvements for the Green Hill's O'Ford Subdivision and drainage swale off of Trail Street. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.
4. Attorney Brad Ralph discussed a draft of an ordinance dealing with panhandling in the City of Dodge City. The Commission directed staff to bring back the draft in a form of an ordinance.

#### **OTHER BUSINESS**

City Manager Cherise Tieben

- A topic for a future work session will be annexation;
- Next Wednesday, October 10 will be the State of the City address at the United Wireless Arena;
- On October 11 will be the Boot Hill Donor dinner;
- October 15 will be a regular City Commission meeting;
- October 22 will be a Joint City, County, DCCD and USD #443 Meeting;
- October 31 will the State of the DCCC.

Commissioner Rick Sowers

Commissioner Jan Scoggins

- Thanked all of the people who invited us into their homes by way of television;
- The Alzheimer's Walk was held Saturday, September 29 and was a big success;
- On October 2 at Fort Dodge, there will be a memorial for the Vietnam Veterans;
- Remind everyone that the flu season is upon us. Please get your shots.

Commissioner Joyce Warshaw

Commissioner Brian Delzeit

Mayor Kent Smoll

- Please send your checks for the July 4<sup>th</sup> celebration;

- Shop local and often.

**ADJOURNMENT**

Commissioner Joyce Warshaw moved to adjourn the meeting. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

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Mayor

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City Clerk

City of Dodge City

City of Dodge City  
806 N. Second Ave.  
67801

Phone: 620-225-8100  
FAX: 620-225-8144  
www.dodgecity.org

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*Memorandum*

*To: Cherise Tieben, City Manager*  
*From: Nannette Pogue*  
*Date: October 9, 2018*  
*Subject: Ordinance No. 3697*  
*Agenda Item: Ordinances and Resolutions*

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**Recommendation:** I recommend the City Commission approve Ordinance No. 3697.

**Background:** The City of Dodge City previously took several actions to establish a Star Bond District in the area of 14<sup>th</sup> and Soule named the Power Center Area. This includes Sutherlands, Casey's, 3 other lots on the west side of 14<sup>th</sup> and a lot on the east side of 14<sup>th</sup>. The actions that the City took to establish and approve this district are chronologically listed in Ordinance No. 3697.

In order to fund the improvements in the area, Star (Sales Tax Revenue) Bonds will be issued to fund eligible costs. Those eligible costs include: the costs of the project; deposits to debt service reserve; capitalized interest on the bonds; and certain costs related to the issuance of the bonds.

This ordinance authorizes the City to issue and sell bonds in an aggregate amount not to exceed \$17,500,000. It also authorizes and approves documents including: the Bond Trust Indenture between the City and Security Bank of Kansas City; Purchase Contract between the City and Stifel Nicolaus & Company; the Tax Compliance Agreement; City Continuing Disclosure Agreement for the bonds; and tax distribution agreement. By authorizing this ordinance, the City also approves the use of the Preliminary Official statement in connection with the sale of the bonds. The ordinance also authorizes the Mayor to execute all documents necessary to complete the transactions and for the City Clerk to attest and affix the seal of the City.

**Justification:** The improvements in the Power Center Area will be financed by Star Bonds. In order to complete this financing it is necessary to authorize Ordinance No. 3697.

**Financial Considerations:** Some of the bonds issued will be escrowed until such time as the Sutherland's construction is complete. The remainder of the funding will be available to complete the improvements in the Power Center Area and other improvements to the Heritage District. The increment sales tax will be remitted monthly to the escrow agent and property tax committed from the City and the County will be

remitted semi-annually. Those revenues will be held to make annual payments on the bonds.

**Purpose/Mission:** We value progress and growth for the community's future.

**Legal Considerations:** All have been satisfied or are being satisfied with the assistance of Gary Anderson, Gilmore and Bell, the City's bond counsel and many other professional services. They have prepared all of the ordinances and other documents necessary to legally complete the sale.

**Attachments:** Ordinance No. 3697.

**ORDINANCE NO. 3697**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION REVENUE BONDS (POWER CENTER PROJECT AREA) IN AN AGGREGATE ORIGINAL PRINCIPAL AMOUNT NOT TO EXCEED \$17,500,000 FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE CERTAIN COSTS RELATING TO THE POWER CENTER AREA PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.**

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**WHEREAS**, the City of Dodge City, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State as a city of the first class; and

**WHEREAS**, the City desires to promote, stimulate and develop the general and economic welfare of the City and the State of Kansas (the “State”) and to assist in the development and redevelopment of eligible areas within the City, thereby promoting the general welfare of the citizens of the State and the City, by acquiring property and providing for the development and redevelopment thereof and the financing relating thereto; and

**WHEREAS**, on February 6, 2012, the governing body of the City adopted Resolution No. 2012-05 establishing its intent to create a STAR bond project district within the City (the “Original STAR Bond Project District”) and setting a date for a public hearing with respect thereto; and

**WHEREAS**, on February 14, 2012, the Secretary of Commerce of the State of Kansas (the “Secretary”) determined that the Original STAR Bond Project District is an “eligible area” under provisions of K.S.A. 12-17,160, *et seq.*, as amended (the “Act”); and

**WHEREAS**, a public hearing was held on March 19, 2012, after proper notice was published in accordance with the Act, regarding the creation of the Original STAR Bond Project District; and

**WHEREAS**, the governing body of the City adopted Ordinance No. 3527 on March 19, 2012, which created the Original STAR Bond Project District, which contained two project areas known as the “Heritage Area” and the “Entertainment Area”; and

**WHEREAS**, on September 22, 2014, the governing body of the City adopted Resolution No. 2014-23 establishing its intent to expand the Original STAR Bond Project District by including approximately 25 acres of additional real property in the Heritage Area (such expanded district to be referred to herein as the “STAR Bond Project District”) and setting a date for a public hearing with respect thereto; and

**WHEREAS**, on October 22, 2014, the Secretary determined that the expanded STAR Bond Project District is an “eligible area” under the Act; and

**WHEREAS**, a public hearing was held on October 23, 2014, after proper notice was published in accordance with the Act, regarding the expansion of the Original STAR Bond District; and

**WHEREAS**, the governing body of the City adopted Ordinance No. 3594 on October 23, 2014, which created the expanded STAR Bond Project District; and

**WHEREAS**, the City prepared the STAR Bond Project Plan for the Heritage Area dated March 10, 2015 (the “Heritage Area Project Plan”) in consultation with the City’s Planning Commission, which Project Plan provides for the redevelopment of the Heritage Area of the STAR Bond Project District as described therein (the “Heritage Area Project”); and

**WHEREAS**, on March 16, 2015, the governing body of the City adopted Resolution No. 2015-05 setting a date for a public hearing with respect the Heritage Area Project Plan; and

**WHEREAS**, a public hearing was held on April 20, 2015, after proper notice was published in accordance with the Act, regarding the Heritage Area Project Plan; and

**WHEREAS**, the governing body of the City adopted Ordinance No. 3605 on April 20, 2015, adopting the Heritage Area Project Plan; and

**WHEREAS**, on July 8, 2015, the Secretary (a) determined that the STAR Bond Project District is an “eligible area” under the Act, (b) approved the Heritage Area Project as a “STAR bond project” within the meaning of the Act and (c) approved the issuance of up to \$14,642,244 (exclusive of approved financing costs) of STAR Bonds to be issued to finance the Heritage Area Project; and

**WHEREAS**, on December 5, 2016 the governing body of the City adopted Resolution No. 2016-30 to set a public hearing for January 5, 2017 for the consideration of adding certain property consisting of approximately 219 acres (the “Power Center Area”) to the STAR Bond Project District and to adopt an amended STAR Bond Project District Plan; and

**WHEREAS**, a public hearing was held on January 5, 2017, after proper notice was published in accordance with the Act, regarding the Amended STAR Bond District Plan; and

**WHEREAS**, on January 27, 2017 the Secretary of Commerce approved the expansion of the proposed amended STAR Bond Project District to include the Power Center Area; and

**WHEREAS**, the governing body of the City adopted Ordinance No. 3650 on February 3, 2017, approving an amendment to the STAR Bond District and the amended STAR Bond Project District Plan; and

**WHEREAS**, on March 19, 2018 the governing body of the City adopted Resolution No. 2018-05 to set a public hearing for April 23, 2018 for the consideration of removing certain property consisting of approximately 184 acres from the Power Center Area of the STAR Bond District and to adopt an amended STAR Bond Project District Plan; and

**WHEREAS**, a public hearing was held on April 23, 2018, after proper notice was published in accordance with the Act regarding amending the STAR Bond District Plan; and

**WHEREAS**, on April 23, 2018, the governing body of the City adopted Ordinance No. 3684 that removed approximately 184 acres from the STAR Bond District within the Power Center Area and amended the STAR Bond District Plan; and

**WHEREAS**, the City prepared the STAR Bond Project Plan for the Power Center Area dated May 3, 2018 (the “Power Center Area Project Plan”) in consultation with the City’s Planning Commission, which Project Plan provides for the redevelopment of the Power Center Area of the STAR Bond Project District as described therein (the “Power Center Area Project”); and

**WHEREAS**, on May 7, 2018, the governing body of the City adopted Resolution No. 2018-10 setting a date for a public hearing with respect the Power Center Area Project Plan; and

**WHEREAS**, a public hearing was held on June 11, 2018, after proper notice was published in accordance with the Act, regarding the Power Center Area Project Plan; and

**WHEREAS**, the governing body of the City adopted Ordinance No. 3688 on June 11, 2018, adopting the Power Center Area Project Plan; and

**WHEREAS**, pursuant to the Act, the City is authorized to issue its Sales Tax Special Obligation Revenue Bonds (Power Center Project Area) (the “Bonds”) in the aggregate original principal amount not to exceed \$17,500,000 under the hereinafter described Bond Indenture, for the purpose of implementing the Power Center Area Project Plan by providing funds to (a) finance a portion of the Costs of the Project (as defined in the Bond Indenture), (b) fund a deposit to the Debt Service Reserve Fund, (c) fund a deposit to the Capitalized Interest Fund, and (d) pay certain costs related to the issuance of the Bonds; and

**WHEREAS**, the governing body of the City hereby finds and determines that the issuance of the Bonds to provide funds for the purposes described herein in the manner provided in the Act and pursuant to the provisions of the Bond Indenture, will serve one or more of the public purposes set forth in the Act and will promote, stimulate and develop the general and economic welfare of the City; and

**WHEREAS**, the governing body of the City further finds and determines that it is necessary and desirable in connection with the issuance of the Bonds that the City enter into certain agreements, and that the City take certain other actions and approve the execution of certain other documents as herein provided.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:**

**Section 1. Authorization of the Bonds.** The City is hereby authorized to issue and sell the Bonds in an aggregate original principal amount not to exceed \$17,500,000, the proceeds of which will be used to (a) pay Costs of the Project, (b) fund deposits to debt service reserve funds with respect to the Bonds, (c) fund capitalized interest on the Bonds and (d) pay certain costs related to the issuance of the Bonds. The Bonds shall be issued and secured pursuant to the herein authorized Bond Indenture and shall bear such dates, shall be in such denominations, shall be in such forms, shall mature on the dates and in the principal amounts and maturity amounts, shall bear interest at rates not to exceed the maximum rate permitted by law and shall be subject to redemption on the dates and in the principal amounts as provided in the Bond Indenture and Purchase Contract (as hereinafter defined), and shall have such other terms and provisions, shall be issued, executed, authenticated and delivered in such manner and shall be subject to such provisions, covenants and agreements, as are set forth in the Bond Indenture. The Bonds shall be sold and delivered to the order of the purchasers thereof in accordance with the terms and conditions of the Purchase Contract, at such prices as are set forth therein.

The Bonds, together with interest and premium, if any, thereon are not general obligations of the City but are limited obligations payable solely from the trust estate pledged to the payment thereof under the Bond Indenture and shall be a valid claim of the respective holders thereof only against the trust estate

and other moneys held by the Trustee and the revenues so pledged as aforesaid. In no event shall the Bonds be payable out of any funds or properties other than those pledged or acquired under the Bond Indenture, and the Bonds shall not be deemed to constitute a debt or liability of the State, the City or of any political subdivision thereof and the issuance of the Bonds shall not, directly, indirectly or contingently, obligate the City, the State or any political subdivision thereof to levy any form of taxation therefor or to budget or make any appropriation for their payment. Nothing in the Bonds, the Bond Indenture, the proceedings of the City authorizing the Bonds or the Act shall be construed to be a debt or loan of credit of the City, the State or any political subdivision thereof within the meaning of any constitutional or statutory debt limitation or restriction.

**Section 2. Authorization and Approval of Documents.** The following documents are hereby approved in substantially the forms presented to the governing body of the City at this meeting, and the City is hereby authorized to execute and deliver each of such documents (the “City Documents”) with such changes therein as shall be approved by the officer or officers of the City executing such documents, such officers' signatures thereon being conclusive evidence of their approval and the City's approval thereof:

(a) Bond Trust Indenture dated as of the date stated therein (the “Bond Indenture”), between the City and Security Bank of Kansas City, Kansas City, Kansas, as trustee (the “Trustee”), authorizing the issuance of the Bonds.

(b) Purchase Contract dated as of the date stated therein (the “Purchase Contract”), between the City and Stifel, Nicolaus & Company, Incorporated (the “Underwriter”), relating to the purchase of the Bonds.

(c) Tax Compliance Agreement dated as of the date stated therein, between the City and the Trustee, relating to the Bonds.

(d) City Continuing Disclosure Undertaking, dated as of the date stated therein executed by the City, relating to the Bonds.

(e) Tax Distribution Agreement dated as of the date set forth therein (the “Tax Distribution Agreement”) among the City, the Trustee and the other parties named therein, which provides for certain distributions of tax revenues for the benefit of the Bonds.

**Section 3. Approval of Use of Official Statement.** The City hereby approves the use of the Preliminary Official Statement for the Bonds, from which a final Official Statement for the Bonds shall be drafted (collectively, the “Official Statement”), in connection with the sale of the Bonds, in substantially the form presented to the City, with such changes therein as shall be approved by the officer of the City executing the Official Statement, such officer's signature thereon being conclusive evidence of his approval and the City's approval thereof.

The Official Statement and the use and distribution thereof by the Underwriter are hereby approved. For the purpose of enabling the Underwriter to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Mayor of the City is hereby authorized and directed to deem the Official Statement to be “final” as of their respective dates, except for the omission of such information as is permitted by the Rule, and, if requested, to provide the Underwriter a letter or certification to such effect and to take such other actions or execute such other documents as the Mayor of the City in his reasonable judgment deems necessary to enable the Underwriter to comply with the requirements of such Rule.

**Section 4. Limited Appropriation.** The City agrees, subject to appropriation each year by the governing body of the City, to include in the revenues available to pay the Bonds certain City sales tax revenues generated outside the STAR Bond Project District in an amount equal to certain City and Ford County property tax revenues generated within the Power Center Project Area as described in the Bond Indenture and the Tax Distribution Agreement.

**Section 5. Execution of Bonds and Documents.** The Mayor of the City is hereby authorized and directed to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Bond Indenture. The Mayor of the City is hereby authorized and directed to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, with such changes as the Mayor deems necessary or appropriate, for and on behalf of and as the act and deed of the City. The Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City to the Bonds, the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

**Section 6. Further Authority.** The City shall, and the officers, employees and agents of the City are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments, including without limitation documents relating to the qualifications of the Bonds under the “blue sky” laws of the various states of the United States of America, documents necessary to obtain approvals of the Secretary as required by law, and any agreements with respect to the investment of funds held under the Bond Indenture, as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the City Documents.

**Section 7. Severability.** The provisions of this Ordinance shall not be severable.

**Section 8. Effective Date.** This Ordinance shall take effect and be in full force after its adoption by the City and publication once in the official newspaper of the City.

**PASSED** by the governing body of the City this 15th day of October, 2018.

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Mayor

(Seal)

ATTEST:

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City Clerk

## *Memorandum*

*To: Cherise Tieben, City Manager*  
*From: Nicole May*  
*Date: October 9, 2018*  
*Subject: Ordinance No. 3698*  
*Agenda Item: Ordinances and Resolutions*

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**Recommendation:** I recommend the City Commission approve Ordinance No. 3698 and approve a Lease Purchase Agreement with Western State Bank for the financing of the Rosenbauer Fire Truck.

**Background:** At the August 6, 2018 City Commission meeting bids were approved for the lease purchase of a Rosenbauer fire truck with Western State Bank. The Ordinance was not approved at the time that the lease purchase was approved.

The Ordinance authorizes the City to enter into a Lease Purchase Agreement with Western State Bank and authorizes the Mayor and City Clerk to execute any of the necessary documents.

**Justification:** The City of Dodge City is in need of additional fire truck and it was determined to finance this truck through a Lease Purchase Agreement

**Financial Considerations:** Annual payments of approximately \$106,566 to be paid from the Capital Equipment Fund.

**Purpose/Mission:** On-going Improvement to provide for community growth.

**Legal Considerations:** None

**Attachments:** Ordinance No. 3698.

ORDINANCE NO. 3698

AN ORDINANCE AUTHORIZING THE CITY OF DODGE CITY, KANSAS, TO ENTER INTO A LEASE PURCHASE AGREEMENT, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF PURCHASING A FIRE TRUCK; AND TO APPROVE THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, under the statutes of the State of Kansas, particularly K.S.A. 10-1116b, the City of Dodge City is empowered to enter into certain leases, lease purchase agreements and installment purchase agreements for the lease and/or acquisition of property; and

WHEREAS, K.S.A. 10-1116b provides in pertinent part that nothing in the provisions of K.S.A. 10-1101 et seq. (Kansas Cash Basis Law) shall prohibit a municipality from entering into a lease agreement, with or without an option to buy, or an installment-purchase agreement, if any of such agreements specifically state that the municipality is obligated only to pay periodic payments or monthly installments under the agreement as may lawfully be made from (a) funds budgeted and appropriated for that purpose during such municipality's current budget year or (b) funds made available from any lawfully operated revenue producing source; and

WHEREAS, the City has a need to purchase a fire truck for public purposes, but does not have sufficient moneys on hand; and

WHEREAS, in order to facilitate the foregoing and to pay the costs thereof, it is necessary and desirable for the City to take the following actions:

1. Enter into an annually renewable Lease Purchase Agreement with Western State Bank as lessor, pursuant to which the City will lease the Firetruck on a year-to-year basis from the Lessor with an option to purchase the Lessor's interest in the equipment.

The Lease is referred to together herein as the "City Documents"

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:

Section 1. Authorization and Approval of City Documents.

- (a) The City Documents are hereby approved in substantially the forms submitted to and reviewed by the governing body on the date hereof, with such changes therein as shall be approved by the Mayor, the Mayor's execution of the City Documents to be conclusive evidence of such approval.

- (b) The obligation of the City to pay Basic Rent Payment (as defined in the Lease) under the Lease is subject to annual appropriation and shall constitute a current expense of the City and shall not in any way be construed to be an indebtedness or liability of the City in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness or liability by the City, nor shall anything contained in the Lease constitute a pledge of the general tax revenues, funds or moneys of the City, and all provisions of the Lease shall be construed so as to give effect to such intent.
- (c) The Mayor and City Clerk are hereby authorized and directed to execute and deliver the City Documents on behalf of the City.

Section 2. Further Authority. The City shall, and the official and agents of the City are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body.

ADOPTED by the Governing Body and signed by the Mayor of the City of Dodge City, Kansas this 15<sup>th</sup> day of October, 2018.

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Mayor

ATTEST:

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City Clerk



# City of Dodge City

## PARKS AND FACILITIES

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

# *Memorandum*

To: Cherise Tieben, City Manager  
City Commissioners  
From: Troy Brown, Parks and Facilities Director  
Date: October 11, 2018,  
Subject: Wright Park Zoo Master Plan  
Agenda Item: New Business

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**Recommendation:** Staff recommends approving the low bid provided by Felis Consulting L.L.C. in the amount of \$61,000.00 for developing a Master Plan for Wright Park Zoo.

The Parks and Recreation Advisory Board voted at its regularly scheduled monthly meeting on October 9<sup>th</sup> to concur with staff's recommendation on recommending Felis Consulting LLC for a master plan. The vote was 4-0.

**Background:** Request For Qualifications (RFQ's) were opened on, Wednesday August 8<sup>th</sup> for the development of a Master Plan for Wright Park Zoo. Five firms submitted RFQ's for the project and a tabulation of those bids is included with this memo.

This project will create a strategic development plan encompassing the entire zoo property that considers the long term sustainability and direction of the zoo.

**Justification:** This project is included in the capital improvement fund and funded for 2019. The history of Wright Park Zoo dates back to 1926 when the City acquired two North American black bears and raccoons for display. Animal enclosures were scattered throughout the park until the mid-1980's when the zoo was consolidated into approximately four acres in the southwest section of the park. In the mid-1990's, an adjacent motor sports facility closed and the zoo acquired three additional acres for future expansion. The infrastructure condition of the zoo is at a point that a decision must be made as to the zoos future.

**Financial Considerations:** The City's cost for this project is funded in the 2019 Capital Improvement fund in the amount of \$50,000.

**Purpose/Mission:** This project meets the City's core value of providing ongoing improvements for the citizens of this community.

**Legal Considerations:** N.A.

**Attachments:** Bid Tabulation

**City of Dodge City  
Parks and Facilities  
Wright Park Zoo Master Plan RFP  
7-Aug-18**

<b>Firm</b>		<b>Total Amount</b>	<b>Interview</b>	<b>Follow up intv.</b>	<b>Site Visits</b>
<b>Felis Consulting</b>	St. Louis, MO	\$61,000.00	Yes - 9.6.18	Yes - 9.19.18	4 - 2 day <u>2 - 1 day</u> 6, 10 days
<b>WDM Architects</b>	Wichita, KS	\$61,400.00	Yes - 9.4.18	Yes - 9.19.18	3 <u>Zoo Advisors - 1</u> 4
<b>LEAP Design</b>	Snoqualimie, WA	\$68,770.00	Yes - 9.6.18	No	
<b>BG Consultants</b>	Manhattan, KS	\$139,800.00	No		
<b>Falcon's Creative Group</b>	Orlando, FL	\$285,350.00	No		

**Fee Proposal's**

**Felis Consulting**

Analysis		\$10,000
Strategic Development Plan	Community Engagement, Attendance Projections, Revenue Strategies)	<u>\$5,000</u>
Master Plan	Sub Total	\$30,000
Estimated Reimbursables (Printing, Conference Calls, Travel Expenses at cost)		<u>\$9,500</u>
		\$54,500
<u>Optional Additional Services</u>		
Community Engagement Software (by others)		\$3,000
Business Plan		<u>\$3,500</u>
	Grand Total	\$61,000

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**WDM Architects**

Phase 1: Animal Collection and Amenity Assessment plus Operating and Market Analysis	\$13,300
Phase 2: Facility Analysis, Master Planning, Strategic Business Plan Development	<u>\$48,100</u>
Grand Total	\$61,400

## *Memorandum*

To: Cherise Tieben, City Manager &  
City Commissioners  
From: Ernestor De La Rosa  
Asst. to the City Manager/  
HR Director  
Date: October 10, 2018  
Subject: SKC Legislative Policy Agenda  
Agenda Item: New Business

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**Recommendation:** Staff recommends approval of the 2019 Southwest Kansas legislative policy agenda.

**Background:** As you recall, in November 2008, the City of Dodge City joined Garden City and Liberal to form the Southwest Kansas Coalition (SKC). The City of Hays was added at a later time as an Associate Member. The goal was to identify common needs of the Southwest Kansas area and to then cooperatively establish and actively advocate policies which will address such needs and promote the common economic development of the entire region.

**Justification:** The legislative policy is a communication tool that enables our legislators to understand our position on issues that might come up during the legislative session. The legislative policy agenda will be submitted to our state legislators and congressional representatives. This document will be utilized to offer our stance on various issues that could impact how we deal with issues on a local level. The SKC also generally supports the provisions of the State of Municipal Policy of the League of Kansas Municipalities.

**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:** 2019 SKC legislative policy agenda.

## ABOUT SKC

The Cities of Dodge City, Garden City, and Liberal formed the Southwest Kansas Coalition as a means to collectively and actively participate in issues impacting the region. SKC was formed to advocate for the idea that Southwest Kansas should be consistently and thoughtfully considered in state and federal level decisions, particularly when such decisions regard issues of importance to region residents. The City of Hays recently joined the organization as an associate member, as many of the issues important to SKC are important to all of western Kansas. SKC is profoundly dedicated to the principle of self-determination and is unfeigned in its infinite pursuit of this ideal. In this pursuit, the Coalition believes in rigorous discussion and collective agreement, insofar as such discussion and agreement continually result in a workable and attainable core agenda.

# 2019

SOUTHWEST KANSAS  
COALITION LEGISLATIVE AGENDA



## IMMIGRATION

Immigrant and refugee labor is vital to the southwest Kansas economy. SKC believes in legal immigration. Therefore, SKC believes the Kansas Legislature and the United States Congress should approach the immigration issue in a sensible way. For SKC, a sensible approach is an approach built on three essential foundations: 1) all immigration legislation is tempered with an understanding of such legislation's economic impact for companies employing immigrants; 2) a recognition that immigrants living in SKC member-cities require a reduction in time and distance barriers between the individual and his or her pursuance of legal status; and 3) a recognition that SKC member-cities require additional resources to integrate immigrants into the community.

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## TRANSPORTATION

Transportation infrastructure is critical to the safety of region residents and travelers. Transportation infrastructure is also vital to the regional economy's maintenance and growth. Therefore, SKC believes in the continued advocacy and funding for transportation infrastructure and maintenance in southwest Kansas.

## AIR TRANSPORTATION

Federal funding for passenger air service is vital to Southwest Kansas. The Essential Air Service Program is critical to providing the region with access to multiple major international airports. SKC encourages continued support from the Congressional Delegation. SKC supports increased FAA safety regulations; however, the qualifier of seat time has drastically reduced the number of qualified pilots under FAA regulations for Essential Air Service, thus resulting in canceled flights. SKC supports incorporating qualified classroom training for commercial pilot certification in order to meet the increasing demand for passenger air transportation service in Southwest Kansas communities. SKC also supports continued and uninterrupted funding of Federal Aviation Administration and expansion of the Airport Improvement Projects for airports. Federal funding through the Airport Improvement Program is critical to maintaining the infrastructure of airports.

## RAIL TRANSPORTATION

SKC supports enhanced passenger and freight rail service in Kansas. In particular, the Coalition strongly supports the continuation of Amtrak passenger rail service along the Southwest Chief line, which operates between Chicago and Los Angeles. SKC encourages State and Federal funding to preserve this needed transportation link to access the southwestern region of the State. Passenger ridership along this section of the Southwest Chief steadily increases as more Kansans take advantage of the convenience of passenger rail transportation.

## HIGHWAY TRANSPORTATION

Federal transportation dollars should be spent on transportation infrastructure. Transportation infrastructure is vital to our state's and country's economy, individuals' safety and our nation's defense. The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. SKC supports correction of the distribution of funds to the Special City County Highway Fund from the collection of fees on interstate commercial vehicles. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles directed by K.S.A. 9-3425i. SKC supports the continued maintenance and expansion of the transportation infrastructure in Kansas. SKC supports full funding of the Kansas T-Works comprehensive transportation program and opposes any use of these funds to balance the State's general fund budget. Any reduction in T-Works funding jeopardizes state and regional economic development.

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## TAXES

The collection of sales and use of tax legislation should not preempt state and local sales and use tax authority. Should federal legislation allow for the state imposition of such taxes, we support the distribution of those funds to cities and counties using an equitable formula. Kansas should continue to participate in the Streamlined Sales Tax Project. Cities are important partners in creating jobs, reviving the economy, delivering vital services, and providing quality of life. The Governor and Kansas Legislature should include city leaders in discussions about restructuring the Kansas tax system and any changes must avoid shifting additional financial burdens to local governments. SKC opposes the removal of sales exemptions for Kansas Municipalities.

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## ANNEXATION

The ability of cities to grow is inherent to the ultimate success of annexation powers as they are currently established in state statute. The current statutory framework was amended in 2011 to balance the interests of cities and those in areas to be annexed. Further amendment would shift this balance in a way that would impede orderly growth. Therefore, SKC opposes any change that limits the authority of cities to grow through annexation.

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## EDUCATION

An adequate and stable workforce is essential to maintaining and growing the economy of southwest Kansas. Therefore, SKC believes in establishing educational opportunities for region residents. Such opportunities include, but are not limited to, specialized training programs and higher educational degree programs. To meet these educational goals, the Coalition wishes to maintain adequate funding to allow for growth and advancement of educational programs in K-12 as well as post-secondary and graduate degrees. Additionally, SKC supports adequate funding for all Kansas Board of Regents institutions.