

# **CITY COMMISSION MEETING AGENDA**

City Hall Commission Chambers

Monday, November 5, 2018

7:00 p.m.

MEETING #5111

## **CALL TO ORDER**

## **ROLL CALL**

**INVOCATION BY** Captain Roberto Davila of Salvation Army

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC HEARING**

## **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).

Presentation of LKM Innovation Award for the Warrior Project

## **CONSENT CALENDAR**

1. Approval of City Commission Meeting Minutes, October 15, 2018;
2. Approval of Joint City/County/USD #443/DCCC Meeting Minutes;
3. Approval of Joint City/County Meeting Minutes;
4. Appropriation Ordinance No 21, November 5, 2018;
5. Cereal Malt Beverage License:
  - a. Casey's General Store, 2201 N. 14<sup>th</sup> Avenue,
  - b. Circle K Stores, 2615 East Trail Street,
  - c. Circle K Stores, 609 S. 2nd Avenue,
6. Approval of Application for Kansas Health Foundation Grant.

## **ORDINANCES & RESOLUTIONS**

**Resolution No. 2018-19:** A Resolution of the City of Dodge City to Create a Kansas Board of Regents University Center in Dodge City for Southwestern Kansas. Report by Assistant to City Manager/Public Affairs, Melissa McCoy.

**Resolution No. 2018-20:** A Resolution Approving Year End Bonuses. Report by Assistant to City Manager/ Human Resources Director, Ernestor De La Rosa.

**Resolution No. 2018-21:** A Resolution Setting Sanitation Rates and Amending Resolution No. 2018-03. Report by Public Works Director, Corey Keller.

**Resolution No. 2018-22:** A Resolution Authorizing the Offering for Sale of General Obligation Bonds, Series 2018-A, General Obligation Temporary Notes, Series 2018-2, of the City of Dodge City. Report by Finance Director/City Clerk, Nannette Pogue.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

1. Approval of Amendment for Operations Maintenance Management Services Agreement with CH2M Hill. Report by City Manager, Cherise Tieben.
2. Approval of Public Transportation Grant Budget for SFY20. Report by Assistant Finance Director, Nicole May.
3. Approval of Change Order, 2018 Asphalt Street Projects. Report by Civil Engineer, Tanner Rutschman.
4. Approval of Acquisition of Property for Barbara Lane Connection. Report by Director of Engineering, Ray Slattery.
5. Approval of Moderate Income Housing Grant through Kansas Housing Resources Corporation for the Abandoned Housing Program. Report by Special Projects Coordinator, Mollea Wainscott.
6. Approval to Reject all Bids for the Heritage District Parking Lot Landscape. Report by Director of Engineering, Ray Slattery.

## **OTHER BUSINESS**

## **ADJOURNMENT**

# **CITY COMMISSION MEETING MINUTES**

City Hall Commission Chambers

Monday, October 15, 2018

7:00 p.m.

MEETING #5109

## **CALL TO ORDER**

**ROLL CALL:** Mayor Kent Smoll, Commissioners Rick Sowers, Jan Scoggins, and Brian Delzeit. Joyce Warshaw joined the meeting by phone.

## **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:

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

## **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 was approved on a motion by Commissioner Brian Delzeit. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

**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 was approved on a motion by Commissioner Jan Scoggins. Commissioner Brian Delzeit seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

1. Commissioner Jan Scoggins moved to proceed with negotiating a contract with Felis Consulting LLC in an amount not to exceed \$61,000 to develop a Master Plan for Wright Park. The staff will bring back the contract that will possibly in phases in January for approval by the Commission. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.
2. Commissioner Rick Sowers moved to approve the Southwest Kansas Coalition Policy Agenda. Commissioner Jan Scoggins seconded the motion. The motion carried unanimously.

**OTHER BUSINESS**

City Manager Cherise Tieben

- Has a list of calendar items for the month. Will make sure all of the Commissioners get it.
- A Joint City/County/USD #443/DCCC meeting and a Joint City/County meeting will be held on October 22 at the Learning Center

Commissioner Rick Sowers

Commissioner Jan Scoggins

- Dodge City needs to be commended for the Kansas Government Journal profile about Dodge City. The October issue is the awards edition and it talked about the Warrior Project. An Awards Luncheon was held at the League of Kansas Municipalities meeting and 2 employees from Dodge City received a 25 year award, 6 received a 15 year award, and 6 received a 10 year award.
- Congratulations to Dr. Kristen Shields who is joining the Doctors without borders.

Commissioner Joyce Warshaw

Commissioner Brian Delzeit

Mayor Kent Smoll

- Have a safe Halloween

**ADJOURNMENT**

Commissioner Brian Delzeit moved to adjourn the meeting. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

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Mayor

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City Clerk

JOINT CITY/COUNTY/USD #443/DCCC MEETING MINUTES  
The Learning Center, 308 W. Frontview, Dodge City, KS  
Monday, October 22, 2018  
5:30 p.m.

**CALL TO ORDER**

**ROLL CALL**

***Ford County:*** Chairman Shawn Tasset and Commissioners Ken Snook and Chris Boys were present.

***City of Dodge City:*** Mayor Kent Smoll, Commissioners Jan Scoggins, Joyce Warshaw, Rick Sowers and Brian Delzeit were present

***DCCC:*** Chairman Gary Harshberger, Mia Korbelik, Floris Jean Hampton, and Dr. Jeremy Presley, were present. Dan Reichenborn, Kathy Ramsour and Terry Malone were reported absent.

***USD #443:*** Chairman Lisa Killion, Ryan Ausmus, Jeff Hiers, Traci Rankin, Tammie West, and Pamela Preston were present. Jamey Lewis-Gonzales was reported absent.

**REPORTS**

Housing Report - Joann Knight, Director of DC/FC Development Corporation presented a housing report.

RHID Report – Nannette Pogue, Finance Director/City Clerk presented information on the Rural Housing Incentive Districts.

**JOINT PUBLIC HEARING**

Chris Boys moved to open the Joint Public Hearing regarding the adoption of the Neighborhood Revitalization Plan South Commercial District, and the amendments to the Neighborhood Revitalization Plans North Commercial District, Downtown Commercial District and Residential District for Ford County. Shawn Tasset seconded the motion. The motion carried 3-0.

Mayor Kent Smoll moved to open the Joint Public Hearing for the City of Dodge City. Rick Sowers seconded the motion. The motion carried 5-0.

Lisa Killion moved to open the Joint Public Hearing for USD #443. Tammie West seconded the motion. The motion carried 6-0.

Gary Harshberger moved to open the Joint Public Hearing for DCCC. Dr. Jeremy Presley seconded the motion. The motion carried 4-0.

The Public Hearing was held. There were no public comments.

Chris Boys moved to close the Public Hearing for Ford County. Ken Snook seconded the motion. The motion carried 3-0

Rick Sowers moved to close the Public Hearing for the City of Dodge City. Jan Scoggins seconded the motion. The motion carried 5-0.

Lisa Killion moved to close the Public Hearing for USD #443. Jeff Hiers seconded the motion. The motion carried 6-0.

Gary Harshberger moved to close the Joint Public Hearing for DCCC. Dr. Jeremy Presley seconded the motion. The motion carried 4-0.

Resolution No. 2018-18: A Resolution Adopting the City of Dodge City Neighborhood Revitalization Plan South Commercial District and amendments to the Neighborhood Revitalization Plans North Commercial District, Downtown Commercial District, and Residential District was approved on a motion by Commissioner Jan Scoggins. Commissioner Joyce Warshaw seconded the motion. The motion carried 5-0.

#### **NEW BUSINESS**

1. Discussion and approval of Interlocal Agreement between the City of Dodge City, Ford County, U.S.D. No. 443, and Dodge City Community College regarding the adoption and amendments to Neighborhood Revitalization Plans including the South Commercial District, the North Commercial District, the Downtown Commercial District and the Residential District.

*City Action:* Commissioner Rick Sowers moved to approve the Interlocal Agreement regarding the adoption and amendments to Neighborhood Revitalization Plans including the South Commercial District, the North Commercial District, the Downtown Commercial District and the Residential District. Commissioner Jan Scoggins seconded the motion. The motion carried 5-0.

*County Action:* Commissioner Chris Boys moved to approve the Interlocal Agreement regarding the adoption and amendments to Neighborhood Revitalization Plans including the South Commercial District, the North Commercial District, the Downtown Commercial District and the Residential District. Commissioner Shawn Tasset seconded the motion. The motion carried 3-0.

*USD #443 Action:* Jeff Hiers moved to approve the Interlocal Agreement regarding the adoption and amendments to Neighborhood Revitalization Plans including the South Commercial District, the North Commercial District, the Downtown Commercial District and the Residential District. Ryan Ausmus seconded the motion. The motion carried 6-0.

*DCCC Action:* Gary Harshberger moved to approve the Interlocal Agreement regarding the adoption and amendments to Neighborhood Revitalization Plans including the South Commercial District, the North Commercial District, the Downtown Commercial District and the Residential District. Dr. Jeremy Presley seconded the motion. The motion carried 4-0.

#### **ADJOURNMENT**

City Action: Commissioner Joyce Warshaw moved to adjourn the meeting. Commissioner Jan Scoggins seconded the motion. The motion carried 5-0.

County Action: Commissioner Ken Snook moved to adjourn the meeting. Commissioner Chris Boys seconded the motion. The motion carried 3-0.

USD #443 Action: Tammie West moved to adjourn the meeting. Pamela Preston seconded the motion. The motion carried 6-0.

DCCC Action: Gary Harshberger moved to adjourn the meeting. Mia Korbelik seconded the motion. The motion carried 3-0.

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Mayor

ATTEST:

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Nannette Pogue, City Clerk

JOINT CITY/COUNTY MEETING MINUTES  
Learning Center, 308 W. Frontview  
Monday, October 22, 2018  
MEETING #5110

**CALL TO ORDER**

**ROLL CALL**

*Ford County:* Chairman Chris Boys, Commissioner Shawn Tasset and Ken Snook.

*City of Dodge City:* Mayor Kent Smoll, Commissioners Jan Scoggins, Joyce Warshaw, Rick Sowers, Brian Delzeit

**Joint City Resolution No 2018-17/County Resolution No. 2018-23:** A Resolution adopting the Tax Distribution Agreement among the City of Dodge City, Kansas; Ford County, Kansas; Treasurer of the State of Kansas; and Security bank of Kansas City (as Trustee and as Escrow Agent); and Adopting the First Amendment between the City of Dodge City, Kansas and Ford County, Kansas.

City Action: The Joint Resolution was approved on a motion by Commissioner Jan Scoggins. Commissioner Joyce Warshaw seconded the motion. The motion carried 5-0.

**County Action: The Resolution** was approved on a motion by Commissioner Shawn Tasset. Commissioner Chris Boys seconded the motion. The motion carried 3-0.

**2019 Special Sales Tax Project Fund Budget**

2019 Sales Tax Projects Budget was presented by Nannette Pogue, Finance Director/City Clerk.

*City Action:* Commissioner Brian Delzeit moved to approve the 2019 Special Sales Tax Projects Fund Budget. Commissioner Jan Scoggins seconded the motion. The motion carried 5-0.

*County Action:* Commissioner Shawn Tasset moved to approve the 2019 Special Sales Tax Projects Fund Budget. Commissioner Ken Snook seconded the motion. The motion carried 3-0.

**Discussion and Approval of Shared Road Agreement**

*City Action:* Commissioner Jan Scoggins moved to approve the Shared Road Agreement between the City of Dodge City, Kansas (Dodge City), a municipal corporation, and Ford County, Kansas (Ford County) a governmental entity. Commissioner Kent Smoll seconded the motion. The motion carried 5-0.

**County Action:** Commissioner Shawn Tasset moved to approve the Shared Road Agreement between the City of Dodge City, Kansas (Dodge City), a municipal corporation, and Ford County, Kansas (Ford County) a governmental entity. Commissioner Ken Snook seconded the motion. The motion carried 5-0.

### **Other Information**

Venuworks Business Plan was presented. No action was taken.

Progress Reports for 2017 CFAB Organizational Funding Grantees was presented. No action was taken.

### **ADJOURNMENT**

**City Action:** Commissioner Chris Boys moved and Commissioner Shawn Tasset seconded the motion to adjourn the meeting. The motion carried 3-0.

**County Action:** Commissioner Jan Scoggins moved and Commissioner Brian Delzeit seconded the motion to adjourn the meeting. The motion carried 5-0.

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Mayor

ATTEST:

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Nannette Pogue, City Clerk

# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or  County of DODGE CITY

## SECTION 1 – LICENSE TYPE

Check One:  New License  Renew License  Special Event Permit

Check One:

- License to sell cereal malt beverages for consumption on the premises.  
 License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

## SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-201025921F-01

I have registered as an Alcohol Dealer with the TTB.  Yes (required for new application)

Name of Corporation CASEY'S RETAIL COMPANY		Principal Place of Business ONE SE CONVENIENCE BLVD	
Corporation Street Address ONE SE CONVENIENCE BLVD, PO BOX 3001		Corporation City ANKENY	State IA
Date of Incorporation 04/14/04		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name C T CORPORATION SYSTEM		Phone No. 785-233-5517	
Residence Street Address 112 SW 7TH ST, SUITE 3C		City TOPEKA	State KS
		Zip Code 50021	Zip Code 66603

## SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name CASEY'S GENERAL STORE #3783	Name CASEY'S RETAIL COMPANY, ATTN: JAMIE DIETRICH
Business Location Address 2201 N 14TH AVE	Address PO BOX 3001
City DODGE CITY, KS 67801	City ANKENY, IA 50021
State	State
Zip	Zip
Business Phone No. 515-381-4764 (CORPORATE)	<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.
Business Location Owner Name(s) CASEY'S RETAIL COMPANY	

## SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse\*, if applicable. Attach additional pages if necessary.

Name	Position	Date of Birth
NO PERSONS INDIVIDUALLY OR IN AGGREGATE OWN 25% OR MORE OF CORPORATE STOCK		
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State
		Zip Code
Spouse Name	Position	Age
Residence Street Address	City	State
		Zip Code

# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or  County of **Dodge City**

<b>SECTION 1 – LICENSE TYPE</b>			
Check One: <input type="checkbox"/> New License <input checked="" type="checkbox"/> Renew License <input type="checkbox"/> Special Event Permit			
Check One: <input type="checkbox"/> License to sell cereal malt beverages for consumption on the premises. <input checked="" type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.			
<b>SECTION 2 – APPLICANT INFORMATION</b>			
Kansas Sales Tax Registration Number (required): 004-465579045F-01			
I have registered as an Alcohol Dealer with the TTB. <input checked="" type="checkbox"/> Yes (required for new application)			
Name of Corporation Circle K Stores	Principal Place of Business 19500 Bulverde Drive, Suite 100		
Corporation Street Address P.O. Box 690007	Corporation City San Antonio	State Texas	Zip Code 78259
Date of Incorporation July 2, 1984	Articles of Incorporation are on file with the Secretary of State.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Resident Agent Name Corporation Service Company	Phone No. 210-692-2140		
Residence Street Address 2900 Wanamaker Drive, Suite 204	City Topeka	State Kansas	Zip Code 66614
<b>SECTION 3 – LICENSED PREMISE</b>			
<b>Licensed Premise (Business Location or Location of Special Event)</b>		<b>Mailing Address (If different from business address)</b>	
DBA Name Circle K #1624	Name Circle K Stores Inc		
Business Location Address 2615 East Trail Street	Address 212 SW 8th Avenue, Suite 202		
City Dodge City	State Kansas	Zip 67801	City Topeka
Business Phone No. 620-227-2692	<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.		
Business Location Owner Name(s)			
<b>SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK</b>			
List each person and their spouse*, if applicable. Attach additional pages if necessary.			
Name George C. Haxel	Position President & Secretary		Date of Birth 11-6-1961
Residence Street Address 7849 East Bonita Drive	City Scottsdale	State AZ	Zip Code 85255
Spouse Name Lori Glyn Haxel	Position spouse		Date of Birth 11-16-1964
Residence Street Address 7849 East Bonita Drive	City Scottsdale	State AZ	Zip Code 85255
Name Kathy Cunningham	Position Vice President & Treasurer		Date of Birth 3-10-1967
Residence Street Address 14203 South 12th Place	City Phoenix	State AZ	Zip Code 85048
Spouse Name Jeffery David Cunningham	Position spouse		Age 3-1-1966
Residence Street Address 14203 South 12th Place	City Phoenix	State AZ	Zip Code 85048
Name Kim Kwiatkowski	Position Assistant Secretary		Date of Birth 7-2-1952
Residence Street Address 7853 South Michele Lane	City Tempe	State AZ	Zip Code 85384
Spouse Name Janie H. Kwiatkowski	Position spouse		Age
Residence Street Address 7853 South Michele Lane	City Tempe	State AZ	Zip Code 85384

# CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or  County of Dodge City

## SECTION 1 – LICENSE TYPE

Check One:  New License  Renew License  Special Event Permit

Check One:

- License to sell cereal malt beverages for consumption on the premises.  
 License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

## SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 004-465579045F-01

I have registered as an Alcohol Dealer with the TTB.  Yes (required for new application)

Name of Corporation Circle K Stores		Principal Place of Business 19500 Bulverde Drive, Suite 100	
Corporation Street Address P.O. Box 690007		Corporation City San Antonio	State Texas
		Zip Code 78259	
Date of Incorporation July 2, 1984		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Corporation Service Company		Phone No. 210-692-2140	
Residence Street Address 2900 Wanamaker Drive, Suite 204		City Topeka	State Kansas
		Zip Code 66614	

## SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)			Mailing Address (If different from business address)		
DBA Name Circle K <i>H1625</i>			Name Circle K		
Business Location Address 609 South 2nd Avenue			Address 212 SW 8th Avenue, Suite 202		
City Dodge City	State Kansas	Zip 67801	City Topeka	State Kansas	Zip 66603
Business Phone No. 620-227-2692			<input checked="" type="checkbox"/> Applicant owns the proposed business location. <input type="checkbox"/> Applicant does not own the proposed business location.		
Business Location Owner Name(s)					

## SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse\*, if applicable. Attach additional pages if necessary.

Name George C. Haxel		Position President & Secretary		Date of Birth 11-6-1961	
Residence Street Address 7849 East Bonita Drive		City Scottsdale	State AZ	Zip Code 85255	
Spouse Name Lori Glyn Haxel		Position spouse		Date of Birth 11-16-1964	
Residence Street Address 7849 East Bonita Drive		City Scottsdale	State AZ	Zip Code 85255	
Name Kathy Cunningham		Position Vice President & Treasurer		Date of Birth 3-10-1967	
Residence Street Address 14203 South 12th Place		City Phoenix	State AZ	Zip Code 85048	
Spouse Name Jeffery David Cunningham		Position spouse		Age 3-1-1966	
Residence Street Address 14203 South 12th Place		City Phoenix	State AZ	Zip Code 85048	
Name Kim Kwiatkowski		Position Assistant Secretary		Date of Birth 7-2-1952	
Residence Street Address 7853 South Michele Lane		City Tempe	State AZ	Zip Code 85384	
Spouse Name Janie H. Kwiatkowski		Position spouse		Age	
Residence Street Address 7853 South Michele Lane		City Tempe	State AZ	Zip Code 85384	

# City of Dodge City

806 N. Second Ave.  
PO Box 880  
Dodge City, KS 67801

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

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## *Memorandum*

To: City Commissioners and City  
Manager  
From: Joann Knight, Executive Director,  
Dodge City/Ford County  
Development Corporation  
Date: October 30, 2018  
Subject: Kansas Health Foundation Grant  
Agenda Item: Consent Calendar

**Recommendation:** Staff recommends approval to apply for a \$50,000 grant from the Kansas Health Foundation. The purpose of this application is to request financial support to continue the progress underway for establishing a University Center in Southwest Kansas by building a Western Kansas Health Care - Advanced Education Coalition to increase access to post-secondary education. The Dodge City/Ford County Development Corporation is respectfully requesting the City of Dodge City to apply on our behalf for the University Center project which will provide increased access to post-secondary healthcare education, to improve access to healthcare in Western Kansas by “Growing Our Own” providers and additionally establishing the development of a new organization and staff position to create a stronger, more educated workforce through focus on business/education partnerships and bringing more workforce resources to Southwest Kansas. This position and new 501c3 organization will help us transition from the consultant on the University Center project into a full-time focus on workforce including coordination of the University Center as it develops and developing additional workforce programs meeting the needs of all our businesses.

**Background:** City and Development Corporation staff along with volunteers have been coordinating efforts to bring higher education opportunities for health care providers to Southwest Kansas. We are currently working with Fort Hays State University, Wichita State University, Newman University and the University of Kansas to identify outreach programs that could help educate individuals to provide services to meet the critical healthcare needs of Southwest Kansas residents who have been identified as a severely underserved population. The first step in bringing this project to fruition was a feasibility study and the hiring of a consultant to help move the project forward through the coordination of meetings which are required to identify the best options available for all the universities expressing interest in this proposal.

**Justification:** This is the next step in moving this project forward as indicated by the expertise provided by the WSU study as well as the consultant. It will be essential that we continue to coordinate all the different stakeholders in the education realm, businesses and Southwest Kansas community citizens and leaders, to build strong business education partnerships. Transitioning from the consultant to a full-time employee focused on continuation of building the coalitions and working towards greatly enhancing our workforce training opportunities will help insure that we can

provide the students needed to fulfill the requirements of the universities for class size now and into the future. Establishing a new 501c3 focused on workforce partnerships will help us bring in much needed resources to strengthen the educational attainment and workforce skills of our citizens that chose to live and stay in our region.

**Financial Considerations:**

These funds will be used to partner with other grants and funds from the Dodge City/Ford County Development Corporation including the approved City and County contribution of \$10,000 each for our 2019 Budget and the Development Corporation has also been awarded a \$25,000 grant from the Scroggins Foundation. Additional grant funds will be applied for and private pledges will be raised to establish permanent funding for the long-term success of the project. We will need to establish a 501c3 to qualify for a variety of grants. The Kansas Health Foundation has expressed interest in supporting our efforts but as a 501c6, the Dodge City/Ford County Development Corporation is not eligible to apply for their funding. Their request is that the City of Dodge City apply as noted in their attached invitation to apply.

**Purpose/Mission:** To improve the health care and education opportunities for this region by “Growing Our Own” workforce through enhancing our education opportunities.

**Attachments:** Invitation from Kansas Health Foundation for us to apply for funding.

**Subject:** Invitation to Submit Preliminary Proposal for #201801018-009 City of Dodge City (Project Title-University Center)  
**Date:** Monday, October 29, 2018 at 1:13:50 PM Central Daylight Time  
**From:** Gina Hess  
**To:** Joann Knight  
**CC:** Carolyn Williams, Blair Weibert  
**Attachments:** image001.jpg, 201801018-009 City of Dodge City - KHF Grant Proposal Form.docx

Dear Joann:

Per conversations and correspondence to this date, please consider this KHF's invitation for you to submit a preliminary proposal related to the above-referenced initiative in the amount of up to \$50,000 for a period of one year starting November 15, 2018. Please complete the attached *Grant Proposal* document in *Microsoft Word* format and return to me by November 7, 2018.

After it has been reviewed, you will receive a formal proposal invite with a link for an online submittal of the proposal.

If you have programmatic questions please feel free to contact Carolyn Williams, Senior Program Officer, at (316) 491-8420 or [cwilliams@khf.org](mailto:cwilliams@khf.org). If you have questions regarding the agreement boilerplate, please contact Gina Hess, Grants Associate, at (316) 491-8411 or [ghess@khf.org](mailto:ghess@khf.org).

Sincerely,

Gina

**Gina Hess**  
Kansas Health Foundation  
Grants Associate  
[ghess@khf.org](mailto:ghess@khf.org)

309 E. Douglas  
Wichita, KS 67202  
Direct Tel 316-491-8411  
Direct Fax 316-491-8311  
Tel 800-373-7681





## City of Dodge City

806 N. Second Ave.  
PO Box 880  
Dodge City, KS 67801

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

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### *Memorandum*

To: Dodge City Commissioners & City Manager

From: Assistant City Manager/Public Affairs

Date: November 1, 2018

Subject: Resolution for University Center

Agenda Item: Resolutions

**Request:** Request for approval of a Resolution by the City of Dodge City to create a Kansas Board of Regents University Center in Dodge City with satellite locations in Garden City and Liberal to serve 28 counties in the region.

**Background:**

The City Commission has previously approved Resolution NO. 2017-17 to apply for a United States Department of Agriculture Rural Enterprise Grant as well as an agreement to hire the consultant for the University Center Project. The consultant and Dodge City/Ford County Development Corporation and City staff are collaborating with stakeholders from the community and the region on this project and support has been garnered with the area community colleges including Dodge City Community College, Garden City Community College and Seward Community College who are all willing to partner on efforts to pursue the University Center.

Fort Hays State University, Newman University, the University of Kansas and Wichita State University have all expressed interest in participating in the University Center and initial conversations have begun with the Kansas Board of Regents. The Cities of Garden City and Liberal have recently passed resolutions of support and several counties in the region have expressed interest in passing resolutions and staff will be working with them to achieve this.

**Proposal:** The proposed University Center will offer baccalaureate and post baccalaureate degrees focused but not limited to medical fields in both face-to-face and virtual modalities. In addition, the proposed programs will offer blended, traditional learning and cooperative internship style workplace learning in area clinics and hospitals. It is anticipated that Hennessey Hall, the former home of Saint Mary's of the Plains College in Dodge City will be remodeled and serve as the main campus building for the University Center with

satellite locations in Garden City and Liberal. The expenses for the remodel of Hennessey Hall will be paid for by the City of Dodge City, however these costs are yet to be determined. It is also anticipated that the Kansas Board of Regents will govern the University Center through Fort Hays State University, the University of Kansas, and Wichita State University

**Financial Considerations:** Ten thousand (\$10,000) has been committed by the City for the University Center project for 2019. Additional funding will be needed in the future for improvements to Hennessey Hall. However, there are no cost estimates at this time.

**Purpose/Mission:** To improve the health care and education opportunities for this region.

**Attachments:**

Resolution for Kansas Board of Regents University Center

## Resolution No. 2018-19

### **A RESOLUTION OF THE CITY OF DODGE CITY TO CREATE A KANSAS BOARD OF REGENTS UNIVERSITY CENTER IN DODGE CITY FOR SOUTHWESTERN KANSAS.**

**WHEREAS**, the City of Dodge City is considering the opportunities and possibilities that would be created through the development of a Kansas Board of Regents University Center in Dodge City; and

**WHEREAS**, the University Center is anticipated to be a regional baccalaureate and post baccalaureate center for Southwest Kansas; and

**WHEREAS**, the area community colleges including Dodge City Community College, Garden City Community College and Seward Community College have been supportive, encouraging and collaborative of the efforts to pursue the University Center; and

**WHEREAS**, Fort Hays State University, Newman University, the University of Kansas and Wichita State University have all expressed interested in participating in the University Center; and

**WHEREAS**, the proposed University Center will offer baccalaureate and post baccalaureate degrees focused but not limited to medical fields in both face-to-face and virtual modalities; and

**WHEREAS**, the proposed programs will offer blended, traditional learning and cooperative internship style workplace learning in area clinics and hospitals; and

**WHEREAS**, it is anticipated that Hennessey Hall, the former home of Saint Mary's of the Plains College will be remodeled to serve as the main campus building for the University Center with satellite locations in Garden City and Liberal; and

**WHEREAS**, it is anticipated that the Kansas Board of Regents will govern the University Center through Fort Hays State University, the University of Kansas, and Wichita State University; and

**WHEREAS**, the University Center will have a positive educational and economic impact on Southwest Kansas and the entire state of Kansas.

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

that we, the Governing body of the City of Dodge City are supportive of the efforts to pursue of the establishment of a Kansas Board of Regents University Center in Dodge City.

**ADOPTED AND APPROVED THIS 11TH DAY OF SEPTEMBER, 2018.**

(seal)

City of Dodge City, KS

Attest:

\_\_\_\_\_

Kent Smoll, Mayor

\_\_\_\_\_  
Nannette Pogue, City Clerk

# *Memorandum*

To: City Commissioners  
City Manager  
From: Ernestor De La Rosa  
Director of Human Resources  
Date: November 5, 2018  
Subject: Resolution No. 2018-20  
Agenda Item: Year End Bonuses

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**Recommendation: Approval of Resolution No. 2018-20**

**Background:** Each non-probationary full-time employee with over one (1) year of service will receive a bonus of \$50.00 per calendar years worked for the City, a benefit adopted in 1998. Each non-probationary regular part-time employee with over one (1) year of service will receive a bonus of \$25.00 per calendar years worked for the City. A cap of \$1,000 after 20 years of service has been established.

**Justification:** This is a budgeted item and funds are available.

**Financial Considerations:** The estimated cost for the 2018 annual bonuses is \$95,139.00

**Purpose/Mission:** To provide employees an annual reward benefit for their continued efforts in striving to achieve high performance and service standards set by us and expected by the community.

**Legal Considerations:** None

**Attachments:** Resolution No. 2018-20

**RESOLUTION NO. 2018-20**

**A RESOLUTION AUTHORIZING PAYMENT OF 2018 YEAR END  
BONUSES TO QUALIFIED EMPLOYEES**

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BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY:

WHEREAS: Taking into consideration the City's financial standing, the Governing Body desires to recognize the dedication and commitment of City employees by a discretionary year end bonus, under the guidelines established by Resolution 98-41.

ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY THE 5<sup>TH</sup> DAY OF NOVEMBER, 2018.

\_\_\_\_\_  
E. Kent Smoll, Mayor

Attest:

\_\_\_\_\_  
Nannette Pogue, City Clerk

## *Memorandum*

*To: City Commissioners  
City Manager*  
*From: Corey Keller*  
*Date: October 31, 2018*  
*Subject: Resolution 2018-21*  
*Agenda Item: Ordinances & Resolutions*

---

**Recommendation:** Staff recommends approval of Resolution 2018-21 amending resolution 2018-03 passed March 19, 2018 setting fees for solid waste collection for the City of Dodge City.

**Background:** The past few years staff has been tasked to deal with an illegal dumping issue that continues to occur in the downtown area. Through numerous complaints it has been determined that several individuals and businesses throughout the downtown area do not have solid waste collection services. Resolution 2018-21 will allow the City to provide solid waste collection services to downtown residents and business owners if it is determined that no other service is provided to them. Previously our Solid Waste Ordinance had not allowed the City to provide services to commercial users prior to 1984. Resolution 2018-21 establishes boundaries for Sanitation Downtown District #1 which will allow the City of Dodge City to provide solid waste collection services to those found not to have any collection services. Services from other solid waste collectors will still be allowed if the individual chooses a commercial provider.

Additional changes to the resolution include fees set for trash bags collected and placed beside the polykarts \$1.00 to \$2.50. The fees set for trash karts that are placed to the curb late changed from \$2.00 to \$5.00. Also fees were established to roll off containers set for residential and commercial use. Residential use of a roll off container will be \$50.00 plus the landfill fees and commercial use of the container is \$100 plus landfill fees. All other fees established will remain the same as established in previous resolutions.

**Justification:** Staff has taken numerous steps to try and remedy the illegal dumping issues in the downtown area. In many case the City is already providing these services to the people that currently have no collection service. Many are using the containers placed around the downtown sidewalks which the City provides services to three times a week.

By establishing the Downtown Sanitation District #1 city staff will be able to place these users on City services and monitor the each issue case by case. The fees set for the roll off containers have been established for many years and will remain the same this will only make them official. The increase in fees for loose and bagged trash as well as late pickup will assist staff to ensure the residence in Dodge City are provided the best possible solid waste collection service.

**Financial Considerations:** None

**Legal Considerations:** Legal has reviewed the Resolution and is in agreement.

**Attachments:** Resolution NO. 2018-21

## RESOLUTION NO. 2018-21

### A RESOLUTION ESTABLISHING FEES AND RATES FOR SOLID WASTE COLLECTION SERVICE IN THE CITY OF DODGE CITY

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WHEREAS, for the peace, health, safety, and welfare of the citizens of Dodge City, it is deemed necessary for the City to provide Solid Waste Collection service to its citizens; and,

WHEREAS, such Solid Waste Collection services includes both scheduled and non-scheduled garbage, refuse and trash pickup and disposal; and,

WHEREAS, current Ford County Landfill regulations require yard waste to be separated from municipal solid waste, which requires the City to make separate collections; and,

WHEREAS, it is necessary for each and every citizen of the City of Dodge City to pay a fair and equitable share of the cost of this Solid Waste Collection service.

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

**Section 1:** Amend: Resolution 2018-03; adopted on the 19<sup>th</sup> day of March, 2018.

**Section 2:** SERVICE TO DWELLINGS:

2.1 Dwellings shall include all single family residences, duplexes, and two family dwellings. Fees for dwellings shall be Seventeen dollars and sixty-one cents (\$17.61) per month per dwelling plus an additional fee of One dollar and thirty-six cents (\$1.36) per month per dwelling for recycling and the handling and disposal of household hazardous wastes.

2.2 Multiple family dwellings shall be all residential buildings, except hotels or motels, having three (3) or more separate living units. Fees for multiple family dwellings shall be Seventeen dollars and sixty-one cents (\$17.61) for the first dwelling unit and Eleven dollars and eighty-eight cents (\$11.88) for each additional dwelling unit plus an additional fee per month per unit of One dollar and thirty-six cents (\$1.36) for recycling and the handling and disposal of household hazardous wastes.

2.3 Special fees. In addition to the base rates provided hereinabove, special fees shall be charged in those cases where the Sanitation Department is required to collect such items as refrigerators, stoves, furniture, etc., and large accumulations of trash or metal. In addition, trash placed by either the poly-kart or dumpster will also be subject to an additional charge.

2.4 Commercial rate. The commercial rate will apply to landlords, contractors, or any other type of business that would require pickup of large accumulations of trash.

Special fees for some items are as follows:

<b>ITEM</b>	<b>FEE</b>
Refrigerators	\$5.00 plus any fee for disposal of compressor or refrigerant
Freezers	\$5.00 plus any fee for disposal of compressor or refrigerant
Air Conditioners	\$5.00 plus any fee for disposal of compressor or refrigerant
Stoves, dishwashers or other white goods	\$5.00 per item
Metal goods	\$5.00 per item
Furniture, mattresses, carpet, or other large household items	\$5.00 per item
Bagged or loose trash not in poly-kart or dumpster	\$2.50 per bag
Should there be more than three (3) items placed at curb for special pickup, these items will be considered as a bulky accumulation and subject to that charge.	
Trees and other large brush accumulations and other bulky large accumulations	Minimum of \$25.00 per load plus \$12.50 per hour plus landfill charges
Tree piles and other bulky items picked up by hand. (Alley Cleanup or Curbside)	Minimum \$12.50 up to 30 minutes additional \$25.00 for over 30 minutes. Landfill fees could also apply in some situations.
Late Pickup	A \$5.00 charge for pickup of items and karts not placed at the curb on the scheduled pick up day.
Roll Off Containers (residential use)	\$50.00 set fee plus landfill charges. Maximum use time five working days from set date. Set fees and landfill fees apply to every time the container is dumped.
<b>Commercial Rates as follows:</b>	
Roll Off Containers (commercial use)	\$100.00 set fee plus landfill charges Maximum use time five working days from set date. Set fees and landfill fees apply to every time the container is dumped.
Large accumulations of brush, loose or bagged household trash, and other bulky large accumulations	\$40.00 per load plus \$25.00 per hour plus landfill fees
Special Cleanup Fee	\$100.00 per hour equipment fee plus \$25.00 per hour staff fee plus landfill charges and any other costs associated to the cleanup

**Section 3.** SERVICE TO HOME OCCUPATIONS

Home occupations and similar activities, but not including child care facilities shall pay \$17.61 per month fee for the residence and shall also pay an additional \$17.61 per month fee for service to the home occupation. Such home occupations shall also pay an additional \$1.36 each for the residence and for the home occupation for recycling and the handling and disposal of household hazardous wastes.

**Section 4.** SPECIAL CONDITIONS

Any special conditions not included in the above rate schedule shall be determined by the Superintendent of Public Works, subject to the approval of the Governing Body.

**Section 5.** DOWNTOWN SANITATION DISTRICT #1

Downtown Sanitation District #1 is defined as all commercial and or residential dwellings between the streets of 3<sup>rd</sup> Ave and Central Ave between Wyatt Earp Blvd. and Vine Streets. Any occupant of a commercial or residential dwelling that cannot provide proof of Solid Waste Collection services by any sanitation service provider whether commercial or residential shall be placed on the City of Dodge City Solid Waste Collection services. The occupant shall pay the \$17.61 per month per dwelling plus an additional fee of \$1.36 per month per dwelling for recycling and the handling and disposal of household hazardous wastes.

**Section 6.** YARD WASTE

As the Ford County Landfill requires that all yard waste be separated from solid waste and that all yard waste cannot be bagged, the City of Dodge City requires all residents desiring to have their yard waste disposed of by the City to rent a container, provided by the City, for a cost of \$2.82 per month. Residents may dispose of yard waste by bagging the waste. Bags may not weigh more than 40 lbs. when full. Crews will pick up the bags for \$1.00 per bag.

**Section 7.** EFFECTIVE DATE: The rates specified hereinabove shall be come effective during the month of November, 2018 as appropriate and upon its adoption by the City Commission and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, the 5<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Nannette Pogue, City Clerk

## *Memorandum*

*To: Cherise Tieben City Manager*  
*From: Nannette Pogue*  
*Date: November 1, 2018*  
*Subject: Resolution No. 2018-22*  
*Agenda Item: Ordinances and Resolutions*

---

**Recommendation:** I recommend the City Commission approve Resolution No. 2018-22

**Background:** Resolution No. 2018-22 is a resolution authorizing the offering for sale of General Obligation Bonds, Series 2018-A, General Obligation Temporary Notes, Series 2018-1, and Taxable General Obligation Temporary Notes, Series 2018-2 of the City of Dodge City, Kansas.

Included in this offering will be: General Obligation Bonds Series 2018-A to finance additional funds for Central Avenue Reconstruction, Linn Street Reconstruction and Drainage, Wagon Wheel #2 connection to Frontview, various asphalt street projects, Kindsvater Trucking drainage and Green Hills O'Ford Drainage, to call temporary notes for Candletree Addition #8 infrastructure and McDonalds Wyatt Earp infrastructure; Temporary Notes Series 2018-1 to finance Wagon Wheel #2 infrastructure; and Taxable General Obligation Temporary Notes Series 2018-2 to call temporary notes for the financing of land acquisition and economic development payments for the Power Center Star Bond area.

These improvements were previously approved by the City Commission by Resolutions.

The Resolution states the Mayor and Director of Finance in conjunction with the Financial Advisor and Bond Counsel are hereby authorized to cause to be prepared a Preliminary Official Statement and to such document to sell the bonds.

The Resolution also states the Director of Finance, in conjunction with the Financial Advisor and Bond Counsel, is hereby authorized and directed to give notice of the bond sale by publishing a summary of the Notice of Bond Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Ford County, Kansas, and the *Kansas Register*. In addition, the Director of Finance and the Financial Advisor are authorized and directed to distribute copies of the Notices and Preliminary Official Statement to prospective purchasers of the Securities.

The resolution also authorizes the Mayor, Director of Finance and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel to take such other action as may be necessary to: (a) carry out the sale of the Securities; and (b) make provision for payment and/or redemption of the Refunded Notes from proceeds of the Bonds, the Series 2018-2 Notes, and other available funds, if necessary.

**Justification:** The City is offering for sale General Obligation Bonds, temporary notes and taxable temporary notes, approving the Preliminary Official Statement and providing for notice of sale for the bonds and notes

**Financial Considerations:** The payment schedule will most likely be a 15 year schedule and even payments made from the Bond and Interest Fund.

**Purpose/Mission:** We strive for high service and performance standards

**Legal Considerations:** Legal obligations fulfilled by authorizing resolution.

**Attachments:** Resolution No. 2018-22. Preliminary Official Statement is available in Office of the Finance Director for review.

**RESOLUTION NO. 2018-22**

**A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2018-A, GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2018-1, AND TAXABLE GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2018-2, OF THE CITY OF DODGE CITY, KANSAS.**

**WHEREAS**, the City of Dodge City, Kansas (the “Issuer”), has previously authorized certain public improvements described as follows (collectively the “Bond Improvements”):

<u>Project Description</u>	<u>Ord./Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Amount*</u>
Candletree Addition, Unit 7 – Street, sewer and water	Res. 2016-20	12-6a01 <i>et seq.</i>	\$1,106,745
McDonalds redevelopment – Street, storm water, sanitary sewer and water	Res. 2017-22	12-6a01 <i>et seq.</i>	320,465
Central Avenue Reconstruction	Ord. 3169/ Res. 2015-23	12-685 <i>et seq.</i>	1,306,650
Linn Street Reconstruction & Drainage	Res. 2018-14	13-1024a/Charter 41	252,500
Wagon Wheel #2 Connection to Frontview	Res. 2018-14	13-1024a/Charter 41	176,750
Various Asphalt Street Projects	Res. 2018-14	13-1024a/Charter 41	505,000
Kindsvater Trucking Drainage	Res. 2018-14	13-1024a/Charter 41	116,150
Green Hills O’Ford Drainage	Res. 2018-14	13-1024a/Charter 41	<u>202,000</u>
<b>Total</b>			<b><u>\$3,986,260</u></b>

\* Excludes costs of issuance

**WHEREAS**, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of the Bond Improvements and to retire a portion of the following temporary notes of the Issuer, which were issued to temporarily finance a portion of the costs of the Bond Improvements (collectively the “Refunded Notes”):

<u>Series</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>2018-A Bond Redemption Amount</u>	<u>Redemption Date</u>
2017-1	10/17/2017	10/01/2019	\$7,970,000	\$1,505,000	12/20/2018

**WHEREAS**, the Issuer has previously authorized certain internal improvements described as follows (the “Note Improvements”):

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Amount</u>
Wagon Wheel Addition Unit 2 – Sanitary sewer, water, fire hydrants, and streets	2018-15	12-6a01 <i>et seq.</i>	\$925,000 <sup>^^</sup>

**WHEREAS**, the Issuer is authorized by law to issue general obligation bonds to pay the costs of the Note Improvements; and

**WHEREAS**, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Note Improvements prior to the completion thereof and the issuance

of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issue; and

**WHEREAS**, none of such temporary notes previously authorized have been issued and the Issuer proposes to issue its temporary notes to pay the costs of the Note Improvements; and

**WHEREAS**, the Issuer has previously authorized certain economic development projects described as follows (the "Projects"):

<u>Project Description</u>	<u>Ord./Res. No.</u>	<u>Authority</u>	<u>Amount</u>
Land acquisition, site improvements & economic development grant	Ord. 3672	Kan. Const. Art. 12, Section 5/ K.S.A. 12-1617h	\$6,402,000

**WHEREAS**, the Issuer is authorized by law to issue general obligation bonds to pay the costs of the Projects; and

**WHEREAS**, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred with respect to the Projects prior to the completion thereof and the issuance of the Issuer's bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issue; and

**WHEREAS**, the Issuer has previously issued the Refunded Notes to temporarily finance the costs of the Projects and it is necessary for the Issuer to provide funds by the issuance of taxable temporary notes of the Issuer to retire a portion of the Refunded Notes related to the financing of such Projects as described as follows:

<u>Series</u>	<u>Dated Date</u>	<u>Maturity Date</u>	<u>Original Amount</u>	<u>2018-2 Note Redemption Amount</u>	<u>Redemption Date</u>
2017-1	10/17/2017	10/01/2019	\$7,970,000	\$6,465,000	12/20/2018

**WHEREAS**, the Issuer proposes to issue its general obligation bonds to pay the costs of the Bond Improvements and to retire a portion of the Refunded Notes, to issue its temporary notes to pay the costs of the Note Improvements, and to issue its taxable temporary notes to pay the costs of the Grant and to retire a portion of the Refunded Notes; and

**WHEREAS**, the City Commission of the Issuer (the "Governing Body") has selected a firm to act as financial advisor (the "Financial Advisor") for one or more series of general obligation bonds and temporary notes of the Issuer to be issued in order to provide funds for the purposes previously set forth; and

**WHEREAS**, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of said general obligation bonds and temporary notes and related activities; and

**WHEREAS**, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds and temporary notes; and

**WHEREAS**, the Issuer desires to authorize the Financial Advisor and Gilmore & Bell, P.C., Wichita, Kansas, the Issuer's bond counsel ("Bond Counsel"), in conjunction with the Director of Finance to proceed with the preparation and distribution of a preliminary official statement, notice of bond sale and

notices of note sale, and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation bonds and temporary notes.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY, KANSAS, AS FOLLOWS:**

**Section 1.** There is hereby authorized to be offered for sale the Issuer's General Obligation Bonds, Series 2018-A (the "Bonds"), General Obligation Temporary Notes, Series 2018-1 (the "Series 2018-1 Notes"), and Taxable General Obligation Temporary Notes, Series 2018-2 (the "Series 2018-2 Notes," and collectively with the Bonds and the Series 2018-1 Notes, the "Securities"), to be described in the Notice of Bond Sale or Notice of Note Sale, which are hereby authorized to be prepared (collectively the "Notices"). All proposals for the purchase of the Bonds shall be delivered to the Governing Body at its meeting to be held on the sale date referenced in the Notices, at which meeting the Governing Body shall review such bids and award the sale of the Bonds or reject all proposals. All proposals for the purchase of the Series 2018-1 Notes and Series 2018-2 Notes shall be delivered to the Governing Body at its meeting to be held on the sale date referenced in the Notices, at which meeting the Governing Body shall review such bids and separately award the sale of the Series 2018-1 Notes and Series 2018-2 Notes, or reject all proposals.

**Section 2.** The Mayor and Director of Finance in conjunction with the Financial Advisor and Bond Counsel are hereby authorized to cause to be prepared a Preliminary Official Statement relating to the Securities (the "Preliminary Official Statement"), and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Securities.

**Section 3.** The Director of Finance, in conjunction with the Financial Advisor and Bond Counsel, is hereby authorized and directed to give notice of the bond sale by publishing a summary of the Notice of Bond Sale not less than 6 days before the date of the bond sale in a newspaper of general circulation in Ford County, Kansas, and the *Kansas Register*. In addition, the Director of Finance and the Financial Advisor are authorized and directed to distribute copies of the Notices and Preliminary Official Statement to prospective purchasers of the Securities. Proposals for the purchase of the Securities shall be submitted upon the terms and conditions set forth in the Notices, and awarded or rejected in the manner set forth in the Notices.

**Section 4.** For the purpose of enabling the respective purchaser of the Securities (collectively the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), the Mayor and Director of Finance are hereby authorized: (a) to approve the form of the Preliminary Official Statement and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as *Exhibit A* as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

**Section 5.** The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Securities or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 6.** The Mayor, Director of Finance and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to: (a) carry out the sale of the Securities; and (b) make provision for payment and/or redemption of the Refunded Notes from proceeds of the Bonds, the Series 2018-2 Notes, and other available funds, if necessary.

**Section 7.** This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

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**ADOPTED** by the City Commission on November 5, 2018.

(SEAL)

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Mayor

ATTEST:

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Clerk

**EXHIBIT A**

**CERTIFICATE DEEMING  
PRELIMINARY OFFICIAL STATEMENT FINAL**

November 5, 2018

Re: City of Dodge City, Kansas, General Obligation Bonds, Series 2018-A, General Obligation Temporary Notes, Series 2018-1 and Taxable General Obligation Temporary Notes, Series 2018-2

The undersigned are the duly acting Mayor and Director of Finance of the City of Dodge City, Kansas (the "Issuer"), and are authorized to deliver this Certificate to the purchasers (collectively the "Purchaser") of the above-referenced bonds and notes (collectively the "Securities") on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the "Preliminary Official Statement") relating to the Securities.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Securities depending on such matters.

**CITY OF DODGE CITY, KANSAS**

By: \_\_\_\_\_  
Title: Mayor

By: \_\_\_\_\_  
Title: Director of Finance

## *Memorandum*

*To: City Commissioners*  
*From: Cherise Tieben*  
*Date: November 5, 2018*  
*Subject: Ch2m Hill Contract*  
*Agenda Item: New Business*

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**Recommendation:** Staff recommends the approval of the annual contract amendment with CH2M Hill to continue operation and maintenance of both wastewater treatment facilities and to incorporate the operation of the Warrior Project into the annual agreement.

**Background:** The City of Dodge City has had a very long standing agreement with CH2M Hill, formerly known as OMI. They have operated our plants for well over 20 years and stand ready to take on the operation of the bio-gas plant. The contract includes a 6.76% increase on the operations fee and a \$100,000 increase on some costs routine costs associated on the maintenance of the plant. If the maintenance fees are not used, the funds are credited back to the City at the end of the year.

**Justification:** Due to the technical nature of the operation of the plant, we have always felt that having an outside entity work in coordination with our staff assured consistency and expertise versus the internal operation of the plant. CH2M Hill is nationally recognized and respected in the operation of sewer treatment facilities and have been a true asset to our organization.

**Financial Considerations:** Adequate funds have been budgeted in the 2019 budget for this expense.

**Purpose/Mission:** Working towards excellence – together we strive to achieve high performance and service standards set by us and expected by the community.

**Legal Considerations:** The agreement has been reviewed by the City Attorney.

**Attachments:** Amendment No. 12



**AMENDMENT NO. 12**  
**To the**  
**AGREEMENT**  
**For**  
**OPERATIONS, MAINTENANCE AND**  
**MANAGEMENT SERVICES**

**THIS AMENDMENT NO. 12** is made and entered into this \_\_\_ day of \_\_\_\_\_, 2018, by and between the City of Dodge City, Kansas (hereinafter "Owner"), whose address for any formal notice is P.O. Box 880, Dodge City, Kansas 67801 and Operations Management International, Inc. (hereinafter "CH2M HILL"), whose address for any formal notice is 9191 South Jamaica Street, Englewood, CO 80112. This is an Amendment to the Agreement for Operations, Maintenance and Management Services dated the 1<sup>st</sup> day of March, 2007, between Owner and CH2M HILL (the "Agreement"). Collectively, Owner and CH2M HILL will be referred to as the "Parties" and each individually as a "Party."

Owner and CH2M HILL agree that the Agreement shall be and is hereby amended and modified in the following manner:

1. Article E.1.1 in Appendix E is deleted in its entirety and replaced with the following Article E.1.1 in Appendix E:

E.1.1 Owner shall pay to CH2M HILL as compensation for Services performed under this Agreement Two Million Sixty Seven Thousand Three Hundred Sixty Dollars (\$2,067,360) which includes the Base Fee, Biosolids Costs, Gypsum Costs, Repairs Costs, Chemicals Costs and the Membrane Performance Agreement Costs for the period of January 1, 2019 through December 31, 2019. The Base Fee for subsequent calendar years of the initial term and any subsequent terms shall be determined as hereinafter specified.

2. Article E.1.5 in Appendix E is deleted in its entirety and replaced with the following Article E.1.5 in Appendix E:

E.1.5 The total amount CH2M HILL OMI shall be required to pay for Repairs Cost shall not exceed the annual Repairs Limit of Three Hundred and Thirty Thousand Dollars (\$330,000) during year January 1, 2019 to December 31, 2019. CH2M HILL OMI shall provide Owner with a monthly accounting reflecting the reason for and the cost of repairs provided. CH2M HILL OMI will rebate to Owner the entire amount that actual Repair Cost is less the annual Repairs Limit during the calendar year. In the event the Repairs Limit is reached, CH2M HILL OMI shall invoice Owner on a monthly basis for Repair Cost in excess of such limit.

All other terms and conditions of the original March 1, 2007 Agreement, as it has subsequently been amended, shall remain in effect. The Parties hereby approve this Amendment as is indicated by the signatures of their authorized representatives, below.

**OPERATIONS MANAGEMENT  
INTERNATIONAL, INC.**

**CITY OF DODGE CITY, KANSAS**

Authorized Signature:

Authorized Signature:

\_\_\_\_\_  
Name: Andy Appleton  
Title: Vice President  
Date: \_\_\_\_\_

\_\_\_\_\_  
Name: Cherise Tieben  
Title: City Manager  
Date: \_\_\_\_\_

## Memorandum

To: City Manager, Cherise Tieben  
City Commissioners

From: Nicole May

Date: October 31, 2018

Subject: Public Transportation Grant Letters

Agenda Item: New Business

---

**Recommendation:** Staff recommends the City Commission approve the submission of applications for 5311 public transportation grant including local match financial commitment letters as follows:

1. U.S.C. 49-5311 Public Transportation Operating Grant in the amount of \$375,059 which includes \$68,087 for dispatch and \$36,900 for replacement of 3 buses.

**Background:** The Dodge City Public Transportation provides services to Dodge City and Ford County area residents. Our services include Fixed Route, Demand Response and ADA Para-transit service. Currently we provide over 49,000 rides annually and we continue to increase ridership. The proposed budget for this grant (see Attachment 1) will continue funding for the program as follows:

- **Fixed Route Bus Service in Dodge City.** The Fixed Route bus system was expanded in May 2015. Each route runs hourly from 6:00 am to 7:00 pm, Monday through Friday, except from mid-November to March 1 when routes run from 6:00 am to 6:00 pm.
- **Door-to-Door ADA Para-transit Service.** We continue to provide door to door service (within  $\frac{3}{4}$  of a mile of the Fixed Routes) for passengers with physical, cognitive or visual disabilities which prevent them from utilizing the fixed route buses.
- **Regional Demand Response Service.** We provide service outside the  $\frac{3}{4}$  mile Para-transit zone, and up to 2 miles beyond the city limits. Any resident may schedule a door-to-door ride if the ride's origin or destination is beyond the  $\frac{3}{4}$  mile Para-transit zone and within a 2 mile radius of City limits. Based on our reports over the last year, we are providing over 1,400 Para-transit and Regional Demand Response rides per month.

**Justification:** As of today, Dodge City Public Transportation is providing over 4,000 rides a month with both Fixed Route and Para transit/Demand Response service. We have seen an 11% increase in total rides when comparing to last year. We expect that the Fixed Route and Para-transit services continue to increase and build ridership.

**Financial Considerations:** There are no significant changes to the level of funding requested. Our operating and administrative budget remains the same or similar. For this grant cycle staff recommends Dodge City commit to meeting the local match costs associated with this important public service. The letters of financial commitment required for the 5311 grant application are as follows:

- U.S.C. 49-5311 Public Transportation Grant:
  - Operations (50%) \$249,712
  - Dispatch (50%) \$68,087
  - Administration (20%) \$20,360
  - Capital (20%) \$36,900
  - **TOTAL** **\$375,059**

The commitment letters are required to include a 50% local match of the Federal transportation funds for Operations and Dispatch for which the City is applying. Historically KDOT has supplemented the Federal funds and for this grant cycle we anticipate State funding of an additional 20%. With State funding, the net City obligation will be \$275,169 of which \$218,269 is budgeted in Public Transportation (3410) for 2019; \$36,900 is budgeted in the depreciation fund and \$20,000 will be raised through service contracts.

**Purpose/Mission:** Improvements to public transportation represent the City's core values of Ongoing Improvement and Preparing for the Community's Future. Dodge City's expanding service is helping more residents every day by allowing them to get to work, do their shopping and get to medical appointments. The availability of public transportation also allows older residents to live more independently.

**Legal Considerations:** These commitment letters are required elements of the City's application for grant funding. KDOT will consider all requests and most likely will adjust the final approved amounts.

**Attachments:** Program budget document.

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**SFY 2020 Public Transportation Budget 5311 and 5317**  
**July 1, 2019 - June 30, 2020**

	DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch
<b>Section L. Operating Assistance Budget</b>			
1. Personnel – Driver (Paid)			
1 FT wages			
Regular PT	110,843	143,550	
Health Insurance	21,500	32,220	
FICA/KPERS	19,442	25,179	
Personnel - Dispatcher			
Personnel - Mechanic			
Wages, 50%			
Health Insurance			
FICA/KPERS	0	0	
<b>Total Personnel</b>	<b>151,785</b>	<b>200,949</b>	
2. Vehicle Insurance	1,845	1,845	
3. Advertising (Includes marketing materials)	2,500	2,500	
4. Fuel	30,000	50,000	
5. Maintenance, Repair, Lubrication, Parts, Labor, Tires	47,500	47,500	
6. Storage (Paid)			
7. Contract Services (Specify name & reason)*			
8. Communications/Phone	500	500	
9. Other (Must specify each item)			
9a FIT Dispatching Contract			114,974

**SFY 2020 Public Transportation Budget 5311 and 5317**  
**July 1, 2019 - June 30, 2020**

	DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch
10. Licenses & Registration	350	350	
11. KPTA Membership Dues	25	25	
12. KPTA Annual Meeting Expenses	250	250	
13. RTAP Driver Training	500	500	
14. RTAP Manager Training	375	375	
15. KCC Registration Fee	0	0	
16. DOT Driver's Physical	1,000	1,000	
<b>17. Total Operating Expenses (Add #1 through #16)</b>	<b>236,630</b>	<b>305,794</b>	<b>114,974</b>
18. Comments and Explanations of line items above			
19. Project Income - Fares	16,000	27,000	
<b>20. Net Operating Cost (Line #17 - #19)</b>	<b>220,630</b>	<b>278,794</b>	<b>114,974</b>
21. 5311 Reimbursement Request (50% of Line 20)	110,315	139,397	57,487
<b>Operating/Dispatch/Mobility Manager Local Match Letters</b>			
22. 5311 Operating/Dispatch Local Match Letter (50%)	110,315	139,397	57,487
<b>Section K - Capital Assistance Budget</b>			
20 Passenger Minibus (2)	60,000	120,000	
Bike Raks (4)			
<b>4. Total Capital with 2.5% contingency</b>	<b>61,500</b>	<b>123,000</b>	
5. Capital Reimbursement Request (80%)	49,200	98,400	
<b>6. Capital Local Match Letter (20%)</b>	<b>12,300</b>	<b>24,600</b>	

**SFY 2020 Public Transportation Budget 5311 and 5317**  
**July 1, 2019 - June 30, 2020**

		DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch
<b>Section M - Administrative Assistance Budget</b>				
24.	Administrative Personnel			
	Transportation Supervisor	19,641	19,641	
	Administrative Aide (25%)	0	0	
	Clerical Support	9,750	9,750	
	Health Insurance	10,842	10,843	
	FICA/KPERS	5,155	5,155	
	<b>Total Administrative Personnel</b>	<b>45,388</b>	<b>45,389</b>	
25.	Building Insurance	225	225	
26.	Office Supplies	1,500	1,500	
27.	Postage	150	150	
28.	Building Maintenance (must specify)	500	500	
29.	Utilities	2,250	2,250	
30.	Contract Services - Specify name and reason (must attach copy of contract)			
31.	Pre-Employment Drug Testing	400	400	
32.	Other (must specify each item)			
	Admin to FIT			37,848
33.	Uniforms	500	500	
34.	Agency Audit			
35.	<b>Total Administrative Expenses</b>	<b>50,913</b>	<b>50,914</b>	<b>37,848</b>
36.	List any general comments and explanations of line items above			
37.	Administration Reimbursement Request (80%)	40,730	40,730	27,250
38.	Administration Local Match Letter (20%)	10,180	10,180	10,600

**SFY 2020 Public Transportation Budget 5311 and 5317**  
**July 1, 2019 - June 30, 2020**

	DR/Paratransit (4 buses)	Fixed Route (3 buses)	Finney County Dispatch
<b>SUMMARY (unreimbursed expense)</b>			
5311 Operating (50%)	110,315	139,397	
5311 Capital (20%)	12,300	24,600	
5311 Administration Assistance (20%)	10,180	10,180	
5311 Dispatch (50%)			<b>68,087</b>
5317 Mobility Manager (20%)			
Match Letter Requirements	132,795	174,177	68,087
<b>Local Match Letters</b>			
Dodge City	132,795	174,177	68,087

<b>Sources</b>				
Anticipated KDOT Subsidy (20% Operating)	44,130	55,760		
Dodge City				
Public Transportation (001-3410)	66,365	83,817	68,087	
Parks (001-5210)	0	0		
Service Contracts	10,000	10,000		
MERF (140-3410)	12,300	24,600		

# Memorandum

*To: City Manager  
City Commissioners*

*From: Tanner Rutschman, Civil Engineer TR*

*Date: October 23, 2018*

*Subject: 2018 Asphalt Street Projects  
(ST 1807)*

*Agenda Item: New Business*

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**Recommendation:** Approve Change Order No. 1 for 2018 Asphalt Street Projects.

**Background:** 2018 Asphalt Street Project was approved on August 6, 2018.

**Justification:**

Additional Streets:

- Longranch Ave. (14th Ave. to Masterson Ave.)
- Ash St. (9th Ave. to 7th Ave.)
- National Beef Truck Entrance
- Bristol Ave. Patching (Linn St. to Tomahawk Rd.)

Pavement Excavation - This 250 S.Y. increase in quantity is due to the addition of asphalt patching on Bristol Ave.

Sub-Grade Repair - This 48 C.Y. decrease in quantity is due to the project locations not requiring as much repair as estimated.

2" HMA Surface Course - This 731 Ton increase in quantity is a result of adding sections of asphalt street to try to reach the budgeted amount of \$500,000.

Asphalt Patching - This 67 Ton increase in quantity is a result of the added patching on Bristol Ave.

1 ½" Asphalt Mill - This 3822 S.Y. increase in quantity is due to the addition of streets to the project.

2" Asphalt Mill - This 1825 S.Y. increase in quantity is due to the addition of streets to the project.

Milling Crew Remobilization – The addition of this bid item is was necessary to bring the milling crew back out to complete milling at the National Beef truck entrance.

**Financial Considerations:** Change Order No. 1 is for an increase of \$74,174.55.

**Purpose/Mission:** One of the City's core values is Ongoing Improvements. With the construction of these improvements the City is preparing for the community's future and providing new possibilities for current and future citizens of our community.

**Legal Considerations:** N/A

**Attachments:** Change Order No. 1



## Memorandum

*To: City Manager  
City Commissioners*  
*From: Ray Slattery, P.E.  
Dir. of Engineering Services*  
*Date: October 24, 2018*  
*Subject: Acquisition of Property for Barbara  
Lane Connection, ST 1801.*  
*Agenda Item: New Business*

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**Recommendation:** Approve compensation for property from the Cox Solution Store property for Road R/W and Temporary Construction Easement for the extension of Barbara Lane from the Wagon Wheel #2 Subdivision to Frontview Rd. in the amount of \$9,555 and connection to municipal sewer within three years of the date of the agreement.

**Background:** With the development of Wagon Wheel #2, City Staff and SMH has been working to acquire the western 40' +/- of the Cox Solution Store property so that a connection road could be constructed between Barbara Lane and Frontview Rd. This would not only provide an additional access to the Wagon Wheel #2 Subdivision, but also to the existing residents of Barbara Lane (East & West), Sue Dr., Anna Ave. and Louise Ave. Currently the only access to these neighbor hoods is from St. Joseph St. off of Ave. A. It would also help in emergency situations to have another access point. The 40' +/- by 210' +/- parcel has been appraised. The value of the real property and temporary easement came to \$9,555. Once acquired, the property along with a 20' alley west of the Cox Solution Store property will be used to construct the connecting road.

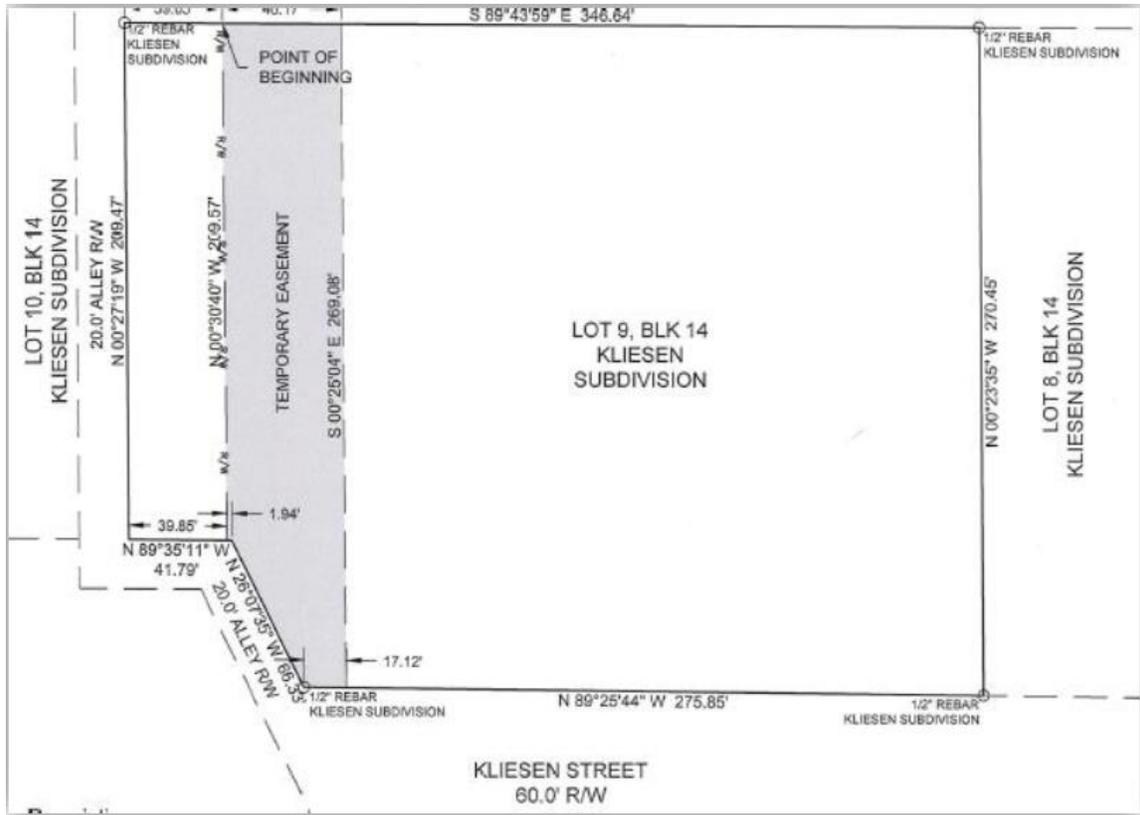
**Justification:** With the addition of this connection road, there will be better access for both the resident and Emergency Services into the Wagon Wheel #2 and Kliesen Subdivisions.

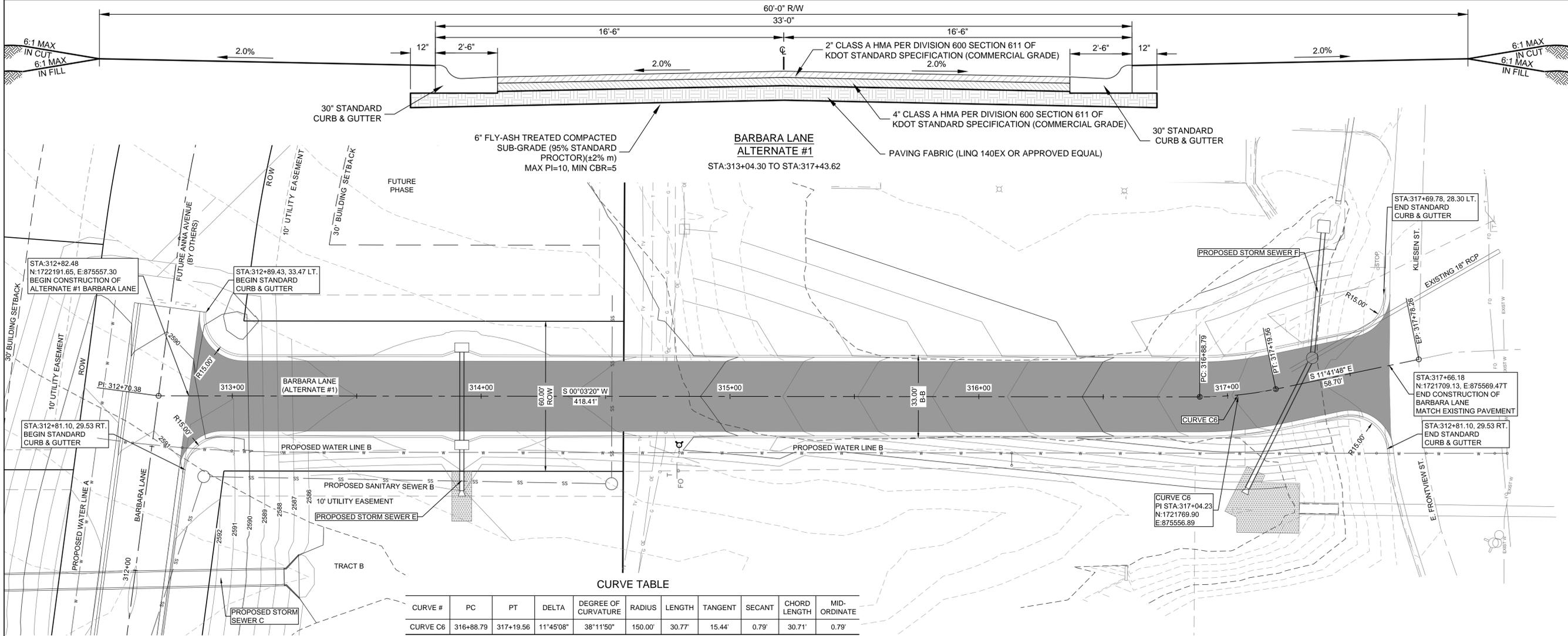
**Financial Considerations:** Payment of \$9,555 for the property and Temporary Easement along with the connection to municipal sewer within 3 years. The Opinion of Cost to extend sewer past the Cox Solution Store Property is \$47,750. This will also provide sewer to at least 3 additional lots, 2 north and 1 south of the sewer extension. This project was included in the 2018 Street Program.

**Purpose/Mission:** The completion of this project coincides with the City's Core Values of Safety and Ongoing Improvement.

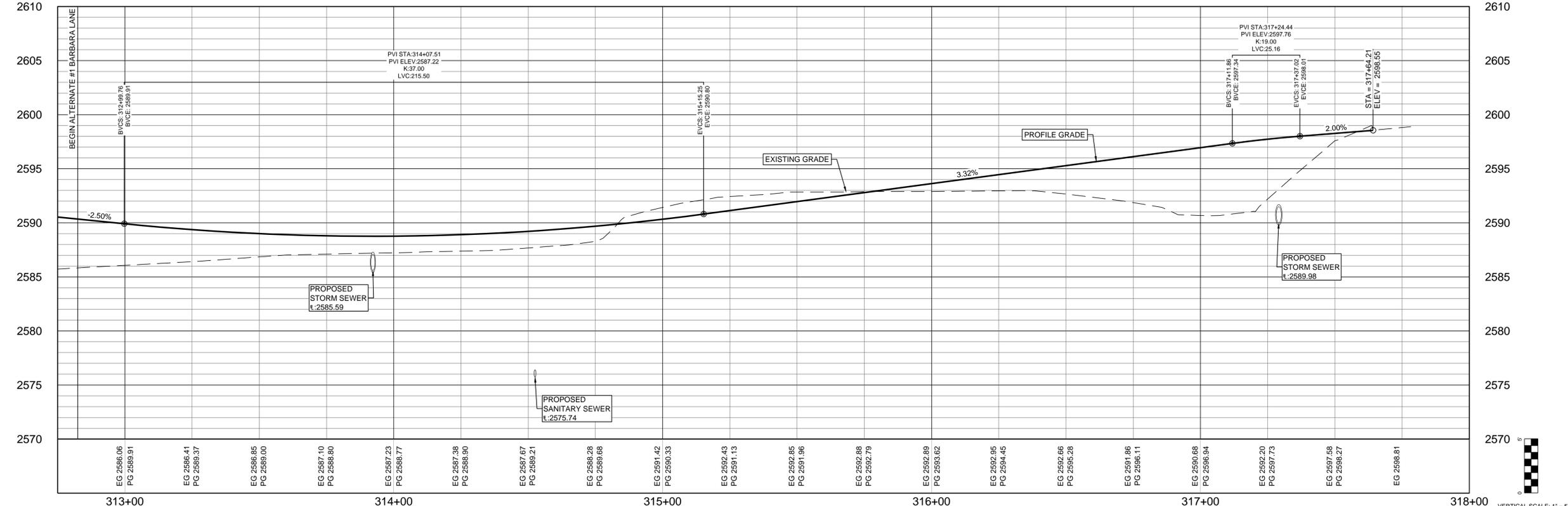
**Legal Considerations:** An agreement will be drawn up for all parties to sign based on the compensation outlined above.

**Attachments:** Drawing of the Cox Solution's property and of the proposed R/W and Temporary Construction Easement along with the plan sheet for the Barbara Lane extension.





BARBARA LANE PROFILE



ALTERNATE #1 BARBARA LANE PLAN & PROFILE

REVISION DATE	REVISION DESCRIPTION (DESCRIPTION)
00/00/00	

NORTH

SCALE: 1" = 20'

PROJECT #: 1701DG4000  
CHECKED BY: JEH  
DRAWN BY: BCG

DATE: 07/24/2017

SHEET # **A41**

TOTAL SHEETS 46

## Memorandum

*To: City Manager  
City Commissioners*  
*From: Mollea Wainscott  
Special Projects Coordinator*  
*Date: 11/05/2018*  
*Subject: MIH Grant Agreement*  
*Agenda Item: New Business*

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**Recommendation:** Staff recommends the approval of the Moderate Income Housing Program Grant Agreement.

**Background:** The City of Dodge City submitted an application for the Moderate Income Housing grant through the Kansas Housing Resource Corporation for the Abandoned Housing Program. Our application was approved by KHRC for Two Hundred Fifth Thousand Dollars (\$250,000). The funds will be used to build a new duplex at 510 E. Brier Street in partnership with the Dodge City Community College Building Trades Programs and rehabilitate two additional homes. Once complete the homes will be sold to moderate-income citizens with the proceeds of the sale going to the Community Housing Association of Dodge City.

**Justification:** Housing continues to be a constant challenge in the Dodge City area. The Abandoned Housing Program has been successful in creating new housing and rehabilitating vacant housing throughout Dodge City.

**Financial Considerations:** None at this time for the City. This is a pass thru and CHAD will provide the remainder of funds needed to complete the builds.

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

**Legal Considerations:** None

**Attachments:** Grant Agreement

## GRANT AGREEMENT

**THIS GRANT AGREEMENT (“Agreement”)** is made by and between the City of Dodge City, Kansas, (“**Grantee**”), P.O. Box 880, Dodge City, Kansas 67801 and Kansas Housing Resources Corporation, 611 South Kansas Avenue, Suite 300, Topeka, Kansas 66603 (“**KHRC**”) this 23rd day of October, 2018.

**WHEREAS**, KHRC is a public corporation that administers Federal and State housing programs, as well as the State Housing Trust Fund (“**SHTF**”) which is used for funding housing programs and services.

**WHEREAS**, the Kansas Legislature passed and the Governor signed Senate Substitute for Substitute for HOUSE BILL No. 2231 (“**Bill**”) which provided \$2 million for the State Housing Trust Fund (“**SHTF**”) to be used for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas (“**Eligible Activities**”).

**WHEREAS**, utilizing the funds provided under the Bill, KHRC issued a Kansas Moderate Income Housing (“**MIH**”) Request for Proposal (“**RFP**”) on June 27, 2018.

**WHEREAS**, Grantee requested MIH funds for proposed eligible activities by an application dated September 7, 2018 which is hereby incorporated by reference herein (“**Application**”), and which commitments and representations contained therein expressly remain a continuing obligation and responsibility of Grantee;

**WHEREAS**, KHRC’s Loans and Grants Committee approved a grant totaling \$250,000 for Grantee’s proposed eligible activities at its October 10, 2018 meeting;

**NOW THEREFORE**, the parties do mutually agree as follows:

1. **Grant Funds**. KHRC hereby grants Grantee up to \$250,000 (“**Funds**”) for Eligible Activities.
2. **Use of Grant Funds**. Grantee shall use the MIH Funds solely on the Eligible Activities proposed in Grantee’s Application and approved by KHRC, and in accordance with the following allocation:
  - a. Construction of a new duplex and renovation of two abandoned homes
  - b. Construction of this development shall begin by April 1, 2018 unless a change is approved by KHRC.
3. **Leverage Commitment**. In addition to the Funds provided by KHRC, Grantee shall provide leveraged funds in accordance with its representations in its Application towards the costs of the Eligible Activities.

4. **Disbursement of Grant Funds.** Grantee commits to use its usual procurement processes for bidding out each portion of the approved Eligible Activities. As development costs are incurred, Grantee may make a lump sum or partial payment request from KHRC, providing documentation of such costs, as well as evidence that the leverage commitment in Grantee's Application is being used in the funded Eligible Activities. Requests for payment shall be accompanied by supporting documentation and made to the attention of Fred Bentley, who may be reached as follows:

Fred Bentley, Director of Development  
E-mail: fbentley@kshousingcorp.org  
Phone: 785-217-2029

KHRC reserves the right to request additional documentation prior to disbursement of MIH Funds.

5. **Compliance with Regulations.** Grantee shall ensure compliance with all MIH rules and restrictions, as stated in the Bill and the MIH RFP, as well as other governing laws, **including the accessibility requirements of KSA 58-1401 et seq.** when applicable, and the 2012 International Energy Conservation Code. If Grantee is using the Funds for single family housing development or assistance, Grantee shall also enact and monitor a recapture provision as explained in the RFP. Prior to making any modifications to the approved Eligible Activities from Grantee's funding Application, Grantee commits to obtain written approval from KHRC.
6. **Program Income.** Grantee commits to use any income derived from or generated by the approved Eligible Activities, regardless of when the income is received, solely for housing purposes in accordance with the RFP.
7. **Reporting.** Beginning with the first business day of the month following the award being made to an applicant and each month thereafter, the awardee shall submit in writing monthly status reports to KHRC until the entire development is completed and all funds have been expended. The status report should detail the use of funds to date, along with a self-assessment comparing that use with the recipient's proposed use from its original application to KHRC. The status report should include an evaluation of the housing activities to date as well as the status of construction and the nature and reasons for any changes in the activities. A monthly status report should be filed even if there has been no progress or activity from the previous month.

Within 60 days following completion of the development and expenditure of all MIH funds a final accounting shall be submitted to KHRC on its forms, which shall include the use of any income generated from the housing activities.

8. **Compliance Monitoring.** When MIH funds are used in the development of rental housing, either directly or indirectly, it shall be required that tenants be initially qualified with gross incomes within the established MIH ranges as outlined in the RFP. Generally, the housing tax credit qualification procedures will be used to certify tenants and verify incomes but will use the higher MIH ranges. Tenants need not be recertified once they are initially qualified. This process will be used for the first five years following completion of the development whenever a new tenant enters the property. At the end of the fifth year, there shall be no further qualification procedures.

When MIH funding is used for home ownership opportunities, either directly or indirectly, an initial certification using the housing tax credit procedures will be required when the home is purchased. There will be no certification required for subsequent purchasers of the home when the first purchaser was qualified under the MIH guidelines. However, KHRC will require that the city or county receiving funding for homeownership purposes shall record a deed restriction on the property limiting the profit that can be achieved whenever such home is sold within a ten year period of its initial occupancy. The restriction shall require a declining refund of any profit payable to the city or county in increments of ten percent annually. If a home is sold within one year of its initial occupancy, 100 percent of the profit earned from such sale shall be paid to the city or county. This percentage shall decline ten percent each year so that in the tenth year, if the home is sold, ten percent of the profit shall be returned to the city or county. At the end of the tenth year of occupancy, the deed restriction shall be lifted and there shall be no restriction on the profit achieved by the sale of the home.

9. **Noncompliance.** Noncompliance with the MIH RFP, this Agreement, or other reasonable requirements of KHRC, shall result in penalties including but not limited to recapture of funds and/or loss of eligibility for future funds.
10. **Rescission/Unavailability of Funds.** Grantee understands that the MIH RFP and Grantee's award is funded in whole or in part by State of Kansas funds provided through the Bill. In the event the State funds supporting this Agreement become unavailable, are reduced, or rescinded, KHRC may terminate or amend this Agreement without penalty and will not be obligated to pay the Grantee from any other sources, including KHRC, SHTF, or State of Kansas monies.
11. **Miscellaneous.** The descriptive headings of this Agreement are for convenience only and shall not be deemed to affect the meaning of any provision. This Agreement may be modified only by the mutual written agreement of the parties. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected and each provision of this Agreement shall be enforced to the fullest extent permitted by law. The failure of KHRC to exercise any of its rights or responsibilities under the Bill or this Agreement shall not

constitute a waiver of the right to exercise the same or any other option at any subsequent time in respect to the same or any other event. This Agreement constitutes the entire agreement of the parties and supersedes all other prior written or oral contracts between the parties with respect to the subject matter hereof.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed by their duly authorized official or officers on the date first indicated.

**CITY OF DODGE CITY**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**KANSAS HOUSING RESOURCES CORPORATION**

By: \_\_\_\_\_  
DENNIS MESA, EXECUTIVE DIRECTOR

Date: \_\_\_\_\_

## Memorandum

*To: City Manager  
City Commissioners*

*From: Ray Slattery, PE  
Director of Engineering*

*Date: November 1, 2018*

*Subject: Heritage District Parking Lot  
Landscape,  
KDOT # - 29 TE-0449-01  
Dodge City # - CA 1603*

*Agenda Item: New Business*

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**Recommendation:** Reject all bids for the Heritage District Parking Lot Landscape Project.

The following bids were received on October 30<sup>th</sup> for the project;

Furr Lawn Care -	\$197,019.24
Northview Nursey & Landscape -	\$213,772.00
Al's H <sub>2</sub> O -	\$274,679.50
Building Solutions, LLC -	\$323,380.00
Engineer's Estimate -	\$202,270.50

Although the bids from Furr Lawn Care, LLC and Northview Nursey & Landscape were either below or within 10% of the Engineer's Estimate, some required KDOT documentation was not included in their proposals. The bids from Al's H<sub>2</sub>O and Building Solutions, LLC were more than 10% above the Engineer's Estimate.

**Background:** This project is partially funded by a Transportation Enhancement (TE) Grant from KDOT. By accepting the grant the project must meet KDOT requirements not only in the bidding process, but during the construction phase. The project was advertised for letting earlier this year and no proposals were submitted. In September the project was re-advertised. This time the City gathered a list of Landscapers and other contractors and mailed a letter to each stating the City was advertising this project. This was done to try and generate more interest and bids for the project. Per KDOT requirement the project had to be advertised for 30 days. Bids were opened on October 30, 2018, the results of the bid opening were mentioned above. In speaking with KDOT, it has been determined that if the project is rebid the advertising period for the project can be reduced to 21 days.

**Justification:** The project as designed would not be feasible without the TE Grant from KDOT as designed. Therefore, we must follow the requirements from KDOT for the project.

**Financial Considerations:** Since the bids are being recommended for rejection, there will not be any Financial Consideration at this time.

**Purpose/Mission:** The completion of this project would align with the City's core value of ongoing improvement.

**Legal Considerations:** None

**Attachments:** None