

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Tuesday, September 6, 2022

7:00 p.m.

MEETING #5223

Public is welcome although seats are limited for social distancing; or you can view as follows:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

The meeting will be archived on both sites to be viewed after the live video has ended.

CALL TO ORDER

ROLL CALL

INVOCATION BY Ada Bogart, John 14 Fellowship

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Revenue Neutral Rate

PUBLIC HEARING

Rural Housing Incentive District (Rodeo Hills, Phase)

APPROVAL OF AGENDA

PETITIONS & PROCLAMATIONS

Dodge City Toros Soccer Club Proclamation

Welcoming Week Proclamation

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

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, August 15, 2022.
2. Approval of City Commission Meeting Minutes, August 26, 2022.
3. Appropriation Ordinance No.16, September 6, 2022.
4. Cereal Malt Beverage License:
 - a. Panaderia La Tapatia, 614 E. Wyatt Earp Blvd.

- b. Taco City, LLC., 100 W. Frontview.
5. Approval to Amendment #1 for Cargill Water Service Agreement.

ORDINANCES & RESOLUTIONS

Ordinance No. 3779: An Ordinance Regulating Traffic within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “2022 Standard Traffic Ordinance for Kansas Cities” and Repealing Ordinance No. 3760. Report by Nicole May, Finance Director.

Ordinance No. 3780: An Ordinance Regulating Public Offenses within the Corporate Limits of the City of Dodge City, Kansas; Incorporating by Reference the “Uniform Public Offense Code for Kansas Cities, Edition 2022” and Repealing Ordinance No. 3761. Report by Nicole May, City Finance Director.

Ordinance No. 3781: An Ordinance of the Governing Body of the City of Dodge City, Kansas, Establishing a Land Bank Pursuant to K.S.A. 12-5901 ET SEQ., Within the City of Dodge City, Kansas. Report by Mollea Wainscott, Assistant Director of Economic Development.

Ordinance No. 3782: An Ordinance of the Governing Body of the City of Dodge City, Kansas, Establishing a Rural Housing Incentive District Within the City and Adopting a Plan for the Development of Housing and Public Facilities in Such District, and Making Certain Findings in Conjunction Therewith (Rodeo Hills, Phase I). Mollea Wainscott, Assistant Director of Economic Development.

Resolution No. 2022-32: A Resolution Adopting the Housing Needs Assessment for the City of Dodge City, Kansas. Report by Mollea Wainscott, Assistant Director of Economic Development.

Resolution No. 2022-33: A Resolution of the Governing Body of the City of Dodge City, Kansas Determining that the City is Considering Establishing a Rural Housing Incentive District Within the City and Adopting a Plan for the Development of Housing and Public Facilities in such Proposed District, Establishing the Date and Time of a Public Hearing on Such Matter, and Providing for the Giving of Notice of Such Public Hearing (Iron Flats I). Report by Mollea Wainscott, Assistant Director of Economic Development.

Resolution No. 2022-34: A Resolution Making Certain Findings and Determinations as to the Need for Housing Within the City of Dodge City, Kansas and Setting Forth the Legal Description of Real Property Proposed to be Designated as a Rural Housing Incentive District Within the City. Report by Mollea Wainscott, Assistant Director of Economic Development.

Resolution No. 2022-35: A Resolution of the City of Dodge City, Kansas to Levy a Property Tax Rate Exceeding the Revenue Neutral Rate. Report by Nicole May, City Finance Director.

Resolution No. 2022-36: A Resolution Making Certain Finding and Determination as to the Need for Housing within the City of Dodge City, Kansas and Setting forth the Legal Description of Real Property Proposed to be Designated as a Rural housing Incentive District Within the City. Report by Mollea Wainscott, Assistant Director of Economic Development.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Voting Delegates and Alternates to the League of Kansas Municipalities Annual Conference. Report by Finance Director, Nicole May.
2. Approval of Quotes Infrastructure Improvements for Iron Flats, Phase 1 Sub-Division. Report by Ray Slattery, Director of Engineering Services.
3. Approval of Quote for Installation of 14 LED Street Lights for Iron Flats, Phase 1. Report by Ray Slattery, Director of Engineering Services.
4. Approval of a Consulting Agreement for the Design of Fourteenth Avenue South Bound Bridge Repairs. Report by Ray Slattery, Director of Engineering Services.
5. Approval of the Community Facility Advisory Board (CFAB) Recommendations for Dodge City Raceway Park and Request for Qualifications for 2023 Season. Report by Nickolaus J. Hernandez, City Manager, and Melissa McCoy, Assistant City Manager/Public Affairs.
6. Approval to Submit a Grant Application to the United States Department of Transportation: Safe Streets and Roadways for All for a Dodge City Comprehensive Safety Action Plan. Report by Ernestor De La Rosa, Assistant City Manager/Legislative Affairs.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

Dodge City Toros Soccer Club Proclamation

WHEREAS, the 2022 Semi Pro Dodge City Toros Soccer Club, Coached by Raul Delatorre & Andrew Delatorre, completed the Season in the UPSL Premier League placing 4th place at Nationals out of 300+ teams across the USA in their first year competing in the league; and

WHEREAS, winning multiple region cups such as the Midwest South Regular Season Cup, Midwest South Division Cup, Central Region Cup, and the National final 4 stage in Columbus Ohio; and

WHEREAS, since established in 2017 Dodge City Toros Soccer Club organization has grown from 12 youth boys/girls to 200 players ranging from 4-25 years of age; and

WHEREAS, the organization is making a difference to our community where children who like soccer need role models to follow while providing pathways in southwest Kansas, and;

WHEREAS; exposed to them at the stadiums and the training grounds, our heroes are symbols for all the qualities we would like to possess and all the ambitions we would like to satisfy in creating a real American soccer culture with athletes to inspire the next generation by supporting youth soccer; and

NOW, THEREFORE, I, Kent Smoll, Mayor of the City of Dodge City, do hereby proclaim September 15, 2022 as

Dodge City Toros Soccer Club Proclamation Day

to honor a team of young men who are representatives of the quality and caliber of young men and women, not only of our school community, but of our entire community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of City of Dodge City to be affixed, this 6th day of September 2022.

Mayor

ATTEST

City Clerk

WELCOMING WEEK PROCLAMATION

TO THE PEOPLE OF DODGE CITY, GREETINGS:

WHEREAS, Dodge City's success depends on making sure that all individuals feel welcome here. All individuals are a vital part of our community — bringing fresh perspectives and new ideas, starting businesses, and contributing to the vibrant diversity that we all value; and

WHEREAS, this week, we honor the spirit of unity that is bringing neighbors together across Dodge City. During Welcoming Week, I invite all Dodge City residents to join this movement of communities nationwide by renewing our commitment to acting in the spirit of welcoming. By working together, we can achieve greater prosperity and make Dodge City the kind of place where people from around the world feel valued and want to put down roots; and

WHEREAS, regardless of where we are born or what we look like, we are Dodge City united in our efforts to build a stronger state. By recognizing the contributions that we all make to create a vibrant culture and a growing economy, we make our **community** more prosperous and more inclusive to all who call it home; and

WHEREAS, let us come together to build communities where every member has the opportunity to contribute their best. Let us come together to create a more prosperous community and to reaffirm that Dodge City still stands as a beacon of freedom and opportunity.

NOW, THEREFORE, I, E. Kent Smoll, Mayor of Dodge City, do hereby proclaim the week of September 9th, 2022 thru September 18th, 2022, as

Welcoming Week

in Dodge City and I urge all residents to join in this observation.

Mayor

ATTEST

City Clerk

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, August 15, 2022

7:00 p.m.

MEETING #5221

Public is welcome although seats are limited for social distancing; or you can view as follows:

1. Watch live on our Facebook page at www.facebook.com/cityofdodgecity

2. Or watch it on our Vimeo page at www.vimeo.com/cityofdodgecity.

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CALL TO ORDER

ROLL CALL Mayor Kent Smoll, Michael Burns, Commissioners Rick Sowers, Chuck Taylor, Joseph Nuci

INVOCATION by Pastor Ryan Ausmus, First Presbyterian Church

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Commissioner Kent Smoll made a motion to approve the agenda as presented. Commissioner Rick Sowers seconded the motion. The motion carried 5 - 0.

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).

Chief Ken Spencer introduced our newest firefighter Miguel Aguilera. He was sworn in with the City Loyalty Oath. Congratulations Miguel.

Dr. Melissa Walker Wichita State University spoke on the Mini Master of Public Administration program via zoom. Merci Umeri Assistant Teaching Professor of Hugo Wall School presented Captain Bradley Hines with an award for completing the Mini MPA program.

CONSENT CALENDAR

1. Approval of Joint City/County Commission Meeting Minutes, August 1, 2022.
2. Approval of Joint City/County Commission Meeting Minutes, August 1, 2022.
3. Approval of City Commission Meeting Minutes, August 1, 2022.

4. Approval of Work Session Commission Meeting Minutes, August 8, 2022.
5. Appropriation Ordinance No.15, August 15, 2022.
6. Cereal Malt Beverage License:
 - a. Dillons #1, 1700 No. 14th Avenue.

Commissioner Chuck Taylor made a motion to approve the consent calendar as presented. Commissioner Joseph Nuci seconded the motion. The motion carried 5 - 0.

ORDINANCES & RESOLUTIONS

Ordinance No. 3778: An Ordinance of the City of Dodge City, Kansas amending the official zoning map of the City, changing the property located on a tract of land in Lot 2, Block Q Legends North Subdivision, from AG Agricultural to R-1 Residential low Density was approved on a motion by Commissioner Michael Burns. Commissioner Chuck Taylor seconded the motion. The motion carried 5 - 0.

Resolution No. 2022-30: A Resolution authorizing and providing for the calling of a special question election in the City of Dodge City, Kansas, for the purpose of submitting to the electors of the City the question of imposing a one-half percent (0.50%) city -wide retailers' sales tax; and providing for the giving of notice of said elections was approved on a motion by Commissioner Michael Burns. Commissioner Chuck Taylor seconded the motion. The motion carried 5 - 0.

UNFINISHED BUSINESS

Commissioner Michael Burns moved to proceed with all phases of the Downtown Streetscape Project to include Front Street to Central Avenue to 3rd Avenue. Central from Wyatt Earp to Vine Street, 2nd Ave. from Wyatt Earp to Gunsmoke, 3rd Avenue from Wyatt Earp to Gunsmoke. 1st Avenue from Wyatt Earp to Gunsmoke in an amount not to exceed \$13,920,660. Commissioner Joseph Nuci seconded the motion. The motion carried 5 - 0.

NEW BUSINESS

1. Commissioner Rick Sowers moved to approve the quote from Building Solutions in the amount of \$232,314 for the waterline replacement along Comanche Street. Commissioner Chuck Taylor seconded the motion. The motion carried 5- 0.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

Commissioner Chuck Taylor made a motion to adjourn the meeting. Commissioner Michael Burns seconded the motion. The motion carried 5 - 0.

ATTEST:

Mayor

City Clerk

SPECIAL CITY COMMISSION MEETING MINUTES

ZOOM MEETING

Friday, August 26, 2022

6:00 p.m.

MEETING #5222

CALL TO ORDER

ROLL CALL Mayor Kent Smoll, Commissioners Michael Burns, Rick Sowers, Chuck Taylor, Joseph Nuci.

EXECUTIVE SESSION

At 6:03 Commissioner Michael Burns moved that the city commission recess into executive session pursuant to the privileged consultation with the City's attorney exception found in K.S.A. 75-4319(b)(2). The justification for closing the meeting was to discuss legal advice from counsel regarding contract obligations and personnel issue.

The Executive Session included all City Commissioners, Brad Ralph, City Attorney, Nick Hernandez, City Manager, Melissa McCoy, Assistant City Manager/Legislative Affairs and Ernestor De La Rosa, Assistant City Manager/Legislative Affairs. The Executive Session began at 6:03pm and concluded at 6:33pm. The City Commission resumed the public meeting at 6:33pm.

ADJOURNMENT

Commissioner, Charles Taylor made a motion to adjourn the City Commission meeting, Commissioner Michael Burns seconded the motion. Motion carried unanimously.

ATTEST:

Mayor

City Clerk



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: September 6, 2022
Subject: Approve Amendment #1 to Cargill Contract for Water Service
Agenda Item: Consent Calendar

Purpose: Amend the Cargill Water Service Agreement to allow for additional City supplied water to the Cargill facility.

Recommendation: Approve the First Amendment of the Cargill Water Service Agreement dated November 4, 2019.

Background: At the November 4, 2019 City Commission Meeting the City Commission approved the Water Service Agreement to allow Cargill to use 275,000 per day, not to exceed a weekly total of 1.92 MG, of City supplied water. With a maximum flowrate of 275 gallons per minute.

Earlier this year Cargill contacted the City inquiring about increasing the usage rate of City supplied water due to a new process that would be coming online soon and the need for some additional potable water. Cargill requested to increase the amount of City supplied water from the 275,000 gallons per day to 750,000 gallons per day at a flowrate not to exceed 521 gallons per minute. Per the amendment the City shall supply the first 7.68 million gallons per month at the standard in town rate. The remaining 14.25 million gallons of the month would be charged at the rate charged to user outside the cooperate city limits. The City currently has sufficient water supply to meet this added usage.

City Commission Options:

1. Approve
2. Disapprove
3. Change quantity of water supplied per day
4. Table for further discussion

Financial Considerations: Increased revenue from the added sale of water.

Amount \$:

Fund: Dept: Expense Code:

Budgeted Expense Grant Bonds Other

Legal Considerations: The Amendment will become part of the original agreement for water service.

Mission/Values: Approving this agreement aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Attachments: First Amendment to Cargill Contract for Water Service

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, Dir. Of Engineering Services

First Amendment to Cargill Contract For Water Service

This First Amendment to the Contract For Water Service (the Amendment) between the City of Dodge City, Kansas, a municipal corporation, hereinafter referred to as "City" and Cargill Meat Solutions Corporation, a Delaware corporation, hereinafter referred to as "Owner" is effective as of _____, 2022 ("Effective Date").

The City and Owner now desire to amend the terms of the Contract for Water Service dated November 4, 2019 as more particularly set forth below:

- 1. Section 10 (e) of the Contract for Water Service is hereby amended and restated in its entirety and shall hereafter be and read as follows:

- e. A maximum of 750,000 gallons of water per day shall be supplied by the City to the Owner. The maximum flow rate shall not exceed 521 gallons per minute at any time. The City shall supply the first 7.68 million gallons of the month (1.92 million gallons per week) at the residential water rate and the next 14,250,000 gallons of the month (3,325,000 million gallons per week) shall be supplied at the rate charged for users located outside of the corporate city limit. If the Owner exceeds the maximum allowable gallons of 22,812,000 in any given month of the calendar year, the City will provide the Owner with a notice of that exceedance and for any monthly exceedance thereafter. Any notice of exceedance issued, will be directed to the Owner's EHS Lead at the facility through US mail to Cargill Meat Solutions Corporation, Attn: EHS Lead, 3201 E HWY 400, PO Box 1060, Dodge City KS 67801. If Owner's monthly usage exceeds the maximum allowable gallons per month of 22,812,000 for a period of 3 months in any given calendar year, the City reserves the right to charge all usage from that point forward at the rate charged for users located outside of the corporate city limit.

In witness whereof the parties have executed this Amendment on the dates below.

CITY OF DODGE CITY, KANSAS
By: _____
E. Kent Smoll, Mayor

ATTEST:

Connie Marquez, City Clerk

Approved this _____ day of _____, 2022.

CARGILL MEAT SOLUTIONS CORPORATION
By _____
General Manager

Approved this _____ day of _____, 2022.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Nicole May, Finance Director

Date: September 6, 2022

Subject: Ordinance Nos. 3779 & 3780

Agenda Item: Ordinances and Resolutions

Purpose: To adopt the changes to basic traffic and safety laws around the state of Kansas.

Recommendation: I recommend the approval of Ordinance No. 3779 & Ordinance No. 3780.

Background: **Ordinance No. 3779** adopts the “2022, 49th Edition of the Standard Traffic Ordinance” by reference. **Ordinance No. 3780** adopts the “2022, 38th Edition of the Uniform Public Offense Code” by reference. The changes made to these codes during the 2022 legislature are:

The following sections were modified in the 49th edition of the STO published in 2022.

Section 1. Definitions.

Section 10.1. Funeral Processions and Section 119. Parades and Processions.

Section 30. Driving Under the Influence of Intoxicating Liquor or Drugs; Penalties.

Section 30.1. Driving Commercial Motor Vehicle Under the Influence of Intoxicating Liquor or Drugs; Penalties.

Section 30.5. Commercial Driver’s Licenses; Diversion Agreements Not Allowed.

Section 126.1.1. Display of License Plate.

Section 135. Electric-Assisted Bicycles, Traffic Law Application.

The following sections were modified in the 38th edition of the UPOC published in 2022.

Section 1.1. Definitions.

Section 3.2.1. Sexual Battery.

Section 6.1. Theft.

Section 6.5. Criminal Deprivation of Property.

Section 6.18. Motor Vehicle Dealers; Selling Motor Vehicles Without a License.

Section 7.5. Distribution of Unattributed Applications for Advance Voting Ballots.

Section 7.14. Electioneering.

Section 7.15. Intimidation of a Witness or Victim.

Section 9.9.5. Unlawful Possession of a Simulated Substance.

Section 10.30. Operating an Aircraft Under the Influence.

Section 10.30.1 Same; Preliminary Breath Test.

Section 10.30.2. Same; Definitions.

Section 11.8. Gambling.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: The cost of the booklets for the pertinent employees' use is approximately \$1,290.00. Cost for each booklet is \$8.50. Budgeted expense through various departments.

Legal Considerations: City Attorney reviewed the booklets. He approved them.

Mission/Values: Ensure the City is up to date on all the laws passed in the State of Kansas as well as make sure all employees have easy access to these laws.

Attachments: Ordinance No. 3779 & Ordinance No. 3780.

Approved for the Agenda by:

Nicole May

ORDINANCE NO. 3779

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "2022 STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" AND REPEALING ORDINANCE NO. 3760

Be it Ordained by the Governing Body of the City of Dodge City:

Section 1: INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by Reference for the purpose of regulating traffic within the corporate limits of the City of Dodge City, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3779" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of said Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2: TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

- (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.
- (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section shall be considered traffic offenses.

Section 3: REPEAL. Ordinance No. 3760 is hereby repealed.

Section 4: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, this 6th day of September, 2022.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 3780

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF DODGE CITY, KANSAS; INCORPORATING BY REFERENCE THE "2022 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES" AND REPEALING ORDINANCE NO. 3761

Be it Ordained by the Governing Body of the City of Dodge City:

Section 1: INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by Reference for the purpose of regulating public offenses within the corporate limits of the City of Dodge City, Kansas, that certain code known as the "2022 Uniform Public Offense Code for Kansas Cities", prepared and published in book form by the League of Kansas Municipalities, Topeka Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 3780" and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

Section 2: REPEAL. Ordinance No. 3761 is hereby repealed.

Section 3: EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the governing body of the City of Dodge City, Kansas, this 6thth day of September, 2022.

Mayor

ATTEST

City Clerk



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 08/24/2022
Subject: Landbank
Agenda Item: Ordinance No. 3781

Purpose: To create a Land Bank to acquire, maintain, control, sell, transfer, and dispose of any property located within the City to help achieve a healthy living environment for all residences, remove blight, create low to mid income housing, promote infill housing, promote, and facilitate the investment and rehabilitation of aging housing stock.

Recommendation: Staff recommends adoption of Ordinance 3781, which establishes a Land Bank

Background: Since the initial housing assessment in 2009, the City has adopted multiple programs and incentives to promote creation of additional housing units through rehabilitation and new construction and incite investment in blighted areas. The Land Bank will be another tool for the City to use to encourage developers to increase investment.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations:

Legal Considerations: None

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

Attachments: Ordinance No. 3781

Approved for the Agenda by:

Name, Title

ORDINANCE NO. 3781

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, ESTABLISHING A LAND BANK PURSUANT TO K.S.A. 12-5901 ET SEQ., WITHIN THE CITY OF DODGE CITY, KANSAS.

WHEREAS, K.S.A. 12-5901 *et seq.*, authorizes the Governing Body to establish a city land bank by adoption of an ordinance, into which city land bank any property acquired by the City may be transferred; and,

WHEREAS, K.S.A. 12-5907 provides that the Board of such land bank may manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate, and plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate.

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

Section 1. The City of Dodge City, Kansas (the "City"), by the power vested in it by K.S.A. 12-5901, *et seq.* (the "Act"), hereby establishes a city land bank (the "City of Dodge City, Kansas Land Bank").

Section 2. The purpose of creating the City of Dodge City, Kansas, Land Bank is to implement the authority granted through K.S.A. 12-5901 *et seq.*, to establish or dissolve a city land bank. The City of Dodge City, Kansas Land Bank will be a quasi-governmental entity with all statutory authority, but with the primary responsibility and authority for maintaining and selling real property located within the City to help achieve the City's goal of returning municipally owned property to private ownership, cost effectively maintain the property, conformance with the goals of the City's Comprehensive Plan, and the encouragement of economic development. The City of Dodge City, Kansas Land Bank is intended to assist in the elimination of barriers to returning properties to private ownership and productive use, and to help facilitate the strategic conveyance of property.

Section 3. Land Bank Board of Trustees; Appointment, Terms and Dissolution.

- a. There is hereby established a Land Bank Board of Trustees (the "Board"). The Board shall be composed of four (4) voting members, and one standing voting member represented by the City Manager of Dodge City, Kansas;
- b. The initial terms of the four (4) voting trustees, shall be staggered, for two (2) or three (3) years, and thereafter three-year terms;

- c. The City of Dodge City, Kansas Land Bank may be dissolved by ordinance of the Governing Body of the City. In such case, all property of said Land Bank shall be transferred to and held by the City and may be disposed of as otherwise provided by law.

Section 4. Land Bank Board of Trustees; Powers and Duties.

- a. Sue and be sued;
- b. enter into contracts;
- c. appoint and remove staff and provide for the compensation thereof;
- d. acquire, by purchase, gift or devise, and convey any real property, including easements and reversionary interests, and personal property subject to the provisions of this article and the Act;
- e. rebate all, or any portion thereof, the taxes on any property sold or conveyed by the City of Dodge City, Kansas Land Bank;
- f. exercise any other power which may be delegated to the City of Dodge City, Kansas Land Bank by the Governing Body of the City; and
- g. exercise any other incidental power which is necessary to carry out the purposes of the City of Dodge City, Kansas Land Bank.

Section 5. Land Bank Board; Organization.

- a. The Board officers shall consist of a chair, vice-chair and treasurer by majority vote of trustees at the annual meeting;
- b. Regular meetings of the Board shall be held from time to time, at such times and places as the Board may determine. Meetings shall be held within the City and shall be subject to the Kansas Open Meeting Act, K.S.A. 75-4317 et seq.;
- c. The presence of a majority of the Board's total membership shall constitute a quorum to conduct business. Votes by written proxy shall be allowed. Votes may be cast via telephone or electronically; and
- d. The members of the Board shall be subject to the provisions of the laws of the State of Kansas which relate to conflicts of interest of City officers and employees, including, but not limited to, K.S.A. 75-4301 et seq., and amendments thereto.

Section 6. Land Bank; Operational Requirements.

The City of Dodge City, Kansas Land Bank shall be subject to the following requirements:

- a. The Land Bank shall be subject to the statutory requirements for the deposit of public money as provided by K.S.A. 9-1401 et seq. The Land Bank shall be subject to the provisions of the Cash-Basis Law, K.S.A. 10-1101 et seq.;
- b. The Board shall adopt annually a budget for all operations, income, expenses and assets;
- c. The Board shall undertake an annual audit of the funds of the Land Bank by a certified public accountant;
- d. The Board may authorize a Trustee to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Land Bank;
- e. Manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate;
- f. compile and maintain a written inventory of all such property. The inventory shall be available for public inspection and distribution at all times;
- g. study, analyze and evaluate potential, present and future uses for such property which would provide for the effective reutilization of such property;
- h. plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate;
- i. establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the Land Bank's activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired; and
- j. thirty (30) days prior to the sale of any property owned by the Land Bank, publish a notice in the official city newspaper announcing such proposed sale.

Section 7. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body of the City of Dodge City, Kansas, and publication one time in the official City newspaper.

PASSED by the Governing Body of the City of Dodge City, Kansas and signed by the Mayor on September 6, 2022.

[SEAL]

Mayor

City Clerk



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 09/06/2022
Subject: RHID
Agenda Item: Development Agreement and Ordinance No 3782

Purpose: To approve a Development Agreement and Development Plan creating a Rural Housing Incentive District between the City of Dodge City and Sunview Development, LLC.

Recommendation: Staff recommends the approval of the Development Agreement between the City of Dodge City and Sunview Development, LLC and approval of Ordinance 3782.

Background: In 2010, the City staff began working with developers interested in building multi-family and single-family residential developments. Most developers were interested in utilizing the Rural Housing Incentive District program which provides assistance for various eligible costs such as infrastructure. The Rodeo Hills, LLC development will provide a total of one hundred twenty-three units (123) including forty (40) single-family residences with a market value of not less than \$ 175,000.00 each, twenty-seven (27) duplex structures and twenty-nine (29) single-family residential structures with an assessed valuation of not less than Three Hundred Thousand Dollars (\$300,000.00) .

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: The County and the School District have no risk in this process; in addition, they would not have received the increment as the development would not have been feasible without the incentive.

Legal Considerations: None

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

Attachments: Development Agreement and Ordinance No. 3782

Approved for the Agenda by:

Name, Title

ORDINANCE NO. 3782

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH (RODEO HILLS, PHASE I)

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and,

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

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

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

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

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of approximately 27,340, is located in Ford County, Kansas, which has an estimated population of approximately 33,848, and therefore constitutes a city as said term is defined in the Act; and,

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated June 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and,

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2009-19 and 2022-02 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and

authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and,

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated October 7, 2009 and March 15, 2022, authorized the City to proceed with the establishment of a Rural Housing Incentive District pursuant to the Act (the “District”); and,

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

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5244;
2. The existing assessed valuation of the real estate in the proposed District, listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, set forth the boundaries of the proposed District, provided a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for September 6, 2022 and provided for notice of such public hearing as provided in the Act; and,

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2022-29 which made a finding that the City is considering the establishment of the proposed District and adopting the proposed Plan pursuant to the Act, set forth the boundaries of the proposed District, provides a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for September 6, 2022 and provided for notice of such public hearing as provided in the Act; and,

WHEREAS, a public hearing was held on September 06, 2022, after due published and delivered notice in accordance with the provisions of the Act; and,

WHEREAS, upon and considering the information and public comments received at the public hearing, the governing body of the City hereby deems it advisable to make certain findings to establish the proposed District and to adopt the proposed Plan.

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

Section 1. Findings. The Governing Body hereby finds that due notice of the public hearing conducted September 6, 2022 was made in accordance with the provisions of the Act.

Section 2. Creation of Rural Housing Incentive District. A Rural Housing Incentive District is hereby created within the City in accordance with the provisions of the Act, which shall consist of the following described real property in the Development, an addition to the City of Dodge City, Ford County, Kansas:

All of Rodeo Hills Subdivision, an addition to the City of Dodge City, Ford County, Kansas

And

Lot One (1), Block Three (3), Church Subdivision, a subdivision of the Northeast Quarter (NE/4) of Section Fifteen (15), Township Twenty-six (26) South, Range Twenty-five (25) West of the 6th P.M., Ford County, Kansas, approximately 17.67 acres.

The boundaries of the District do not contain any property not referenced in Resolution No. 2022-29, which provided notice of public hearing on the creation of the District and adoption of the Plan.

Section 3. Approval of Development Plan. The Plan for the development or redevelopment of housing and public facilities in the District, as presented to the Governing Body this date, is hereby approved.

Section 4. Adverse Effect on Other Governmental Units. If, within 30 days following the conclusion of the public hearing on September 6, 2022, any of the following occurs, the Governing Body shall take action to repeal this Ordinance:

- a. The Board of Education of U.S.D. No. 443 determines by resolution that the District will have an adverse effect on such school district; or
- b. The Board of County Commissioners of Ford County, Kansas, determines by resolution that the District will have an adverse effect on such county.

As of this date, the City has not received a copy of any such resolution and is not aware of the adoption of any such resolution by the governing body of Ford County or Unified School District No. 443.

Section 5. Reimbursement. The Act authorizes the City to reimburse the Developer for all or a portion of the costs of implementing the Plan through the use of property tax increments allocated to the City under the provisions of the Act.

Section 6. Further Action. The Mayor, City Clerk and other officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate to accomplish the purposes of this Ordinance.

Section 7. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body of the City of Dodge City, Kansas and publication one time in the official City newspaper.

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PASSED by the Governing Body of the City of Dodge City, Kansas and signed by the Mayor on September 06, 2022.

[SEAL]

Mayor

City Clerk



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 08/24/2022
Subject: Housing Assessment
Agenda Item: Resolution No. 2022-32

Purpose: To identify housing strengths, weaknesses, opportunities, and priorities in our community.

Recommendation: Staff recommends adoption of Resolution 2022-32, which adopts the housing needs assessment completed by RDG Planning and Design.

Background: In 2008 the Dodge City/Ford County Development Corporation initiated a Community Housing Assessment Team and contracted with RDG Planning and Design to provide an assessment of the housing needs in Ford County. This desperate shortage of housing sparked the organization to focus efforts on solving the many issues related to the housing shortage including creating local programs and utilizing state incentives. The assessment is updated every three years.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None

Legal Considerations: None

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

Attachments: Resolution No. 2022-32

Approved for the Agenda by:

Name, Title

RESOLUTION NO. 2022-32

A RESOLUTION ADOPTING THE HOUSING NEEDS ASSESSMENT FOR THE CITY OF DODGE CITY, KANSAS.

WHEREAS, the Dodge City/Ford County Development Corporation and the City of Dodge City have coordinated to develop a housing needs assessment for the City of Dodge City, Kansas and Ford County, Kansas that incorporates the information and data regarding housing needs within this community, titled Dodge City and Ford County Community Housing Assessment Team Report (the “Needs Analysis”) and dated June 2022; and,

WHEREAS, the Needs Analysis determined that this community has a shortage of quality housing, that the shortage can be expected to persist, and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City; and,

WHEREAS, the Governing Body agrees with the findings of the Needs Analysis.

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

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing in various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

Section 5. The Governing Body hereby approves and adopts the Needs Analysis.

Approved this 6th day of September 2022 and signed by the Mayor.

Mayor

ATTEST:

City Clerk



Dodge City & Ford County CHAT Report

Community Housing Assessment Team

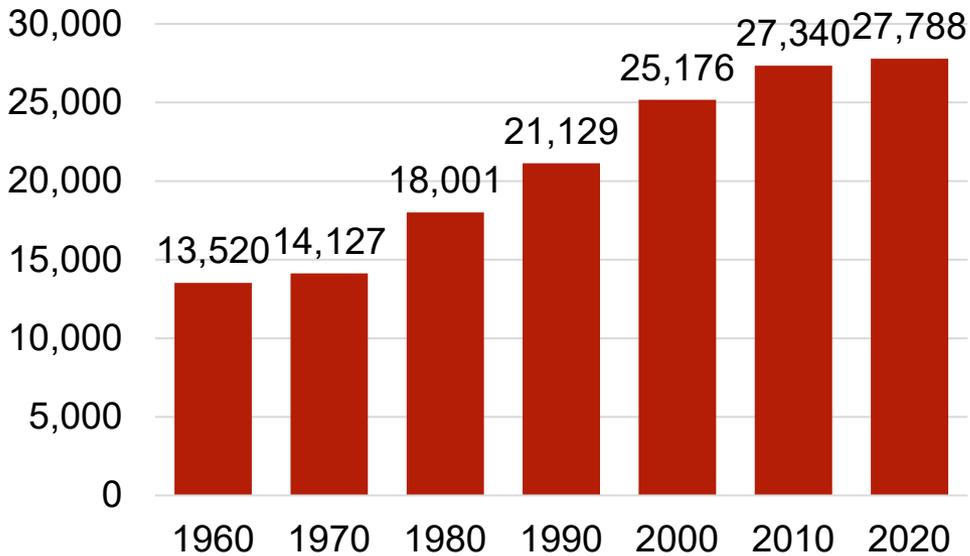
Amy Haase, AICP

June, 2022

Dodge City



Population Change in Dodge City 1960-2020

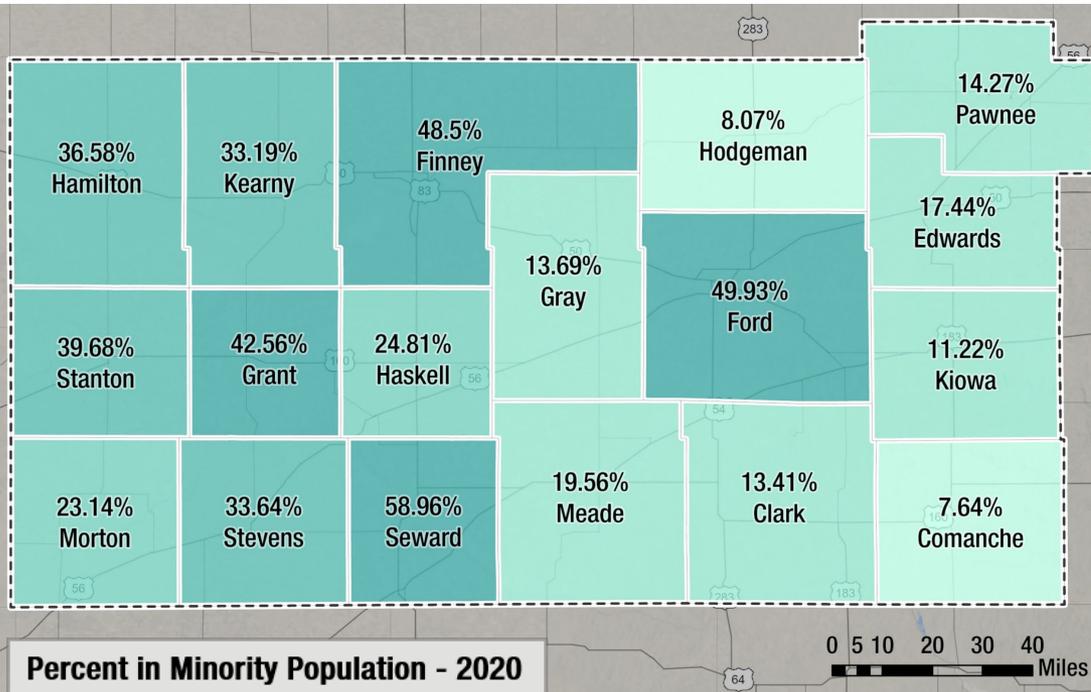


Over the past 50 years, Dodge City has grown steadily, though slightly slower than predicted in the last two CHATs. The 2020 Census estimated population of 27,788 suggests continued growth. This supports the demand employers are indicating that they have for new employees.

2020 Population: 27,788
 2015 CHAT Estimate: 28,045
 2012 CHAT Estimate: 28,509
 2008 CHAT Estimate: 31,104

	1960	1970	1980	1990	2000	2010	2020	Change 1960-2020
Dodge City, Kansas	13,520	14,127	18,001	21,129	25,176	27,340	27,788	14,268
Ford County	20,938	22,587	24,315	27,463	32,458	33,848	34,287	13,349
Dodge City, Kansas as a % of Ford County	64.6%	62.5%	74.0%	76.9%	77.6%	80.8%	81.0%	

Dodge City Population Estimates



Source: Kansas Statewide Housing Study; RDG Planning & Design, 2020

- Minorities and those living in poverty are more likely to be undercounted.
- Ford, Finney, Grant, and Seward Counties all have over 50% of their population at-risk for being undercounted.
- If only 1/10 of Dodge City's at-risk population was undercounted, it would add nearly 1,400 resident to the city's population count.

Population Change by Age Cohort

Dodge City: 2010-2019

Age Group	2010		2020		2010-2020 Difference
	Number	Percent	Number	Percent	
0-15	7,378	26.99%	7,335	26.98%	-43
15-19	2,317	8.47%	2,192	8.06%	-125
20-24	2,207	8.07%	2,018	7.42%	-189
25-34	4,229	15.47%	4,004	14.73%	-225
35-44	3,413	12.48%	3,392	12.48%	-21
45-54	3,140	11.49%	3,074	11.31%	-66
55-64	2,227	8.15%	2,813	10.35%	586
65-74	1,182	4.32%	1,290	4.75%	108
75-84	814	2.98%	729	2.68%	-85
85+	433	1.58%	339	1.25%	-94
Total	27,340	100.00%	27,555	100.00%	-154

Source: U.S. Census

 Increase
 Decline

Increases and decreases naturally occur as different generations move through the cohorts. Some generations, like the Baby Boomers and Millennials, are just larger than the ones before and after them.

Predicted Total Population Change Dodge City: 2020

	2020 Predicted	2020 Actual	Difference	% Variance
Total Population	28,884	27,888	-1,096	-4.6%

Source: U.S. Census; RDG Planning & Design

- The Census will not be releasing 2020 Decennial age/sex data until 2023
- Based on 2010 Census data the city should have grown at a greater rate
- The difference is less than the estimated undercount for the city, but the difference could also be related to a lower than predicted birth rate

Housing Occupancy Change

Dodge City: 2010-2020

	2010		2020		Change 2010-2020
	Number	% of Occupied Units	Number	% of Occupied Units	
Owner-Occupied	5,320	60.6%	5,101	59.2%	-219
Renter-Occupied	3,457	39.4%	3,514	40.8%	57
Total Vacant	601		584 (869*)		-17
Vacancy Rate	6.4%		6.3%		
Total Units	9,378		9,199 (9,869*)		-179

Source: U.S. Census

*2020 Census count, the remaining numbers are the 2020 5-year American Community Survey estimate from the Census Bureau.

The 2020 Census count had the city gaining units overall but that a much greater number of those units were vacant. Based on recent rental and for sale activity, and concerns about the undercount, it is unlikely that Dodge City has a large number of vacant units. The above numbers use the American Community Survey estimates which indicate a smaller vacancy rate but likely undercount the total number of units.

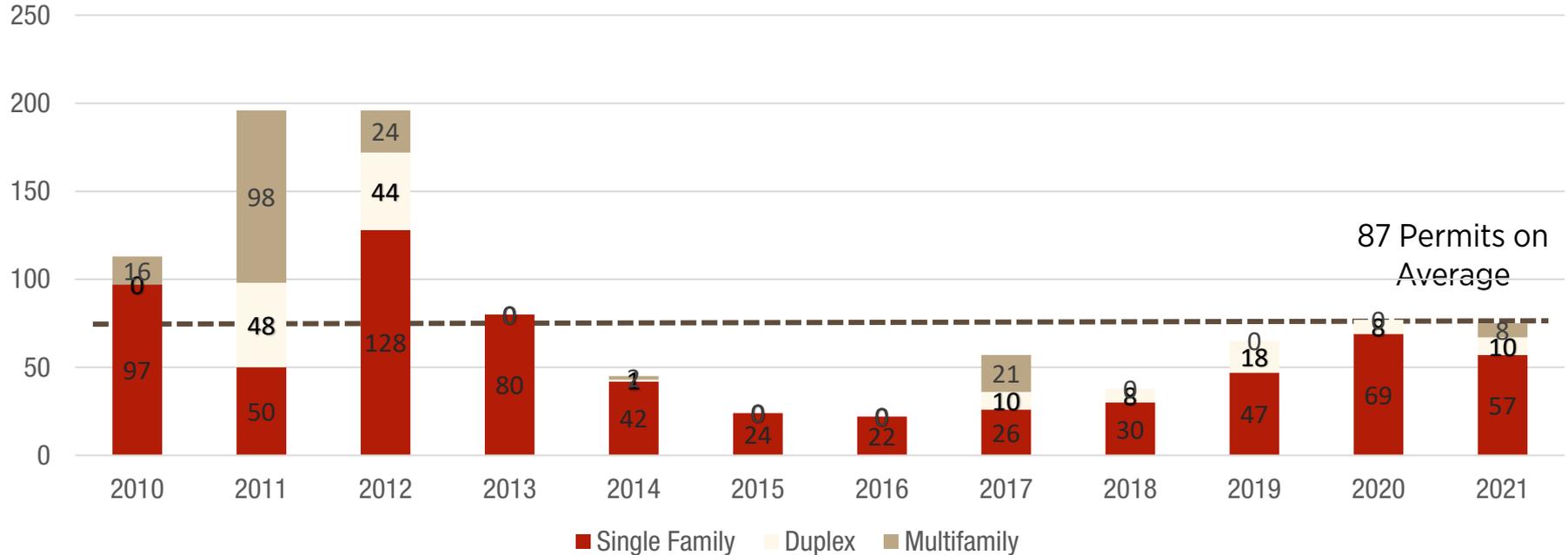
Housing Occupancy Change

Dodge City

- In June 2020 Zillow listed 33 for sale units and the 2020 ACS estimated 46 units
 - Both numbers are well below an adequate supply of for sale housing which for a city with over 9,000 housing units should be well over 100 units
- The 2020 ACS estimated that the Homeowner vacancy rate was less than 1%
- While the rental vacancy rate estimate was at 5% it has likely dropped since as households unable to find ownership options are remaining in rental units longer and new households to the community have to rent due to lack for ownership options.

Building Permits Dodge City: 2009-2021

Construction Activity



Source: City of Dodge City

Since 2010, **almost all homes** were built using incentives including RHID and NRP. Dodge City experienced steady new construction through 2013. At that time, construction slowed to less than half the pace as before. Since 2015 only 7% of new units are multi-family rental units. Overall, the number of owner-occupied units decreased, while renter-occupied units increased, suggesting some new rentals units are being generated through the **conversion of single family-owner-occupied homes to rentals.**

Building Permits

Dodge City: Since 2012

Construction 2010-2021: 87 units annually

**Production Demand since 2008: 160-190
annually**

Based on the 2008 and 2012 Housing Study, production has fallen short of actual demand by approximately 70-100 units annually. As a result, many are not moving to higher quality and higher value homes or forming their own households. It has also limited the city's overall growth.

Age of Housing

Dodge City: 2020

Dodge City has an older housing stock

- 50% of structures are more than 50 years old
- Less than 10% of structures have been built in the last 20 years

Structures – Year Built		
	Units	%
Built 2014 or later	122	1%
Built 2010 to 2013	168	2%
Built 2000 to 2009	440	5%
Built 1990 to 1999	889	10%
Built 1980 to 1989	867	9%
Built 1970 to 1979	2,125	23%
Built 1960 to 1969	1,062	12%
Built 1950 to 1959	1,611	18%
Built 1940 to 1949	760	8%
Built 1939 or earlier	1,155	13%
Total	9,477	

Comparative Income, Value, and Rent: Dodge City 20 Estimates

Source: U.S. Census

	Median Household Income	Median House Value	Value/Income Ratio	% of Owners Paying > 30%	Median Contract Rent	% of Renters Paying > 30%
Dodge City	\$52,654	\$106,200	2.02	17%	\$618	29%
Emporia	\$43,481	\$98,200	2.26	15%	\$531	47%
Garden City	\$56,274	\$156,900	2.79	13%	\$618	34%
Hays	\$52,135	\$182,100	3.49	19%	\$624	46%
Hutchinson	\$48,889	\$101,300	2.07	15%	\$571	46%
Junction City	\$52,159	\$138,300	2.65	24%	\$692	38%
Liberal	\$48,434	\$111,700	2.31	20%	\$639	35%
Pittsburg	\$34,353	\$86,800	2.53	19%	\$552	57%

- An affordable, self-sustaining housing market with adequate value or revenues to support market rate new construction typically has a V/I value between 2.5 and 3.0
- Ratios below 2.0 are significantly undervalued relative to income & ratios above 3.0 exhibit significant affordability issues
- Dodge City has stronger incomes and older housing resulting in lower ratios and less cost burdened households.

Housing Affordability Ranges

Dodge City: 2019

Income Range	# HHs in Each Range	Affordable Range for Owner Units	# of Owner Units	Affordable Range for Renter Units	# of Renter Units	Total Affordable Units	Balance
\$0-24,999	1,734	>\$60,000	1,094	\$0-499	979	2,073	339
\$25-49,999	2,729	\$60,000-124,999	2,033	\$500-999	2,671	4,704	1,975
\$50-74,999	1,990	\$125,000-199,999	1,305	\$1,000-1,499	103	1,408	-582
\$75-99,999	1,082	\$200,000-249,999	282	\$1,500-1,999	-	282	-800
\$100-149,999	798	\$250,000-399,999	389	\$2,000-2,999	-	389	-409
\$150,000+	653	\$400,000+	130	\$3000+	-	130	-523

Source: U.S. Census *This table should be read left to right across rows*

- Dodge City has a surplus of housing for households making between \$25,000 and \$49,999
- The lack of housing for households making more than \$50,000 means many residents earning higher wages compete for more affordable units, limiting the number of available units for prospective new employees

Comparative Population Models

Dodge City

	2020	2025	2030	2035
2000-2020 Growth Rate (0.50% Annual Growth)	27,788	28,482	29,194	29,923
2010-2020 Construction Activity (1.23% Annual Growth)	27,788	29,536	31,393	33,367
Natural Population Change*	27,555	28,817	29,467	30,096

* Based on 2019 cohort survival and birth rates

Source: RDG Planning & Design

- Dodge City has a young population that should sustain natural growth
- Based on construction activity and supported by a likely undercount in 2020 the city's annually growth rate may have been closer to 1.23% over the past ten years
- **There are currently at least 600 job openings and another 800 will be available by 2030 once Hilmar and the associated dairies open**
 - These alone could generate 450 to 700 new households, units that are currently not available in the market
- Growing at only a 0.5% annually would not reflect the reality of the building activity that has occurred in the last two decades nor the workforce needs

Projecting Housing Needs Dodge City

- Use population scenarios, recent construction activity and assumptions about people per household to generate ten years of overall housing demand.
- Consider the distribution of household income in a community.
- Match income ranges with affordability price points, based on housing costs equal to 30% of adjusted gross income.
- Define price breakouts for new housing demand, based on the assumption that new construction should ideally be affordable to the existing household income distribution.
- Note: These estimates are not meant to indicate an exact demand for housing, but rather provide guidance as to what kinds of housing is needed to reach certain targets.



Development Targets

Dodge City: 2017-2030

	2020	2025	2030	Total
Population at End of Period	27,788	29,536	31,393	
HH Population at End of Period	27,182	28,892	30,709	
Average PPH	3.00	3.00	3.00	
HH Demand at End of Period	9,061	9,631	10,236	
Projected Vacancy Rate	8.8%	8.2%	7.7%	
Unit Needs at End of Period	9,936	10,491	11,091	
Replacement Need		24	30	54
Cumulative Need During Period		455	629	1,084
Average Annual Need		114	126	120

Source: RDG Planning & Design

Housing demand calculation is based on:

- No change in the number of people per household
- Average annual replacement of 6 units per year
- Slightly declining vacancy rate

- Based on historic construction trends and the workforce needs in the community, Dodge City will need to produce nearly 1,100 units in the next decade
- The replacement need is slightly lower on the assumption that most of the worst housing has been removed and a focus on housing rehabilitation will be important

Development Targets

Dodge City: 2020-2030

	2020-2024	2025-2030	Total
Total Need	455	629	1,084
Total Owner Occupied	227	315	542
Affordable Low: <125,000	86	118	204
Affordable Moderate: 125-200,000	62	86	149
Moderate Market: 200-250,000	34	47	81
Market: \$250-350,000	25	35	60
High Market: Over \$350,000	20	28	49
Total Renter Occupied	227	315	542
Low: < \$500	52	72	125
Affordable: \$500-1,000	82	114	196
Market: \$1,000-1,500	60	83	143
High Market: \$1,500+	33	45	78

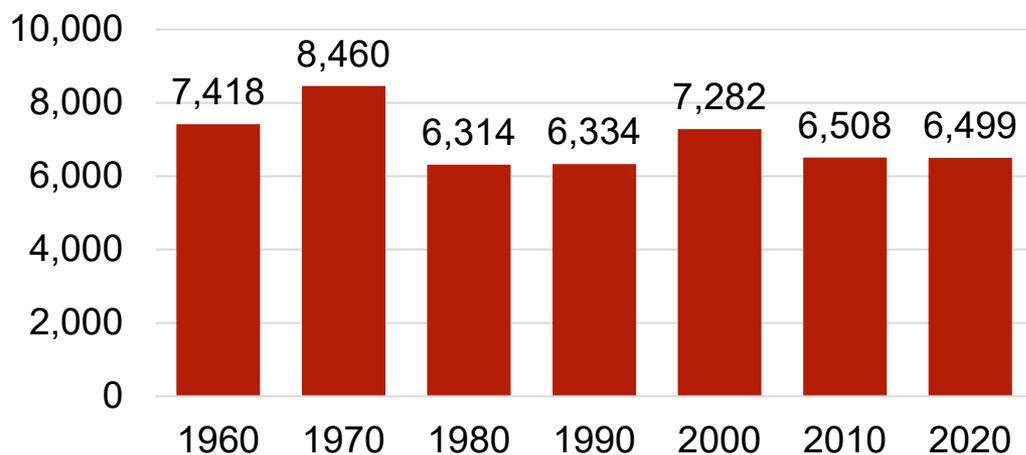
Source: RDG Planning & Design

- This analysis assumes a split of 50% owner-occupied and 50% rental units
- New construction will cost more than \$200,000 or \$900 a month in rent, causing demand for lower-cost units to be met by existing housing.



Ford County

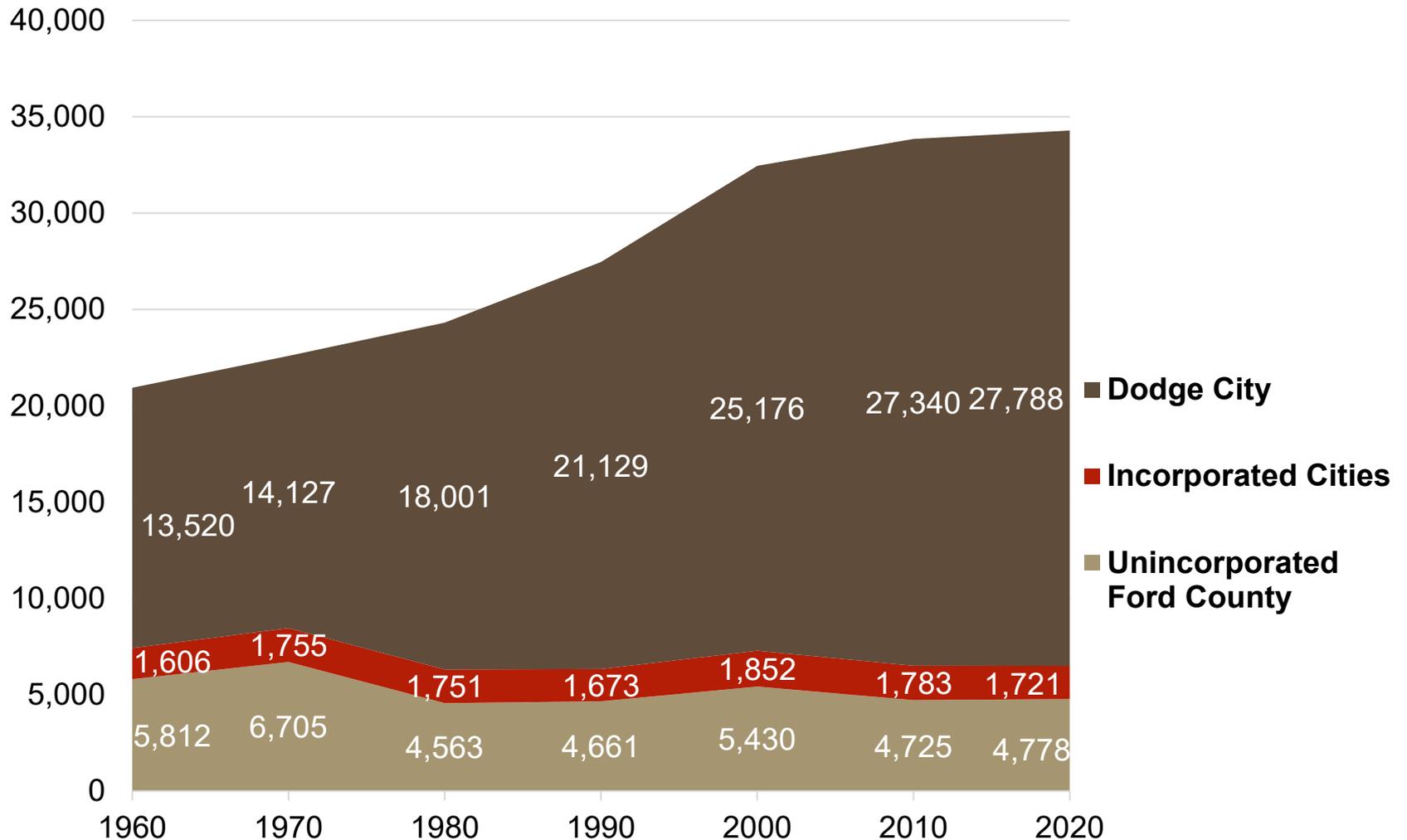
Population Change in Ford County 1960-2020



Over the past 60 years, Ford County's population, exclusive of Dodge City, has fluctuated. The 2020 count indicated a population loss for Bucklin and Ford. There are concerns throughout the country regarding undercounts in 2020. Minorities and those in poverty are most likely to be under counted. Over 50% of Ford County's population was at-risk for being undercounted.

	1960	1970	1980	1990	2000	2010	2020	Change
Bucklin	752	771	786	710	725	794	727	-25
Ford	252	246	272	247	314	216	203	-49
Spearville	602	738	693	716	813	773	791	189
Unincorporated Ford County	1,606	1,755	1,751	1,673	1,852	1,783	1,721	115
Ford County Total	7,418	8,460	6,314	6,334	7,282	6,508	6,499	-919

Population Change in Ford County 1960-2020



Source: U.S. Census

Population Change by Age Cohort

Ford County: 2010-2020

Age Group	2010		2020		2010-2020 Difference
	Number	Percent	Number	Percent	
0-15	8,852	26.2%	8,556	25.4%	-296
15-19	2,798	8.3%	2,646	7.8%	-152
20-24	2,484	7.3%	2,317	6.9%	-167
25-34	4,926	14.6%	4,643	13.8%	-283
35-44	4,205	12.4%	4,133	12.3%	-72
45-54	4,175	12.3%	3,964	11.8%	-211
55-64	3,031	9.0%	3,797	11.3%	766
65-74	1,640	4.8%	2,055	6.1%	415
75-84	1,154	3.4%	1,034	3.1%	-120
85+	583	1.7%	573	1.7%	10
Total	33,848	100.0%	33,718	100.0%	-130

Source: U.S. Census

 Increase
 Decline

Increases and decreases naturally occur as different generations move through the cohorts. Some generations, like the Baby Boomers and Millennials, are just larger than the ones before and after them.

Predicted Population Change

Ford County: 2000-2019

	2020 Predicted	2020 Actual	Difference
Total Population	6,436	6,499	63

Source: U.S. Census; RDG Planning & Design

- The Census will not be releasing 2020 Decennial age/sex data until 2023
- Based on 2010 Census data the county's population would have remained steady
- The difference is slightly above predicted but generally reflects predicted population

Housing Occupancy Change

Ford County: 2010-2019

	2010		2020		Change 2010-2019
	Number	% of Occupied Units	Number	% of Occupied Units*	
Owner-Occupied	1,858	77.2%	1,745	74.0%	-83
Renter-Occupied	540	22.8%	613	26.0%	73
Total Vacant	259		305		46
Vacancy Rate	9.86%		11.45%		
Total Units	2,627		2,663		36

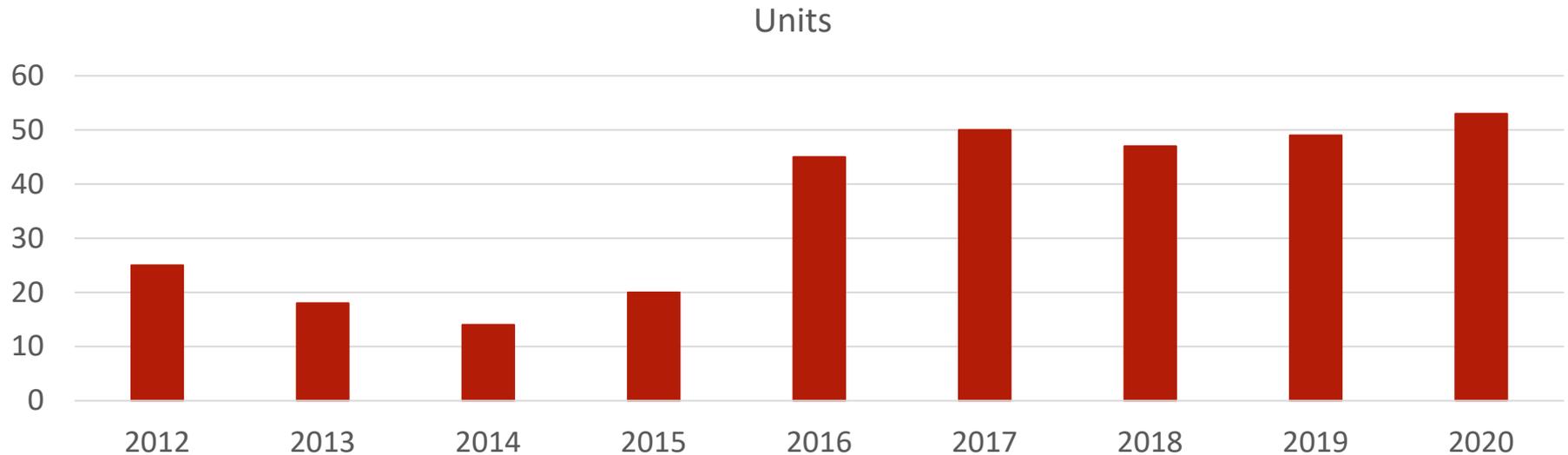
**2019 ACS estimate; Source: U.S. Census*

Vacancy rates for Ford County are significantly higher than in Dodge City. Some of this is a result of a smaller sample size but also a good percentage of units that are not available for rent. Like the city it has also seen an increase in the number of rental units, again likely a result of small, single-family homes being converted to renter occupancy in the rural communities.

Building Permits

Ford County (excluding Dodge City): 2012-2015

Construction Activity



Source: Ford County

In the last several years building activity in the county has increased, more than doubling what had been produced in previous years. This is likely filling the need for higher price point units.

Comparative Income, Value, and Rent: Ford County 2019 Estimates

	Median Household Income	Median House Value	Value/Income Ratio	Median Contract Rent
Bucklin	\$58,750	\$84,600	1.44	\$425
Dodge City	\$50,338	\$109,100	2.17	\$607
Ford	\$41,250	\$44,000	1.07	\$557
Spearville	\$68,906	\$118,900	1.73	\$633
Ford County	\$51,711	\$112,500	2.18	\$604

Source: U.S. Census

- An affordable, self-sustaining housing market with adequate value or revenues to support market rate new construction typically has a V/I value between 2.5 and 3.0
- Ratios below 2.0 are significantly undervalued relative to income
- Ratios above 3.0 exhibit significant affordability issues
- It is likely that much of the housing inflation and wage increases that have occurred in the last 18 months are not yet appearing in these estimates

Housing Affordability Ranges

Total of Ford County: 2019

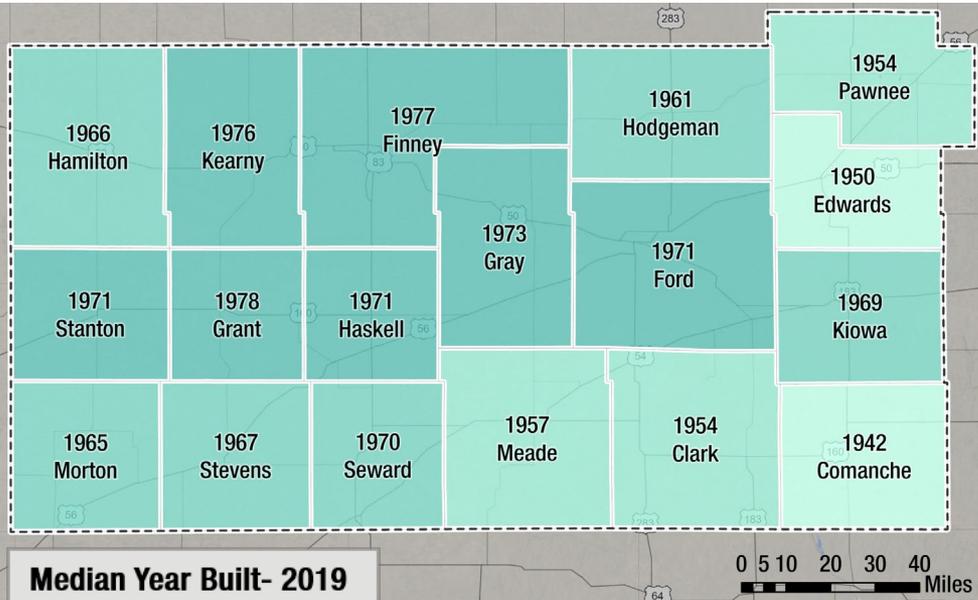
Income Range	# HHs in Each Range	Affordable Range for Owner Units	# of Owner Units	Affordable Range for Renter Units	# of Renter Units	Total Affordable Units	Balance
\$0-25,000	2,077	>\$60,000	1,436	\$0-499	1,185	2,621	544
\$25,000-49,999	3,402	\$60,000-124,999	2,544	\$500-999	3,056	5,600	2,198
\$50,000-74,999	2,435	\$125,000-199,999	1,630	\$1,000-1,499	126	1,756	-679
\$75-99,999	1,402	\$200,000-249,999	484	\$1,500-1,999	0	484	-918
\$100-150,000	1,148	\$250,000-399,999	683	\$2,000-2,999	0	683	-465
\$150,000+	880	\$400,000+	201	\$3000+	0	201	-679

This table should be read left to right across rows

Source: U.S. Census; RDG Planning & Design

- Ford County communities have a large supply of older housing, keeping values lower
- Higher income groups show a consistent deficit, meaning that many households compete for more affordable units, limiting the number of available units for prospective new employees

Age of Housing Ford County



Median Year Built- 2019

- 1950 or Earlier
- 1951 - 1960
- 1961 - 1970
- 1971 - 1980
- 1980 or After

Source: Kansas Statewide Housing Study; RDG Planning & Design, 2020

Year Built	Percentage
Built 2014 or later	1%
Built 2010 to 2013	3%
Built 2000 to 2009	4%
Built 1990 to 1999	11%
Built 1980 to 1989	10%
Built 1970 to 1979	22%
Built 1960 to 1969	12%
Built 1950 to 1959	14%
Built 1940 to 1949	8%
Built 1939 or earlier	15%

Source: U.S. Census

Comparative Population Models Ford County

	2020	2025	2030	2035
0.25% Annual Growth Rate	6,499	6,581	6,663	6,747
0.50% Annual Growth Rate	6,499	6,663	6,831	7,004
1.0% Annual Growth Rate	6,499	6,831	7,179	7,545

* Based on 2019 cohort survival and birth rates

Source: RDG Planning & Design

- While Ford County, outside of Dodge City, has declined over the past twenty years the rural communities have potential to fill housing gaps that exist for the County's workforce
- New growth should be directed toward the communities where infrastructure and services can be provided more efficiently
- If the county grew at 0.5% annually the population grow to over 6,800 by 2030

Projecting Housing Needs Ford County

- Use population scenarios, recent construction activity and assumptions about people per household to generate ten years of overall housing demand.
- Consider the distribution of household income in a community.
- Match income ranges with affordability price points, based on housing costs equal to 30% of adjusted gross income.
- Define price breakouts for new housing demand, based on the assumption that new construction should ideally be affordable to the existing household income distribution.
- Note: These estimates are not meant to indicate an exact demand for housing, but rather provide guidance as to what kinds of housing is needed to reach certain targets.



Development Targets

Ford County: 2017-2030

	2020	2025	2030	Total
Population at End of Period	6,499	6,663	6,831	
HH Population at End of Period	6,387	6,548	6,714	
Average PPH	2.95	2.95	2.95	
HH Demand at End of Period	2,165	2,220	2,276	
Projected Vacancy Rate	9.4%	9.0%	8.5%	
Unit Needs at End of Period	2,389	2,438	2,486	
Replacement Need		12	15	27
Cumulative Need During Period		49	63	112
Average Annual Need		12	13	12

Source: RDG Planning & Design

Housing demand calculation is based on:

- No change in the number of people per household
- Average annual replacement of about 5 unit per year
- A steady vacancy; however, this may decline with a higher rate of lost units or units that are currently not occupied leaving the market.

- Ford County's population growth is expected to occur primarily within Dodge City but the county's smaller communities have potential to grow.
- Current projections suggest 112 new homes would be expected to be built through 2030, this would be below recent construction activity but reflect the ability to provide services to rural units.

Development Targets

Ford County: 2020-2030

	2020-2024	2025-2030	Total
Total Need	49	63	112
Total Owner Occupied	30	38	67
Affordable Low: <125,000	11	14	25
Affordable Moderate: 125-200,000	8	10	18
Moderate Market: 200-250,000	4	6	10
Market: \$250-350,000	4	5	8
High Market: Over \$350,000	3	4	6
Total Renter Occupied	20	25	45
Low: < \$500	4	6	10
Affordable: \$500-1,000	7	9	16
Market: \$1,000-1,500	5	7	12
High Market: \$1,500+	3	4	7

Source: RDG Planning & Design

- This analysis assumes a split of 60% owner-occupied and 40% rental units, meeting the demand for quality rental units.
- Most new construction will probably cost more than \$200,000 or \$900 a month in rent, causing demand for lower-cost units to be met by existing housing.

Development in Bucklin, Ford, & Spearville 2017-2030

- All of the communities of Ford County can capture regional job growth if existing housing quality remains high and lots are available for new construction.
- On an annual basis Ford should be striving to build about 1 unit annually or building attached homes that can allow older residents to downsize and remain in Ford.
- Bucklin and Spearville should be building about 5 units per year to support a 1% annual growth rate.
 - These units should include new opportunities for rentals and smaller/lower maintenance units that serve retirees and seniors.

Conclusions

- Dodge City and Ford County have a historically low number of units that are for sale causing households to stay in rentals longer and creating historically low vacancy rates for rental units
- With over a 1,000 jobs open or coming open in the next few years there is not an adequate supply of vacant units to meet these demands
- The market has not responded to this demand as construction activity has remained below 100 units annually, well short of what is needed to meet growing employment base and changing household preferences
- Partnerships, incentives, and subsidies will be needed to address the city and county's housing shortage or local business will not be able to grow and attract new employees

Overall Assessment



Housing Resources

- Success since 2008
- Continued Employment Demand
- Sustained Housing Demand
- Strong Small Communities
- Organizational Resources



Housing Resources

Success Since 2008

The 2008 and 2012 reports focused on the need for additional housing and improved housing quality. Since then the city has become a state-wide model for implementing the Rural Housing Incentive District (RHID) and the Neighborhood Revitalization Program (NRP). Additionally, the city has implemented housing codes and worked toward improved housing conditions. These programs have been essential in bringing more housing to the market. Furthermore, the city has seen a large number of new income based rental housing.



- **Success since 2008**
- Continued Employment Demand
- Sustained Housing Demand
- Strong Small Communities
- Organizational Resources

Housing Resources

Continued Employment Demand

While the energy boom has likely leveled-off in the region the demand for employees remains high. The need to fill positions has resulted in even broader recruiting efforts and has only further diversified Dodge City's population. This has brought both new opportunities and challenges. Filling positions, especially in the skilled and professional ranks continues to be a challenge and meeting these individuals housing expectations will be important in recruitment.



- Success since 2008
- **Continued Employment Demand**
- Sustained Housing Demand
- Strong Small Communities
- Organizational Resources

Housing Resources

Sustained Housing Demand

Demand for both rental and owner-occupied housing remains strong. While growth has not been as great as was projected in 2008 and significant progress in housing development has been made, demand continues to exceed construction activity. The need for greater quality and variety in rental housing is a big part of this demand.



- Success since 2008
- Continued Employment Demand
- **Sustained Housing Demand**
- Strong Small Communities
- Organizational Resources

Housing Resources

Strong Smaller Communities

After no growth or slower growth during the 2000s, Ford County's smaller communities have experienced more growth and building activity in the last five years. Spearville and Bucklin have both made efforts to improve community quality and attract new residents.



- Success since 2008
- Continued Employment Demand
- Sustained Housing Demand
- **Strong Small Communities**
- Organizational Resources

Housing Resources

Organizational Resources

Over the past 10 years the city has expanded and built on its organizational resources. The Development Corporation, School District, and Community College all provide important resources to the city. The efforts they have made in regards to housing, jobs, and skill development are essential to the county's continued growth. In the coming years, their leadership in expanding partnerships and bringing more stakeholders to the "housing" table will be important.



- Success since 2008
- Continued Employment Demand
- Sustained Housing Demand
- Strong Small Communities
- **Organizational Resources**

Challenges



Housing Issues & Challenges

- Shortage of “For Sale” Units
- Housing Quality
- Market Rate Rentals
- Rental Rate to Quality
- Demand for Scarce Price Point
- Downtown Demonstration Project



Housing Issues & Challenges

Shortage of “For Sale Units”

In 2018 this report noted a shortage of “for sale” housing and since 2020 the number of “for sale” homes has only decreased. This has created a near crisis situation for many communities. An inventory shortage causes a stagnant housing market where households looking to move in the market are choosing to stay in their home for longer periods. Secondly, a shortage makes moving to Ford County difficult for new employees and families. There are many reasons for the stagnant market but one of the most important is a lack of variety. Existing owners are no longer looking to “move-up” but are often looking for products that better accommodate their current stage of life.



- **Shortage of “For Sale” Units**
- Housing Quality
- Market Rate Rentals
- Rental Rate to Quality
- Demand for Scarce Price Point
- Downtown Demonstration Project

Housing Issues & Challenges

Housing Quality

While strides have been made toward improving housing quality, the issues related to housing quality affect both the owner and rental market. Lower quality homes depress home values and make it more difficult to do infill development. A lack of new market rate rental housing leaves lower quality units on the market and price points that do not match the age or quality of the unit.



- Shortage of “For Sale” Units
- **Housing Quality**
- Market Rate Rentals
- Rental Rate to Quality
- Demand for Scarce Price Point
- Downtown Demonstration Project

Housing Issues & Challenges

Market Rate Rentals

Over the past ten years a number of new rentals have been constructed but most of those have been income based. The lack of new market rate construction means that the market for those making just over the income limits is very tight. At the same time new construction that can meet those price points is very challenging. The lack of new construction also means that some of the lowest quality housing units remain on the market at rates that do not reflect their quality. New construction will have to be at higher price points but should also free up lower price point units.



- Shortage of “For Sale” Units
- Housing Quality
- **Market Rate Rentals**
- Rental Rate to Quality
- Demand for Scarce Price Point
- Downtown Demonstration Project

Housing Issues & Challenges

Rental Rate to Quality

Before and during the energy boom rental housing was extremely tight and rates increased in reflection of this demand. Rates have not come back down, especially for some of the lowest quality units. The rental market does not appear to be as tight as it was in 2012 and 2008 with some landlords reporting vacancies and longer periods to fill units. However, it does not appear that this has yet to force lower quality units to adjust rental rates or to make improvements to reflect quality. Some of this may be due to the continued influx of new residents who have different housing expectations.



- Shortage of “For Sale” Units
- Housing Quality
- Market Rate Rentals
- **Rental Rate to Quality**
- Demand for Scarce Price Point
- Downtown Demonstration Project

Housing Issues & Challenges

Demand for Scarce Price Point

The greatest demand for housing in Dodge City appears to be homes priced below \$180,000. Homes at this price point are the most difficult to construct due to land values, construction costs, and smaller profit margins for the private sector. Addressing this issue will require the continued construction of higher value units that encourage “filtering” in the market, greater housing variety that provides lower maintenance options, housing rehab, and assistance in construction of housing priced below \$200,000.



- Shortage of “For Sale” Units
- Housing Quality
- Market Rate Rentals
- Rental Rate to Quality
- **Demand for Scarce Price Point**
- Downtown Demonstration Project

Housing Issues & Challenges

Downtown Demonstration Project

The previous housing studies identified the downtown as a great opportunity for the city and county. Housing is an important part of a districts revitalization but can often be the hardest component. The unfamiliarity of downtown housing development and the higher rental rates needed to support building rehabs can make the financing challenging and create uncertainty. This makes the development of the first project very important. This project needs to demonstrate the market for this type of housing unit.



- Shortage of “For Sale” Units
- Housing Quality
- Market Rate Rentals
- Rental Rate to Quality
- Demand for Scarce Price Point
- **Downtown Demonstration Project**

Housing Strategy



Strategic Objectives

Ford County and Dodge City's employment opportunities, proven record of housing production, and community investments position it for continued growth. The **County is both benefited by and challenged by the regions job availability**. Most of Kansas has a labor shortage and often employers are competing for the same workers.

However, Dodge City's efforts to add housing and amenities should make the city more competitive. A number of forces limit the region's ability to provide affordable housing for people who are logically attracted to the community. If we **can't provide available and affordable housing, we will be unable to attract the new residents** who want to live in and contribute to the region.

Strategic Objectives

A housing program for Ford County and Dodge City should:

- **Continue the aggressive development programs and incentives** that have supported new housing construction.
- **Increase the number of market rate rental units** that will free up housing for those making too much to qualify for income based housing.
- Open up the “for sale” market through greater **housing variety** that meets the needs of young workers and empty nesters.
- Use strategic rehabilitation and housing conservation to meet the need for housing priced below \$180,000 and **strengthen home values in the city’s oldest neighborhoods and smaller communities.**

1. Filling the Gap

The implementation of RHIDs and NRP have been essential to beginning to address the shortage of housing in the Dodge City market. But it hasn't been enough. There are still gaps in rental housing and not enough production to create movement in the market.

Many of the following strategies will require additional support beyond what has been used in the last 10 years. These may include:

- Lending Consortium
- Local Housing Trust Fund
- Employer Assisted Housing

1. Filling the Gap

The 2008 CHAT recommended a Lending Consortium, pooling resources to provide interim financing for important regional housing projects. A Housing Trust Fund can function in similar ways. Both provide greater flexibility due to use of local funds, and is a key advantage.

Employers can be a major partner in these types of efforts. The role of employers can vary from providing funding into the Lend Consortium/Housing Trust Fund to constructing housing for workers. Housing in the recruitment and retention of employees is a major issue for employers and their involvement is becoming necessary in many communities.

1. Filling the Gap

Schuyler Workforce Rental Guarantees

In Schuyler, NE employers provided rent guarantees. The employers, including the School District and Cargill, have put no money into the projects but only the guarantee that if the units could not be rented they would cover the rents for up to 5 years. To date all units, renting at over \$1,000, have remained full and no employer has been called on their note.



2. Housing Diversity

Increasing Mobility through housing diversity.

The low supply of “for sale” units is a significant challenge for new employees to the area and for current residents looking to move within the community. Low mobility rates among the existing households is the key issue for available units.

Traditionally, as households earned more they would look to purchase larger homes. This trend is changing, with more homeowners staying in housing longer, as they are more interested in high quality and lower maintenance housing rather than more square footage. Instead they are looking for **products that fit their lifestyles**. For empty-nesters, this may be lower maintenance units that will allow them to easily transition into their retirement years. For young professionals it may be more about the neighborhood and atmosphere, being close to amenities like restaurants and entertainment.

2. Housing Diversity

Examples of Housing Diversity:

- **Townhomes and Duplexes**
- **Multi-family**
- **Empty-Nester oriented housing**
- **Downtown housing**
- **Small lot single-family**

Using RHID and NRP to provide sites will be one piece of the puzzle but additional assistance may be needed to provide gap financing.

3. Market Rate Rentals

Rental housing in Dodge City has several story lines.

- The rising cost of housing and the concern that many of the city's moderate income earners cannot afford rental housing.
- Little to no new rental housing has been constructed because of the perception that rental rates over \$800 a month, which would be necessary to support new construction cannot be supported.
- The perception that rental housing in rural or smaller markets should be less.
- A small number of rental units priced over \$800 leaving higher income earners competing with lower wage earners for the best quality units.

3. Market Rate Rentals

To overcome these story lines:

- A **demonstration project** will need to be completed that shows some higher rental rates can be supported
- **Gap financing** will need to be provided **to support lower price point rental** housing.

Gap financing for these types of market rate rentals will have to come from local support. This will include:

- RHID/NRP
- Lending Consortium/Local Housing Trust Fund
- Local employers

4. Housing Conservation

Dodge City has made strides on infill and housing rehabilitation but has found that it is difficult and nearly impossible for the private market to successfully rehab or do infill projects.

Lower home values in some of the most distressed neighborhoods discourage private market projects that may not even see a project appraise at cost.

A targeted approach should continue that identifies strategy areas that will elevate the overall values of a neighborhood or few blocks. Programs should include:

- Purchase-Rehab-Resale
- Lot Assembly
- Expanded demolition program
- Greater code enforcement

4. Housing Conservation

Purchase-Rehab-Resale programs. Program maintains the city's existing housing stock while providing affordable owner-occupied housing. Usually done through a non-profit development corporation using HOME funds but the Lending Consortium or other sources may be used.

NeighborWorks Northeast Nebraska has completed over 140 homes for the city of Columbus, NE using this program.



4. Housing Conservation

- **Lot Assembly**
 - May need to occur with assistance from the city
- **Expanded demolition program**
 - Dedicated funding source should be identified by the city for the removal of three to five housing units annually
- **Greater code enforcement**
 - The city should consider implementation of a program that triggers a basic life safety inspection upon the change of utility billing

All of these initiatives should be targeted and aimed at increasing values necessary to support private market investment.

4. Housing Conservation

Mobile Home Buyout Program: Faribault, Minnesota:

The Housing and Redevelopment Authority (HRA) in Faribault has used its Mobile Home Buyout Program to acquire and remove substandard housing from its existing mobile parks.

Through this voluntary program, owners of uninhabited, dilapidated or substandard mobile homes may apply to participate in the buyout program. If the unit is determined to be substandard, uninhabited, or dilapidated, the HRA will buy the mobile for a flat rate of \$2,000, not including property tax or lot rent. Upon acquisition, the home is then properly demolished, removed, and the lot repurposed.

<https://www.ci.faribault.mn.us/427/Mobile-Home-Buyout-Program>

This program does not address the housing needs for those individuals currently living in substandard units but does offer a way to remove some of the manufactured homes in the worst condition.

4. Downtown

As noted in the 2012 Housing Study, Downtown has significant potential and resources to encourage downtown housing. Programs such as NRP, TIF, and the newer RHID Upper Story program (SB 90) are in place to support downtown housing.

However, a project has yet to be completed because of the complicated nature of these projects and the concern over higher rental rates. A demonstration project will need to be completed to show the market can be success. Gap financing may be necessary to support an initial project.





Dodge City & Ford County CHAT Report

Community Housing Assessment Team

Amy Haase, AICP

June, 2022



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 09/06/2022
Subject: RHID
Agenda Item: Resolution 2022-33

Purpose: To establish a date and time for a public hearing to approve a Development Plan for Iron Flats I.

Recommendation: Staff recommends adoption of Resolution 2022-33, which establishes a date and time for a public hearing as required by Kansas statute.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The Rural Housing Incentive District (RHID) was identified as one of those programs. The RHID has captured the attention of several developers, locally and statewide. In 2022, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide an incentive needed to entice developers to and in our community.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

Legal Considerations: None

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

Attachments: Resolution No. 2022-33

Approved for the Agenda by:

Name, Title

RESOLUTION NO. 2022-33

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

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and

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

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

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

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

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2009-19 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

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

WHEREAS, the Plan includes:

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

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

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

Section 1. Proposed Rural Housing Incentive District. The Governing Body hereby declares an intent to establish within the City a Rural Housing Incentive District. The District is proposed to be formed within the boundaries of the real estate legally described in *Exhibit A* attached hereto, and shown on the map depicting the existing parcels of land attached hereto as *Exhibit B*. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District and the existing assessed valuation of said real estate, listing the land and improvement values separately, is attached hereto as *Exhibit C*.

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

Section 3. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body of the City to consider the establishment of the District and adoption of the Plan on October 17, 2022, at the City Commission Meeting Room, City Hall, 806 N. Second Avenue, Dodge City, Kansas 67801; the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter. At the public hearing, the Governing Body will receive public comment on such matters, and may, after the conclusion of such public hearing, consider the findings necessary for establishment of the District and adoption of the Plan, all pursuant to the Act.

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

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

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

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

ADOPTED by the Governing Body of the City of Dodge City, Kansas, on September 6, 2022.

Mayor

ATTEST:

City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR IRON FLATS I PROJECT**

Lots 1-35, Block 1

Lots 1-4, Block 2

Lots 1-31, Block 5

Lots 6-25, Block 6

Lots 1-11, Block 8

And Tracts A & B, all platted roadways of Iron Flats, Phase 1, A Re-plat of a portion of Lot 2, Block 1, Legends North Subdivision, City of Dodge City, Ford County, Kansas and all public right of way adjacent thereto.

EXHIBIT B

**MAP OF PROPOSED
RURAL HOUSING IMPROVEMENT DISTRICT BOUNDARIES
FOR IRON FLATS I PROJECT**

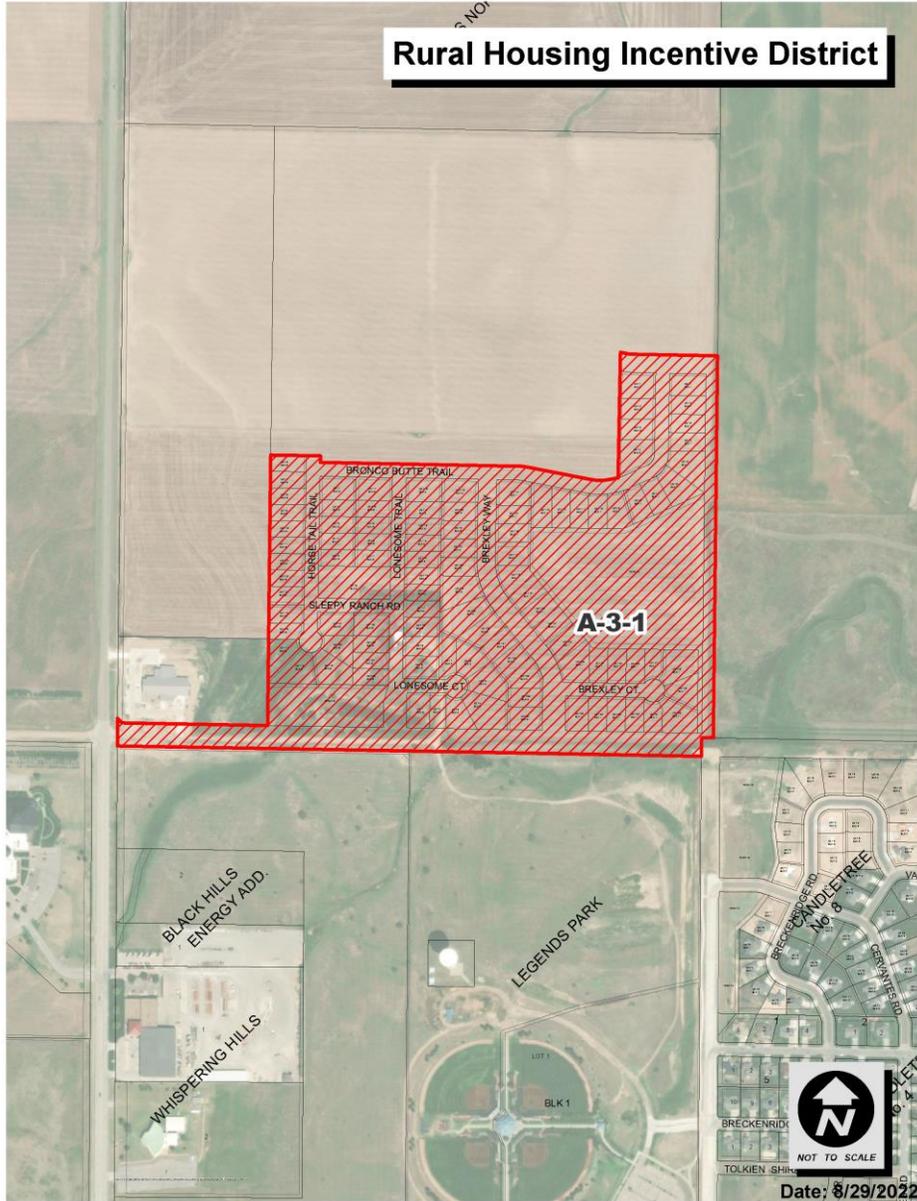


EXHIBIT C

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

Owner of Record:

Volz Builders, LLC
11170 Kliesen
Dodge City, KS 67801

2022 Assessed Valuation:

Land: \$ 221,840
Improvements: \$0 (vacant land)

EXHIBIT D

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

Housing Facilities

The housing facilities will be composed of one hundred and nine (109) residences.

Public Facilities

Public improvements will include the extension of water, sewer, gas, and electric distribution lines along the boundaries of the development. Public improvements will also include construction of infrastructure improvements located within the boundaries of the development, including water, sanitary sewer, storm sewer, storm water detention, streets and street lighting. The public improvements will be constructed as necessary to serve the Project as described above.

EXHIBIT E

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

Contractual Assurances.

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

Feasibility Study.

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



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 09/06/22
Subject: RHID
Agenda Item: Resolution No. 2022-34

Recommendation: Staff recommends adoption of Resolution 2022-34, which permits the submittal of a proposed Rural Housing Incentive District (RHID) to the Kansas Secretary of Commerce for approval.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2022, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide the incentive needed to entice developers to and in our community.

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

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

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

Legal Considerations: None

Attachments: Resolution No. 2022-34

RESOLUTION NO. 2022-34

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF DODGE CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and

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

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

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

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

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848 and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

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

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

Section 5. The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 6. Based on the findings and determinations recited in *Sections 2* through *5* of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in *Exhibit A*, attached hereto, and shown on the maps depicting the existing parcels of land contained in *Exhibit B*, attached hereto (the “District”).

Section 7. The Governing Body hereby finds and determines that the building located within the proposed District is more than 25 years of age documented in *Exhibit C*, attached hereto, and the upper level will be primarily used for residential use, and is located in a central business district.

Section 8. The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary of Commerce for the Secretary’s review and approval.

Section 9. This Resolution shall take effect after its adoption and publication once in the official City newspaper.

Approved this 6th day of September 2022 and signed by the Mayor.

Mayor

ATTEST:

City Clerk

Resolution No. 2022-34
Exhibit A

Lots 33, 35,37, and 39, Spruce Street, Original Town, Dodge City, Ford County, Kansas.

Resolution No. 2022-34
Exhibit B



Resolution No. 2022-34 Exhibit C

8/26/22, 11:27 AM

Detail Information

[Print Page](#)

These Links May Require Adobe Acrobat Reader. Click [here](#) to Download it.

[View Tax Information](#) --- [View Sketch](#) --- [Current Tax Statement](#) --- [Previous Tax Statement](#) --- [Current Tax Receipt](#)
 --- [Back to Search Page](#) --- [Home](#)

**The Parcel Number for this Property is 029-087-26-0-40-37-001.00-0
Quick Ref ID: 7921**

Owner Information

Owner Name	DW SKYRISE LLC
Address	320 W WYATT EARP BLVD, SUITE C DODGE CITY, KS 67801

Property Situs Address

Address	619 N 2ND AVE, Dodge City, KS 67801
----------------	-------------------------------------

Land Based Classification System

Function	Downtown row store
Activity	Service-oriented shopping
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Commercial & Industrial - C
Living Units	27
Zoning	
Neighborhood	032.9
Tax Unit Group	001

Property Factors

Topography	Level
Utilities	All Public
Access	Paved Road
Fronting	Secondary Street
Location	Central Business District
Parking Type	On and Off Street
Parking Quantity	Adequate
Parking Proximity	On Site
Parking Covered	
Parking Uncovered	

2022 Appraised Value

Class	Total
Commercial & Industrial - C	445,360

We have updated our [Privacy Statement](#). Before you continue, please read our new Privacy Statement and ×
familiarize yourself with the terms.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Nicole May, Finance Director

Date: September 6, 2022

Subject: Resolution 2022-35

Agenda Item: Ordinances and Resolutions

Purpose: The City is anticipating exceeding the Revenue Neutral Rate (RNR). The RNR for the 2023 budget is 41.98. The anticipated mill levy for the 2023 budget is 43.437. The total mill levy for the 2022 budget is 43.859.

Recommendation: City staff recommends approving Resolution 2022-35 allowing the City to exceed the RNR.

Background: Resolution 2021-23 is a resolution that allows the levied property tax rate to exceed the Revenue Neutral Rate.

In March 2021, the Legislature approved Senate Bill 13 requiring any taxing subdivision that intends to exceed their Revenue Neutral Rate to give additional notice and have a public hearing prior to the adoption of the budget. The County Clerk has notified all taxpayer's of the revenue neutral rate hearings and levy changes and it was also published in the Dodge Globe.

The Revenue Neutral Rate for the City of Dodge City calculated by the Ford County Clerk is 41.98. The anticipated rate needed for the 2023 budget is 43.437, exceeding the Revenue Neutral Rate by 1.457. This is still .422 mills less than the 2022 budget. The City may adopt a budget with a mill levy less than this anticipated mill levy but the final budget cannot exceed this mill levy.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None

Amount \$:

Fund: Dept: Expense Code:

Budgeted Expense Grant Bonds Other

Legal Considerations: All legal considerations are satisfied with the Public Hearing and Resolution.

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

Attachments: Notice of Revenue Neutral Rate Intent and Resolution 2022-35.

Approved for the Agenda by:

A handwritten signature in black ink that reads "Nicole May". The signature is written in a cursive, flowing style.

Nicole May, Finance Director

A RESOLUTION OF THE CITY OF DODGE CITY, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;

WHEREAS, the Revenue Neutral Rate for the City of Dodge City was calculated as 41.98 mills by the Ford County Clerk; and

WHEREAS, the budget proposed by the Governing Body of the City of Dodge City will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

WHEREAS, the Governing Body held a hearing on September 6, 2022 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

WHEREAS, the Governing Body of the City of Dodge City, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Dodge City shall levy a property tax rate exceeding the Revenue Neutral Rate of 41.98 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 6th day of September and **SIGNED** by the Mayor.

Mayor

Attested:

City Clerk



Memorandum

To: City Manager, City Commissioners
From: Mollea Wainscott, Assistant Director of Economic Development
Date: 09/06/22
Subject: RHID
Agenda Item: Resolution No. 2022-36

Recommendation: Staff recommends adoption of Resolution 2022-36, which permits the submittal of a proposed Rural Housing Incentive District (RHID) to the Kansas Secretary of Commerce for approval.

Background: In 2008, the City commissioned a Housing Needs Analysis, which reflected a critical shortage of housing available in the community. In 2009, the City Commission adopted a Resolution providing for several incentive programs in order to encourage housing development in the City. The RHID was identified as one of those programs. The program has captured the attention of several developers, locally and statewide. In 2022, the City commissioned another Housing Needs Analysis taking into consideration the progress that had developed since the 2008 Analysis. The latest Analysis continued to reflect a major shortage of housing. The establishment of this RHID will provide the incentive needed to entice developers to and in our community.

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

Financial Considerations: None at this time. However, if utilized, the financial consideration would be dependent upon each independent development agreement.

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

Legal Considerations: None

Attachments: Resolution No. 2022-36

RESOLUTION NO. 2022-36

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF DODGE CITY, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

WHEREAS, K.S.A. 12-5241 et seq. (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000, to designate rural housing incentive districts within such city; and,

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

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

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

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

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848 and therefore constitutes a city as said term is defined in the Act; and,

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated June 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and,

WHEREAS, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

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

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

Section 2. The Governing Body hereby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.

Section 3. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.

Section 4. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.

Section 5. The Governing Body hereby finds and determines that the future economic well-being of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.

Section 6. Based on the findings and determinations recited in *Sections 2* through *5* of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in *Exhibit A*, attached hereto, and shown on the maps depicting the existing parcels of land contained in *Exhibit B*, attached hereto (the “District”).

Section 7. The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary of Commerce for the Secretary’s review and approval.

Section 8. This Resolution shall take effect after its adoption and publication once in the official City newspaper.

Approved this 6th day of September 2022 and signed by the Mayor.

Mayor

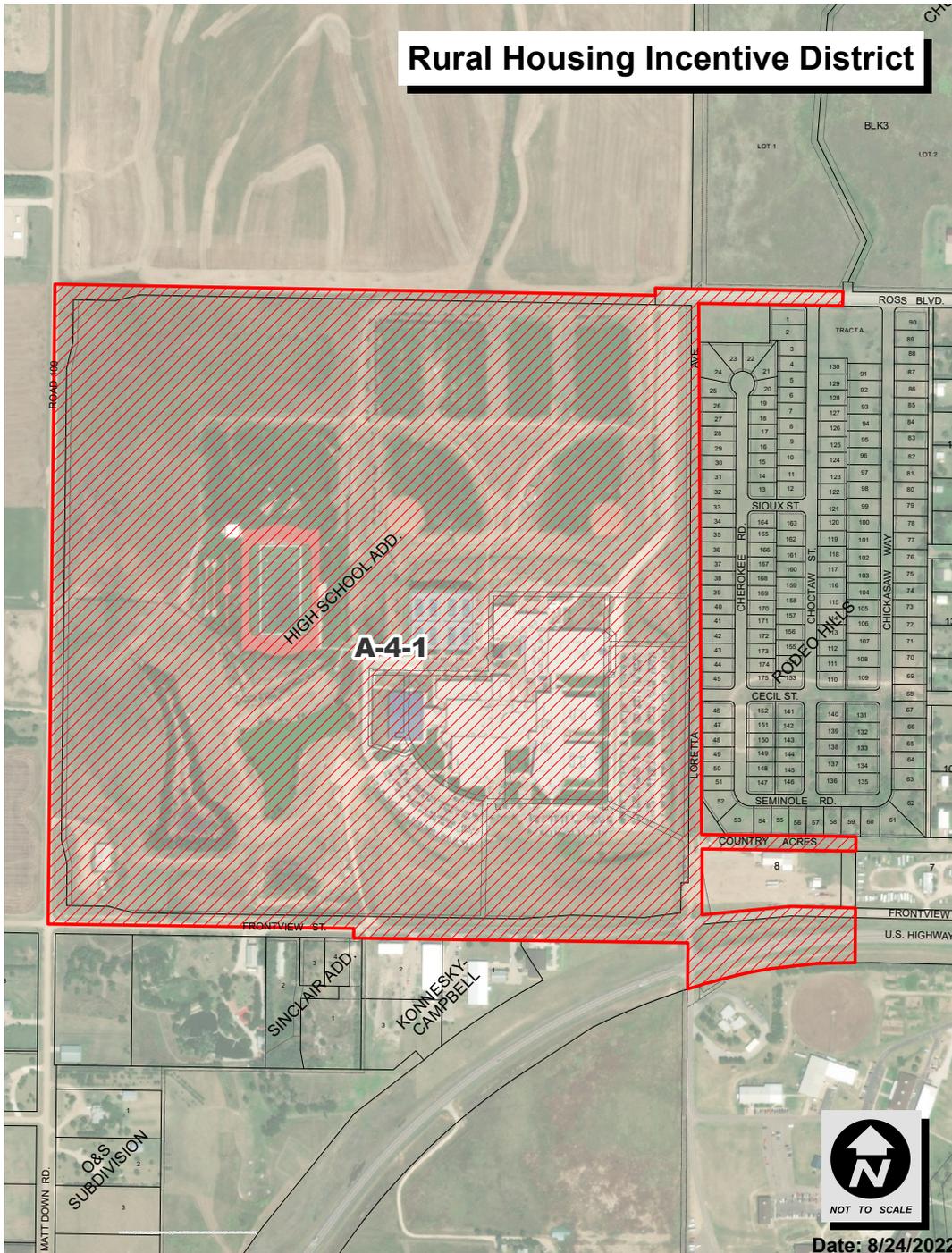
ATTEST:

City Clerk

Resolution No. 2022-36
Exhibit A

Beginning at the intersection of the East quarter section line of the Northwest Quarter of Section 22, Township 26 South, Range 25 West, and the South right-of-way line of U.S. Highway 50; thence north along said East quarter section line of the Northwest Quarter of Section 22 to the South right-of-way line of Frontview Street; thence west along said South right-of-way line of Frontview Street a distance of 1,385 feet; thence north perpendicular with and to a point on the South section line of the Southwest Quarter of Section 15, Township 26 South, Range 25 West; thence west along said south section line of the Southwest Quarter of Section 15 to the Southwest corner thereof; thence north along the West section line of said Southwest Quarter of Section 15 to the Northwest corner thereof; thence east along the North quarter section line of said Southwest Quarter of Section 15 to a point 160 feet west of the Northeast corner thereof; thence north 30 feet to the extended North right-of-way line of Ross Boulevard; thence east along said North right-of-way line of Ross Boulevard to the West quarter section line of the Northeast Quarter of Section 15, Township 26 South, Range 25 West; thence continuing east along said North right-of-way line of Ross Boulevard for a distance of 627.40 feet; thence south perpendicular with and to a point on the South right-of-way line of Ross Boulevard; thence west along said South right-of-way line of Ross Boulevard to the East right-of-line of Loretta Avenue; thence south along said East right-of-way line of Loretta Avenue to the North right-of-way line of Country Acres Drive; thence east along said North right-of-way line of Country Acres Drive to the extended East right-of-way line of Northwest Avenue; thence south along said extended East right-of-way line of Northwest Avenue to the North right-of-way line of Country Acres Drive; thence west along said North right-of-way line of Country Acres Drive to the East right-of-line of Loretta Avenue; thence south along said East right-of-way line of Loretta Avenue to the North right-of-way line of Frontview Street; thence east along the said North right-of-way line of Frontview Street to the East right-of-way line of Northwest Avenue; thence south along the extended East right-of-way line of said Northwest Avenue to the North right-of-way line of U.S. Highway 50; thence west along said North right-of-way line of U.S. Highway 50 to the Point of Beginning.

Resolution No. 2022-36
Exhibit B





Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Nicole May, Finance Director
Date: September 6, 2022
Subject: Appointment of Kansas League of Municipalities Voting Delegates
Agenda Item: New Business

Purpose: To provide our city leaders the resources needed to be knowledgeable and skilled in our local government.

Recommendation: I recommend the City Commission appoint voting delegates from those that plan to attend the Kansas League of Municipalities Annual Business Meeting.

Background State law provides that the governing body of each member city of the League of Kansas Municipalities elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League. Voting delegates are qualified to vote by having his or her name registered with the executive director of the League. The League's annual conference will be held on October 8-10, 2022 in Overland Park, Kansas.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None

Legal Considerations: None.

Mission/Values: To have input on City policy at the State level.

Attachments: League Information

Approved for the Agenda by:

Nicole May

August 4, 2022

Dear City Clerks, City Managers, or City Administrators:

Save the date for October 8-10, 2022, in Overland Park for the League's Annual Conference: Spirit of Cities. This event will provide you the resources needed to be knowledgeable and skilled in your local government role, offer opportunities to expand your knowledge of local government issues as well as engage with other leaders to share and brainstorm ideas to implement in your community, and engage the audience to think creatively and use problem-solving tactics to address common municipal challenges. More information is in the July issue of the *Kansas Government Journal*.

The annual business meeting and policy session of city voting delegates will be held during the conference on Monday, October 10th, from 12:00 – 1:30 p.m.

I am writing to request your governing body register their League voting delegates. K.S.A. Supp. 12-1601f provides that "The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities."

Article 2, Section 2 of the League Bylaws states "When a city is a member of the League, any elected or appointed officers of such city may be elected by the city governing body as voting delegates and alternate voting delegates, in accordance with the provisions of Article 4 of these Bylaws, to represent the city in any meeting of the voting delegates and in the conduct of any other affairs of the instrumentality requiring action of the member cities. Alternate voting delegates may vote on matters before a meeting of the voting delegates in the absence of the regular delegate. A voting delegate or alternate shall qualify by having his or her name, city, title and address registered with the executive director and shall hold such position while qualified and until a successor is elected and qualified."

Article 4, Section 5 of the League Bylaws describes the total number of votes provided to each member city based on population. The City may register any number of delegates up to the maximum number allowed per the Bylaws.

Population	Votes	Delegate Forms	Alternate Forms
1 - 2,500	1	1	1
2,501 - 7,500	2	2	2
7,501 - 17,500	3	3	3
17,501 - 37,500	4	4	4
37,501 - 77,500	5	5	5
77,501 - 117,500	6	6	6
117,501 - 157,500	7	7	7
157,501 - 197,500	8	8	8
197,501 - 237,500	9	9	9
237,501 - 277,500	10	10	10
277,501 - 317,500	11	11	11
317,501 - 357,500	12	12	12
357,501 - 397,500	13	13	13
397,501 - 437,500	14	14	14

To complete registrations for your city, please complete an online form by **Friday, September 23 at 5:00 p.m.** The online forms can be found on our website at <https://www.lkm.org/page/CVD>. Please go to the Directory page on the League website to locate your city population number <https://www.lkm.org/page/DirectorySearch>.

The League must have a form on file for each voting delegate and each alternate delegate in order for their vote to count during the business meeting. Forms received after this date may not be processed. More information regarding the business meeting will be emailed to the delegates and alternates in October.

Please remember, the voting delegate forms are **not** conference registrations. Delegates and alternates must also register for conference on our website at <https://www.lkm.org/page/AnnualConference>.

Please contact Kerry Pancoast at kpancoast@lkm.org or at 785-354-9565 if you have any questions about the voting delegate process.

We look forward to seeing you in Overland Park in October!

Sincerely,



Dave McDaniel
 Mayor of Ellis & President
 League of Kansas Municipalities



The League of Kansas Municipalities Annual Conference

October 8-10, 2022
Overland Park, Kansas

Registration opens July 1

Plan Now to Attend

The League Annual Conference is the largest municipal gathering of the year in Kansas, and the one event city officials cannot afford to miss!

This event will allow you to engage with other leaders to share and brainstorm ideas to implement in your community, and think creatively to use problem solving tactics and address common municipal challenges.

Session Topics*

- Dealing with First Amendment Auditors
- Fair Housing Act Training
- Grant Writing Workshop
- Census Data for Your Community
- Building a Vibrant Downtown - "Streeteries"
- Emergency Response: KDEM
- Train & Retain Employees
- Cybersecurity Best Practices
- Local Government 101: Records Retention
- Rapid Fire Discussions:
 - KMIT Association Health Plan
 - KS PRIDE Program
- And more

*tentative and subject to change

Venue

Overland Park Convention Center +
Sheraton Overland Park Hotel

Preliminary Agenda[^]

Saturday, October 8

Legislative Policy Committee
Pre-Conference MTI Workshops
Governing Body Meeting
KMIT Annual Meeting & Reception

Sunday, October 9

Nominating Committee Meeting
New Attendee Orientation
Rapid Fire Discussions
Opening General Session / Keynote
Concurrent Workshops
League Dinner / Social Event
Trade Show [Sunday only 12:30 - 5:30]

Monday, October 10

Breakfast / General Session
Concurrent Workshops
Affiliate Association Concurrent Workshops
Public Service Awards Luncheon + Business Meeting
Mobile Workshop

[^]A more detailed schedule of events available online



www.lkm.org/annualconference



Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Ray Slattery, PE, Director of Engineering Services

Date: September 6, 2022

Subject: Approval of quote for Infrastructure Improvements for Iron Flat's Phase 1 Sub-Division, PL 2105

Agenda Item: New Business

Purpose: The installation of infrastructure in the Iron Flat's, Phase 1 Subdivision will open 109 lots for development.

Recommendation: Approve the quote from Underground Specialists, Inc. for the construction of the infrastructure improvements for the Iron Flat's, Phase 1 Subdivision in the amount of \$6,197,940.95.

Background: The City has been working with the Developer of the Iron Flat's Phase 1 Subdivision to develop the infrastructure plans for water, sewer, storm sewer, and streets to service this new development. This project will also be part of the RHID Program. The Developer requested a quote for the construction of the infrastructure from Underground Specialists, Inc. for the construction of the infrastructure. Underground Specialists, Inc. was the Contractor for the Milstock Subdivision. The Engineer's Estimate for the project was \$6,060,042.00. The quote is \$137,898.95 or 2.28% above the Engineer's Estimate. There is 109 Lots in the Iron Flat's Phase 1 development. The cost per lot is \$56,861.84.

City Commission Options:

1. Approve Quote
2. Disapprove
3. Table for further discussion

Financial Considerations:

Amount \$: 6,197,940.95

Fund: Dept: Expense Code:

Budgeted Expense Grant Bonds Other RHID

Legal Considerations: The City will be entering into a contract with Underground Specialists, Inc. and will be bound by the provisions of this contract.

Mission/Values: Approving this quote for infrastructure installation of the Iron Flat's, Phase 1 Subdivision aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Attachments: Quote Tab Map of Iron Flat's, Phase 1

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, Dir. Of Engineering Services

CITY OF DODGE CITY, KANSAS
QUOTE TABULATION

PROJECT: Iron Flats Subdivision

PROJECT #: PL 2105

BID DATE: N/A

CONTRACTOR:
Underground Specialists, Inc.

ADDRESS:
520 Airlinks Dr.

CITY: Garden City

STATE: Kansas

ZIP: 67846

QUOTE

ENGINEER'S ESTIMATE

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
SANITARY SEWER QUANTITIES					
1	MOBILIZATION	L.S.	1	\$50,000.00	\$ 50,000.00
2	CONSTRUCTION STAKING	L.S.	1	\$16,000.00	\$ 16,000.00
3	CLEARING AND GRUBBING	L.S.	1	\$16,000.00	\$ 16,000.00
4	4'-0" STANDARD MANHOLE	E.A.	20	\$5,000.00	\$ 100,000.00
5	4'-0" DROP MANHOLE	E.A.	2	\$7,000.00	\$ 14,000.00
6	EXTRA DEPTH MANHOLE	V.F.	140	\$340.00	\$ 47,600.00
7	8" (SDR 26) SANITARY SEWER PIPE	L.F.	5865	\$80.00	\$ 469,200.00
8	LATERAL LINE (4" PVC)	L.F.	4845	\$65.00	\$ 314,925.00
9	CLEANOUT RISER	E.A.	102	\$550.00	\$ 56,100.00
10	8" CAP OR PLUG	E.A.	6	\$500.00	\$ 3,000.00
11	CONNECTION TO EXISTING 8" MAIN LINE	E.A.	3	\$3,000.00	\$ 9,000.00
12	QUALITY CONTROL/QUALITY ASSURANCE (TESTING)	L.S.	1	\$45,000.00	\$ 45,000.00
WATERLINE QUANTITIES					
1	MOBILIZATION	L.S.	1	\$40,000.00	\$ 40,000.00
2	CONSTRUCTION STAKING	L.S.	1	\$35,000.00	\$ 35,000.00
3	CLEARING AND GRUBBING	L.S.	1	\$25,000.00	\$ 25,000.00
4	WATER MAIN (6" C900)	L.F.	1047	\$55.00	\$ 57,585.00
5	WATER MAIN (8" C900)	L.F.	6280	\$65.00	\$ 408,200.00
6	WATER MAIN (12" C900)	L.F.	2450	\$85.00	\$ 208,250.00
VALVES & FITTINGS					
7	6" 22.50° MJ BEND (DIP)	E.A.	5	\$500.00	\$ 2,500.00
8	6" 45° MJ BEND (DIP)	E.A.	8	\$500.00	\$ 4,000.00
9	8" 11.25° MJ BEND (DIP)	E.A.	4	\$800.00	\$ 3,200.00
10	8" 22.5° MJ BEND (DIP)	E.A.	26	\$800.00	\$ 20,800.00
11	8" 45° MJ BEND (DIP)	E.A.	10	\$800.00	\$ 8,000.00
12	8" 90° MJ BEND (DIP)	E.A.	1	\$800.00	\$ 800.00
13	8" X 8" CROSS (DIP)	E.A.	6	\$2,000.00	\$ 12,000.00
14	8" X 8" X 8" TEE (DIP)	E.A.	4	\$1,000.00	\$ 4,000.00
15	8" X 6" X 8" TEE (DIP)	E.A.	1	\$1,000.00	\$ 1,000.00
16	8" X 6" REDUCER (DIP)	E.A.	2	\$800.00	\$ 1,600.00
17	8" CAP & PLUG	E.A.	6	\$650.00	\$ 3,900.00
18	12" 22.5° MJ BEND (DIP)	E.A.	4	\$1,300.00	\$ 5,200.00
19	12" X 12" X 12" TEE (DIP)	E.A.	3	\$2,000.00	\$ 6,000.00
20	12" X 12" X 8" TEE (DIP)	E.A.	1	\$1,700.00	\$ 1,700.00
21	12" X 12" X 6" TEE (DIP)	E.A.	1	\$1,500.00	\$ 1,500.00
22	12" X 8" REDUCER (DIP)	E.A.	3	\$1,000.00	\$ 3,000.00
23	12" CAP & PLUG	E.A.	1	\$1,000.00	\$ 1,000.00
24	6" WATER VALVE ASSEMBLY	E.A.	2	\$2,000.00	\$ 4,000.00
25	8" WATER VALVE ASSEMBLY	E.A.	26	\$2,300.00	\$ 59,800.00
26	12" WATER VALVE ASSEMBLY	E.A.	9	\$3,500.00	\$ 31,500.00
27	3/4" BLUE POLY PIPE WATER SERVICE	L.F.	2383	\$22.00	\$ 52,426.00
28	5 1/4" FIRE HYDRANT ASSEMBLY	E.A.	19	\$6,000.00	\$ 114,000.00
29	CONNECTION TO EXISTING WATER MAIN (8")	E.A.	2	\$2,500.00	\$ 5,000.00
30	CONNECTION TO EXISTING WATER MAIN (12")	E.A.	2	\$2,500.00	\$ 5,000.00
31	CONNECT TO PROPOSED WELL	E.A.	1	\$5,000.00	\$ 5,000.00
32	QUALITY CONTROL/QUALITY ASSURANCE (TESTING)	L.S.	1	\$35,000.00	\$ 35,000.00
STREET QUANTITIES					
1	MOBILIZATION	L.S.	1	\$120,000.00	\$ 120,000.00
2	CONSTRUCTION STAKING	L.S.	1	\$52,000.00	\$ 52,000.00
3	CLEARING AND GRUBBING	L.S.	1	\$175,000.00	\$ 175,000.00
4	SITE DEMOLITION	L.S.	1	\$25,000.00	\$ 25,000.00

UNIT PRICE	CONTRACT AMOUNT
\$149,500.00	\$ 149,500.00
\$26,775.00	\$ 26,775.00
\$16,900.00	\$ 16,900.00
\$5,192.00	\$ 103,840.00
\$6,675.00	\$ 13,350.00
\$214.00	\$ 29,960.00
\$81.95	\$ 480,636.75
\$69.30	\$ 335,758.50
\$548.00	\$ 55,896.00
\$474.00	\$ 2,844.00
\$2,650.00	\$ 7,950.00
\$34,650.00	\$ 34,650.00
\$92,500.00	\$ 92,500.00
\$19,554.00	\$ 19,554.00
\$10,150.00	\$ 10,150.00
\$46.25	\$ 48,423.75
\$58.95	\$ 370,206.00
\$98.25	\$ 240,712.50
\$705.00	\$ 3,525.00
\$725.00	\$ 5,800.00
\$825.00	\$ 3,300.00
\$837.38	\$ 21,771.88
\$858.62	\$ 8,586.20
\$917.21	\$ 917.21
\$1,250.00	\$ 7,500.00
\$1,120.00	\$ 4,480.00
\$999.20	\$ 999.20
\$769.95	\$ 1,539.90
\$697.80	\$ 4,186.80
\$1,125.00	\$ 4,500.00
\$1,925.00	\$ 5,775.00
\$1,690.00	\$ 1,690.00
\$1,478.25	\$ 1,478.25
\$1,175.00	\$ 3,525.00
\$995.00	\$ 995.00
\$1,590.00	\$ 3,180.00
\$2,361.00	\$ 61,386.00
\$3,960.00	\$ 35,640.00
\$22.00	\$ 52,426.00
\$6,294.00	\$ 119,586.00
\$2,350.00	\$ 4,700.00
\$3,250.00	\$ 6,500.00
\$1,000.00	\$ 1,000.00
\$18,650.00	\$ 18,650.00
\$239,000.00	\$ 239,000.00
\$36,176.00	\$ 36,176.00
\$16,890.00	\$ 16,890.00
\$108,500.00	\$ 108,500.00

CITY OF DODGE CITY, KANSAS
QUOTE TABULATION

5	EXCAVATION (UNCLASSIFIED)	C.Y.	46464	\$4.25	\$ 197,472.00	\$3.85	\$ 178,886.40
6	EMBANKMENT (95%) (VRF = 1.15)	C.Y.	41108	\$7.00	\$ 287,756.00	\$7.25	\$ 298,033.00
7	2" ASPHALT PAVEMENT (CLASS A - HMA)	S.Y.	15428	\$19.00	\$ 293,132.00	\$17.77	\$ 274,155.56
8	4" ASPHALT PAVEMENT (CLASS A - HMA)	S.Y.	15428	\$36.00	\$ 555,408.00	\$36.40	\$ 561,579.20
9	6" FLY ASH TREATED COMPACTED SUBGRADE	S.Y.	25164	\$9.50	\$ 239,058.00	\$9.85	\$ 247,865.40
10	CONCRETE PAVEMENT (8")(AE)(NRDJ)	S.Y.	4392	\$75.00	\$ 329,400.00	\$71.28	\$ 313,061.76
11	CURB TRANSITION	L.F.	543	\$40.00	\$ 21,720.00	\$34.78	\$ 18,885.54
12	CURB & GUTTER (30" REVERSE)	L.F.	329	\$30.00	\$ 9,870.00	\$30.74	\$ 10,113.46
13	CURB & GUTTER (30" ROLLOVER)	L.F.	10292	\$30.00	\$ 308,760.00	\$30.74	\$ 316,376.08
14	CURB & GUTTER (30" STANDARD)	L.F.	1057	\$30.00	\$ 31,710.00	\$30.74	\$ 32,492.18
15	CONCRETE VALLEY GUTTER (10')	S.Y.	496	\$100.00	\$ 49,600.00	\$89.10	\$ 44,193.60
16	TYPE I RAMP (5')	E.A.	4	\$1,500.00	\$ 6,000.00	\$1,861.50	\$ 7,446.00
17	BRICK PAVERS	S.Y.	123	\$125.00	\$ 15,375.00	\$119.78	\$ 14,732.94
18	CONCRETE SIDEWALK (4")	S.Y.	3361	\$50.00	\$ 168,050.00	\$55.24	\$ 185,661.64
19	CONCRETE SIDEWALK (6")	S.Y.	633	\$60.00	\$ 37,980.00	\$69.55	\$ 44,025.15
20	HERRINGBONE STAMPED COLORED CONCRETE (8")	S.Y.	32	\$160.00	\$ 5,120.00	\$124.20	\$ 3,974.40
21	UTILITY SLEEVES (AT&T)(2" SCH 40 PVC)	L.F.	620	\$30.00	\$ 18,600.00	\$17.00	\$ 10,540.00
22	UTILITY SLEEVES (COX)(2" SCH 40 PVC)	L.F.	280	\$30.00	\$ 8,400.00	\$17.00	\$ 4,760.00
23	UTILITY SLEEVES (VICTORY)(2" ELEC. UL LISTED)	L.F.	877	\$30.00	\$ 26,310.00	\$19.00	\$ 16,663.00
24	TYPE III BARRICADES	E.A.	10	\$1,500.00	\$ 15,000.00	\$1,443.00	\$ 14,430.00
25	PERMANENT STREET SIGNAGE	L.S.	1	\$0.00	\$ -	\$0.00	\$ -
STORM SEWER QUANTITIES							
26	CURB INLET (TYPE-22)(6'X4')	E.A.	19	\$5,500.00	\$ 104,500.00	\$6,835.00	\$ 129,865.00
27	CURB INLET (TYPE-22)(11'X4')	E.A.	5	\$7,000.00	\$ 35,000.00	\$8,950.00	\$ 44,750.00
28	CURB INLET (TYPE-22)(6'X6')	E.A.	1	\$5,750.00	\$ 5,750.00	\$6,650.00	\$ 6,650.00
29	OVERFLOW AREA INLET (6'X6')	E.A.	1	\$6,000.00	\$ 6,000.00	\$4,797.00	\$ 4,797.00
30	STORM MANHOLE (48")	E.A.	5	\$5,000.00	\$ 25,000.00	\$4,914.00	\$ 24,570.00
31	CONCRETE HEADWALL (24")	E.A.	1	\$4,000.00	\$ 4,000.00	\$2,850.00	\$ 2,850.00
32	CONCRETE HEADWALL (30")	E.A.	1	\$5,000.00	\$ 5,000.00	\$3,150.00	\$ 3,150.00
33	OLDCASTLE HEADWALL WITH DISSIPATORS (18")	E.A.	4	\$4,000.00	\$ 16,000.00	\$3,149.00	\$ 12,596.00
34	OLDCASTLE HEADWALL WITH DISSIPATORS (24")	E.A.	2	\$5,000.00	\$ 10,000.00	\$3,876.00	\$ 7,752.00
35	OLDCASTLE HEADWALL WITH DISSIPATORS (30")	E.A.	1	\$6,000.00	\$ 6,000.00	\$4,950.00	\$ 4,950.00
36	STORM SEWER PIPE (18" RCP)	L.F.	904	\$60.00	\$ 54,240.00	\$58.50	\$ 52,884.00
37	STORM SEWER PIPE (24" RCP)	L.F.	853	\$70.00	\$ 59,710.00	\$90.75	\$ 77,409.75
38	STORM SEWER PIPE (30" RCP)	L.F.	304	\$110.00	\$ 33,440.00	\$129.50	\$ 39,368.00
39	STORM SEWER PIPE (18" HDPE)	L.F.	711	\$50.00	\$ 35,550.00	\$39.95	\$ 28,404.45
40	STORM SEWER PIPE (24" HDPE)	L.F.	287	\$65.00	\$ 18,655.00	\$53.50	\$ 15,354.50
41	STORM SEWER PIPE (30" HDPE)	L.F.	668	\$75.00	\$ 50,100.00	\$69.25	\$ 46,259.00
42	CONNECT TO EXISTING STORM SEWER	E.A.	2	\$2,000.00	\$ 4,000.00	\$2,450.00	\$ 4,900.00
EROSION CONTROL QUANTITIES							
43	SILT FENCE	L.F.	8910	\$5.00	\$ 44,550.00	\$5.25	\$ 46,777.50
44	STRAW WATTLE	L.F.	12390	\$4.00	\$ 49,560.00	\$3.55	\$ 43,984.50
45	INLET PROTECTION	E.A.	34	\$350.00	\$ 11,900.00	\$439.00	\$ 14,926.00
46	CONSTRUCTION ENTRANCE	E.A.	1	\$2,500.00	\$ 2,500.00	\$2,595.00	\$ 2,595.00
47	FLEXAMAT	S.F.	884	\$20.00	\$ 17,680.00	\$21.50	\$ 19,006.00
48	RIPRAP WASHOUT PROTECTION	S.F.	300	\$50.00	\$ 15,000.00	\$17.95	\$ 5,385.00
49	PERMANENT SEEDING	ACRE	25.6	\$4,000.00	\$ 102,400.00	\$3,870.00	\$ 99,072.00
50	QUALITY CONTROL/QUALITY ASSURANCE (TESTING)	L.S.	1	\$40,000.00	\$ 40,000.00	\$38,000.00	\$ 38,000.00

TOTAL \$ 6,060,042.00

TOTAL \$ 6,197,940.95

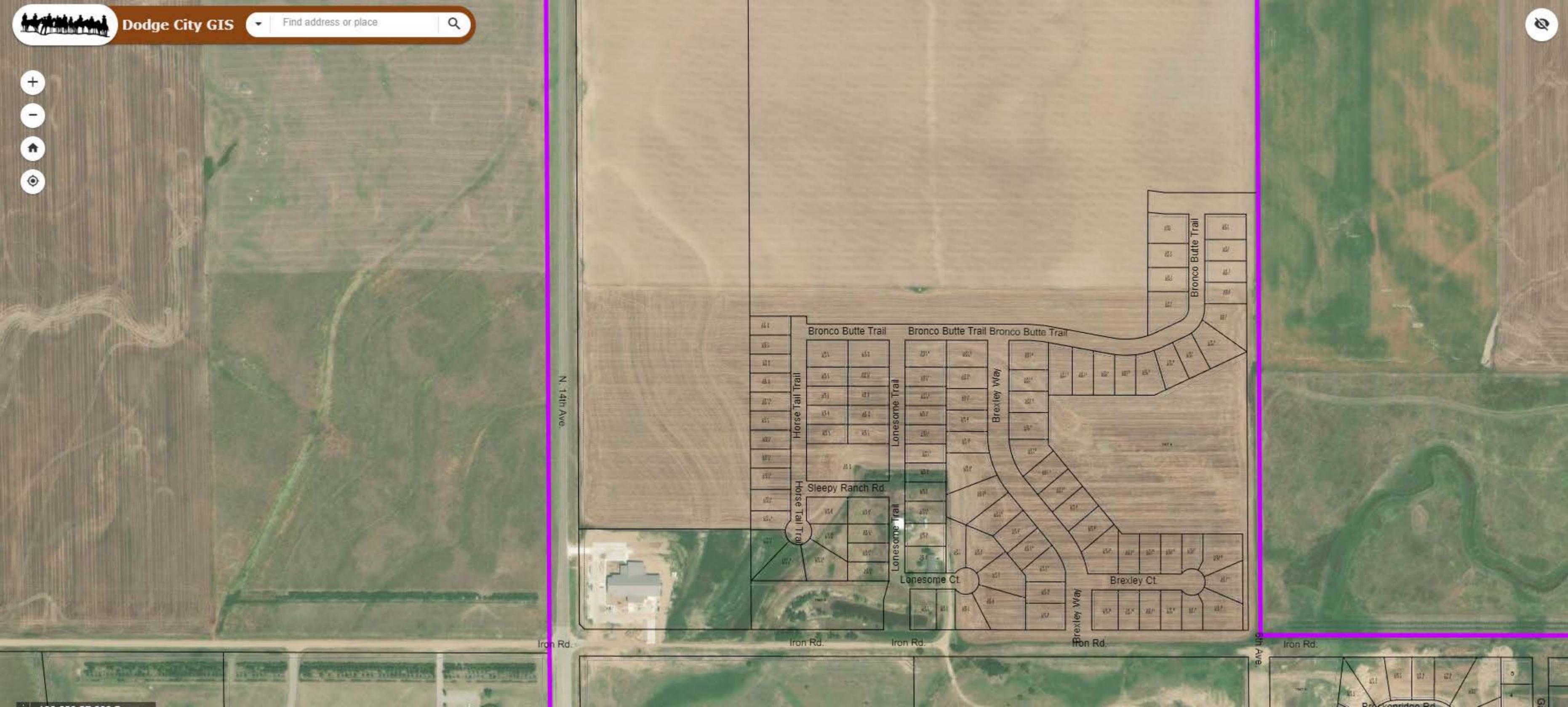
BID SECURITY N/A
START DATE

Iron Flat's Sub-division, Phase 1 109 Lots
Price per Lot \$ 56,861.84 per Lot

Per Quote

Sanitary Sewer \$ 1,258,060.25
Water \$ 1,165,183.69
Streets \$ 2,998,441.31
Storm Sewer \$ 506,509.70
Erosion Control \$ 269,746.00

TOTAL \$ 6,197,940.95



N 14th Ave.

Iron Rd.

Iron Rd.

Iron Rd.

Iron Rd.

6th Ave.

Iron Rd.

Bronco Butte Trail

Bronco Butte Trail

Bronco Butte Trail

Horse Tail Trail

Horse Tail Trail

Sleepy Ranch Rd

Lonesome Trail

Lonesome Trail

Brexley Way

Lonesome Ct

Brexley Ct

Brexley Way

Prickly Pear Rd



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: September 6, 2022
Subject: Approval of Street Lights for the Iron Flat's, Phase 1 Subdivision, PL 2105
Agenda Item: New Business

Purpose: Provide Streetlights for the Iron Flat's, Phase 1 Subdivision.

Recommendation: Approve the quote from Victory Electric to install 14 LED Street Lights for Iron Flat's, Phase 1 in the amount \$125,229.94.

Background: The Iron Flat's, Phase 1 Subdivision will be under development soon. As with all new subdivisions, the City requests a quote from Victory Electric to install streetlights at intersections, major bends, mid-way of extralong blocks, and at the end of a cul-de-sac of the subdivision. Iron Flat's, Phase 1 will have 14 streetlights. Victory Electric and the City have a program in place where the City pays for the cost of the individual streetlights and installation, Victory Electric then bills the City a monthly fee of \$4.71 per light per month. This fee covers the electrical usage and any maintenance of the streetlight from the date of installation forward. The streetlights will consist of metal poles, underground wiring in conduit, and 50-watt LED luminaires. This is an eligible RHID expense.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: The cost of the 9 streetlights, installed, is \$125,229.94.

Amount \$: \$125,229.94

Fund:

Budgeted Expense Grant Bonds Other RHID

Legal Considerations: By approving the quote the City will be responsible for payment to Victory Electric.

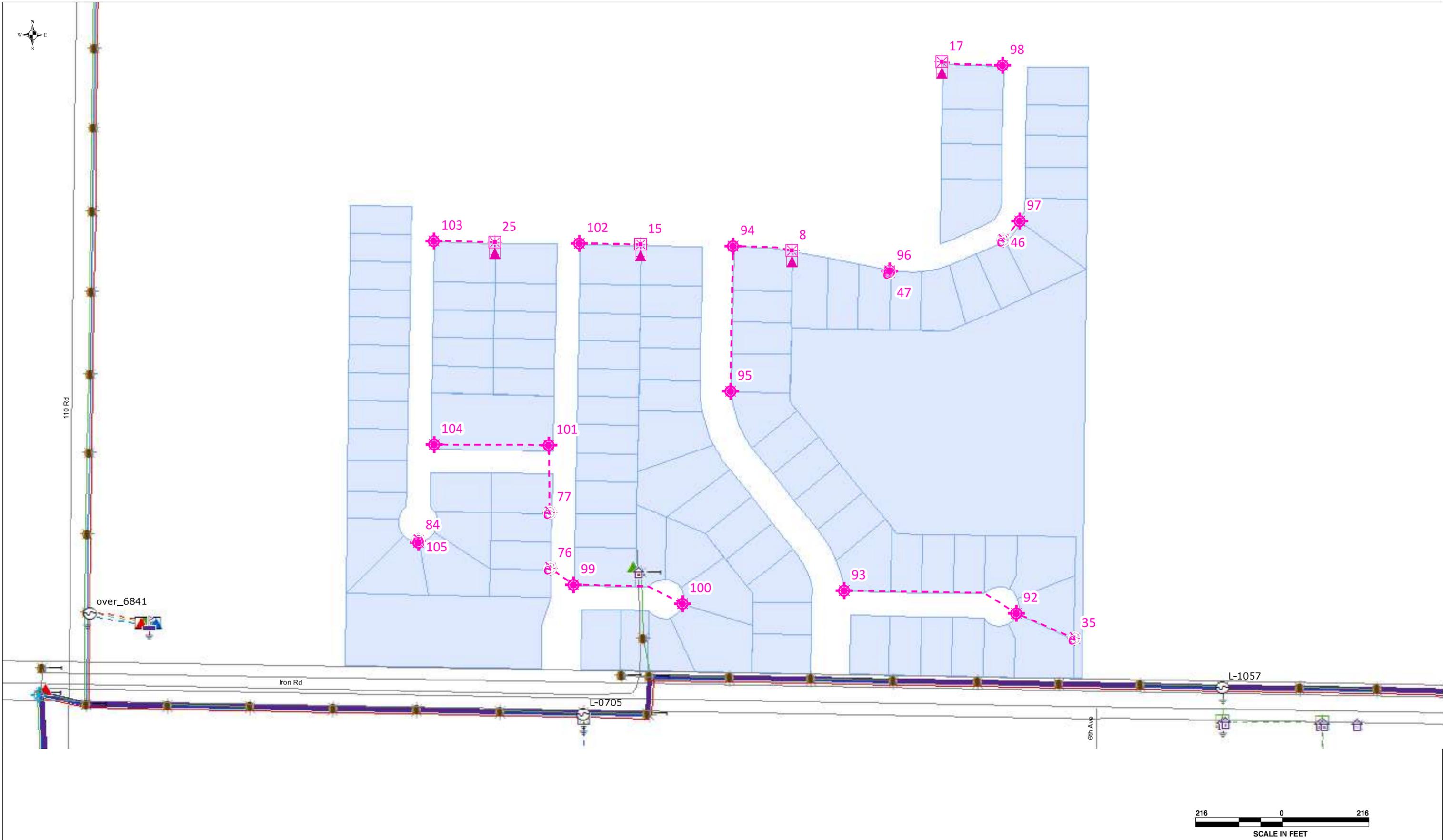
Mission/Values: The completion of this project aligns with the City's Core Value of Ongoing Improvement and Safety.

Attachments: Map of Street Light placement

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, PE, Dir. of Engineering Services





Memorandum

To: Nick Hernandez, City Manager and City Commissioners

From: Ray Slattery, PE, Director of Engineering Services

Date: September 6, 2022

Subject: Approve Consulting Agreement for design of 14th Ave. South Bound Bridge Repairs, ST 2202

Agenda Item: New Business

Purpose: Hire a Design Consultant to design the necessary repairs for the South Bound 14th Ave. Bridge over the Arkansas River.

Recommendation: Approve the Agreement for Design Services with PEC in the amount of \$39,127.50.

Background: In April of 2021 the City received the results of the Biennial Bridge Inspections. As a result of this inspection, it was determined the South Bound 14th Ave. Bridge over the Arkansas River had a couple of items in need of repair.

Services to be completed under this agreement include but are not limited to:

- Develop plans, specifications, and assist the City in bidding the repair of the following items on the South Bound 14th Ave. Bridge over the Arkansas River;
 - Patching of the spalled areas on the deck of the driving surface and sidewalk area.
 - Concrete surface repairs at all pier beam ends.

A polymer deck overlay will be required in the next 2-4 years to help preserve the concrete deck of the bridge. The design of this overlay is not included in this agreement. Funding for the design of the necessary repairs to the bridge were included in the 2021 GOB, \$50,000 were budgeted for the design of the repairs. Funding for the construction of the repairs will need to be allocated in the 2023 budget.

City Commission Options:

1. Approve Quote
2. Disapprove
3. Table for further discussion

Financial Considerations:

Amount \$: 39,127.50

Fund: Dept: Expense Code:

Budgeted Expense Grant Bonds Other

Legal Considerations: The City will be entering into a contract with PEC and will be bound by the provisions of this agreement.

Mission/Values: Approving this agreement aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Attachments: PEC Design Agreement

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, Dir. Of Engineering Services



August 25, 2022

Ray Slattery, P.E.
Director of Engineering Services
City of Dodge City
P.O. Box 880
Dodge City, KS 67801

Reference: AGREEMENT for SB 14th Avenue Bridge Repairs
PEC Project No.: 32-220771-001

Dear Mr. Slattery:

Professional Engineering Consultants, P.A. (“PEC”) is pleased to provide professional services to City of Dodge City (“Client”) in connection with the referenced Project, and in accordance with this letter agreement (“Agreement”). The services to be performed by PEC (“the Services”) are described in Exhibit A – Services, Schedule, and Payment (attached and incorporated by reference) and are subject to the following terms and conditions.

Performance. PEC will perform the Services with the level of care and skill ordinarily exercised by other consultants of the same profession under similar circumstances, at the same time, and in the same locality. PEC agrees to perform the Services in as timely a manner as is consistent with the professional standard of care and to comply with applicable laws, regulations, codes and standards that relate to the Services and that are in effect as of the date when the Services are provided.

Client Responsibilities. To enable PEC to perform the Services, Client shall, at its sole expense: (1) provide all information and documentation regarding Client requirements, the existing site, and planned improvements necessary for the orderly progress of the Services; (2) designate a person to act as Client representative with authority to transmit instructions, receive instructions and information, and interpret and define Client requirements and requests regarding the Services; (3) provide access to, and make all provisions for PEC to enter the project site as required to perform the Services, including those provisions required to perform subsurface investigations such as, but not limited to, clearing of trees and vegetation, removal of fences or other obstructions, and leveling the site; (4) site restoration and repair, as needed following field investigations; (5) establish and periodically update a project budget, which shall include a contingency to cover additional services as may be required by changes in the design or Services; and (6) timely respond to requests for information and timely review and approve all design deliverables. PEC shall be entitled to rely on all information and services provided by Client. Client recognizes field investigations may damage existing property. PEC will take reasonable precautions to minimize property damage whenever field investigations are included in the Services.

Payment. Invoices will be submitted periodically and are due and payable upon receipt. Unpaid balances more than 30 days past due shall be subject to an interest charge at the rate of 1.5 % per month from the date of the invoice, and any related attorneys’ fees and collection costs. PEC reserves the right to suspend the Services and withhold deliverables if the Client fails to make payment when due. In such an event, PEC shall have no liability for any delay or damage resulting from such suspension.

Work Product. PEC is the author and owner of all reports, drawings, specifications, test data, techniques, photographs, letters, notes, and all other work product, including in electronic form, created by PEC in connection with the Project (the “Work Product”). PEC retains all common law, statutory, and other reserved rights in the Work Product, including copyrights. The Work Product may not be reproduced or used by the Client or anyone claiming by, through or under the Client, for any purpose other than the purpose for which it was prepared, including, but not limited to, use on other projects or future modifications to the Project, without the prior written consent of PEC. Any unauthorized use of the Work Product shall be at the user’s sole risk and Client shall indemnify PEC for any liability or legal exposure arising from such unauthorized use. To the extent PEC terminates this Agreement due to non-payment by Client shall not be entitled to use the Work Product for any purpose without the prior written consent of PEC.

Unless otherwise agreed by Client and PEC, Client may rely upon Work Product only in paper copy (“hard copy”) or unalterable digital files, with either wet or digital signature meeting the requirements of the governing licensing authority having jurisdiction over the Project. In all instances, the original hard copy of the Work Product takes precedence over electronic files. All electronic files furnished by PEC are furnished only for convenience, not reliance by Client, and any reliance on such electronic files will be at the Client sole risk.

Insurance. PEC and Client agree to each maintain statutory Worker’s Compensation, Employer’s Liability Insurance, General Liability Insurance, and Automobile Insurance coverage for the duration of this Agreement. Additionally, PEC will maintain Professional Liability Insurance for PEC’s negligent acts, errors, or omissions in providing Services pursuant to this Agreement.

Supplemental Agreements. Changes in the Services may be accomplished after execution of this Agreement only by a written Supplemental Agreement signed by PEC and Client. For any change that increases PEC’s cost of, or time required for performance of any part of the Services, PEC’s compensation and time for performance will be equitably increased.

Differing, Concealed, or Unknown Conditions. If PEC encounters conditions at the Project site that are (1) subsurface or otherwise concealed physical conditions that differ materially from those indicated in the information provided to PEC or (2) unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities provided for in this Agreement, PEC will, if practicable, promptly notify Client before conditions are disturbed. Subsurface condition identification is limited to only those points where samples are taken. The nature and extent of subsurface condition variations across the site may not become evident until construction. PEC assumes no liability for site variations differing from those sampled or changed conditions discovered during construction. If the differing, concealed, or unknown conditions cause an increase in PEC’s cost of, or time required for performance of any part of the Services, PEC’s compensation and time for performance will be equitably increased.

Additionally, Client (1) waives all claims against PEC and (2) agrees to indemnify and hold harmless PEC as well as its respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys’ fees from all third-party claims resulting from differing, concealed, or unknown conditions.

Fast-Track, Phased or Accelerated Schedule. Accelerated, phased or fast-track scheduling increases the risk of incurring unanticipated costs and expenses including costs for PEC to coordinate and redesign portions of the Project affected by the procuring or installing elements of the Project prior to the completion of all relevant construction documents, and costs for the contractor to remove and replace previously installed work. If Client selects accelerated, phased or fast-track scheduling, Client agrees to include a contingency in the Project budget sufficient to cover such costs.

Force Majeure. PEC will not be liable to Client for delays in performing the Services or for any costs or damages that may result from: labor strikes; riots; war; acts of terrorism; acts or omissions of governmental authorities, the Project Client or third parties; extraordinary weather conditions or other natural catastrophes; acts of God; unanticipated site conditions; or other acts or circumstances beyond the control of PEC. In the event performance of the Services is delayed by circumstances beyond PEC's control, PEC's compensation and time for performance will be equitably increased.

Construction Means; Safety. PEC shall have no control over and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for construction safety precautions and programs. PEC shall not be responsible for the acts or omissions of any contractor, subcontractor or any other person performing any work (other than the Services), or for the failure of any of them to carry out their work in accordance with all applicable laws, regulations, codes and standards, or the construction documents.

Cost Estimates. Upon request, PEC may furnish estimates of probable cost, but cannot and does not guarantee the accuracy of such estimates. All estimates, including estimates of construction costs, financial evaluations, feasibility studies, and economic analyses of alternate solutions, will be made on the basis of PEC's experience and qualifications and will represent PEC's judgment as a design professional familiar with the construction industry. However, PEC has no control over (1) the cost of labor, material or equipment furnished by others, (2) market conditions, (3) contractors' methods of determining prices or performing work, or (4) competitive bidding practices. Accordingly, PEC will have no liability for bids or actual costs that differ from PEC's estimates.

Termination. Both the Client and PEC have the right to terminate this Agreement for convenience upon fifteen calendar days' written notice to the other party. In the event the Client terminates this Agreement without cause, PEC shall be entitled to payment for all Services performed and expenses incurred up to the time of such termination, plus fees for any required transition services, and reimbursement of all costs incurred which are directly attributable to such termination.

Environmental Hazards. Client acknowledges that the Services do not include the detection, investigation, evaluation, or abatement of environmental conditions that PEC may encounter, such as mold, lead, asbestos, PCBs, hazardous substances (as defined by Federal, State or local laws or regulations), contaminants, or toxic materials that may be present at the Project site. Client agrees to defend, indemnify, and hold PEC harmless from any claims relating to the actual or alleged existence or discharge of such materials through no fault of PEC. PEC may suspend the Services, without liability for any damages, if it has reason to believe that its employees may be exposed to hazardous materials.

Betterment. PEC will not be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the Project.

Dispute Resolution. The Client and PEC will endeavor to resolve claims, disputes and other matters in issue arising out of this Agreement, the Project or the Services through a meet and confer session. The meeting will be attended by senior representatives of Client and PEC who have full authority to

resolve the claim. The meeting will take place within thirty (30) days after a request by either party, unless the parties mutually agree otherwise. Prior to the meeting, the parties will exchange relevant information that will assist in resolving the claim.

If the parties resolve the claim, they will prepare appropriate documentation memorializing the resolution.

If the parties are unable to resolve the claim, PEC and Client agree to submit the claim to mediation prior to the initiation of any binding dispute resolution proceedings (except for PEC claims for nonpayment). The mediation will be held in Wichita, Kansas, and the parties will share the mediator's fees and expenses equally.

Jurisdiction; Venue; Governing Law. To the fullest extent permitted by law, PEC and Client stipulate that the Eighteenth Judicial District, District Court, Sedgwick County, Kansas is the court of exclusive jurisdiction and venue to determine any dispute arising out of or relating to this Agreement, the Project or the Services. PEC and Client further agree that this Agreement shall be construed, interpreted and governed in accordance with the laws of the State of Kansas without regard to its conflict of laws principles.

Indemnity. To the fullest extent permitted by law, Client and PEC each agree to indemnify and hold harmless the other, as well as their respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys' fees, provided such claim, loss, damage, or expense is attributable to bodily injury, sickness, disease, death, or property damage, but only to the extent caused by the negligent acts or omissions of the indemnifying party, or anyone for whose acts they may be liable.

Agreed Remedy. To the fullest extent permitted by law, the total liability, in the aggregate, of PEC and PEC's officers, directors, employees, agents, and consultants to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages, including, without limitation, attorneys' fees, arising out of or in any way related to this Agreement, the Services, or the Project, from any cause and under any theory of liability, shall not exceed PEC's total fee under this Agreement. In no event will PEC be liable for any indirect, incidental, special or consequential damages, including, without limitation, loss of use or lost profits, incurred by Client or anyone claiming by, through or under Client.

Assignment. Client will not assign any rights, duties, or interests accruing from this Agreement without the prior written consent of PEC. This Agreement will be binding upon the Client, its successors and assigns.

No Third-Party Beneficiaries. This Agreement is solely for the benefit of PEC and Client. Nothing herein is intended in any way to benefit any third party or otherwise create any duty or obligation on behalf of PEC or Client in favor of such third parties. Further, PEC assumes no obligations or duties other than the obligations to Client specifically set forth in this Agreement. PEC shall not be responsible for Client obligations under any separate agreement with any third-party.

Entire Agreement. This Agreement represents the entire and integrated agreement between PEC and Client and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended by a writing signed by PEC and Client.

Severability. If any provisions of this Agreement is determined to be unenforceable, in whole or in part, the remainder shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

Mr. Ray Slattery, P.E.
City of Dodge City
SB 14th Avenue Bridge Repairs
August 25, 2022
Page 5

Thank you for engaging PEC; we look forward to working with you. If this Agreement is acceptable, please sign below and return an executed copy to me. Receipt of the executed copy will serve as PEC's notice to proceed with the Services.

Sincerely,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Michael A. Ingalls, P.E.
Bridge Team Lead

MAI:mai

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____, Signatory

Printed Name: Mike Hughes, P.E.

Title: Civil Department Manager

Date: August 25, 2022

ACCEPTED:

CITY OF DODGE CITY

By: _____

Title: _____

Date: _____

EXHIBIT A

A. Project Description.

1. Dodge City Bridge SB 14th Avenue Repairs project shall consist of a field visit by the project team to assess defects, verify and substantially confirm the scope of repairs, prepare an estimate, and determine the final scope of repairs in conjunction with the City. An investigation of the SB 14th Avenue Bridge identified by the City will be performed.

B. Anticipated Project Schedule.

1. PEC shall commence its services on the Project within 7 days after receiving the CLIENT's notice to proceed.
2. PEC shall provide the final plans for Letting 120 days after receiving Notice to Proceed.
3. CLIENT acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.
4. Project deliverable schedules will be impacted by untimely receipt of information.

C. Project Deliverables.

1. This Project Deliverables shall consist of the following sealed by an Engineer licensed in the State of Kansas where applicable:
 - a) Electronic (PDF format) Bridge Repair Final Plans
 - b) Construction Cost Estimate for Repairs and Improvements
 - c) Appropriate KDOT Specification References for Bridge Repair Items

D. Scope of Services:

1. An hours and fee estimate have been established for SB 14th Avenue Bridge Repairs based on the following preliminary scope :
 - a) Project Management and Project Coordination with PEC's designers and technicians and the City's Engineering staff
 - b) SB 14th Avenue Bridge Repairs' anticipated scope includes preparing details for deck and sidewalk patching, and concrete surface repairs at all pier beam ends. A future polymer overlay is anticipated but is not included in this plan set.
 - c) Traffic Engineering details will be produced to accommodate the method of construction desired by the City. Phased construction or full closure during repairs will be designed, as needed.
 - d) Construction phase administration will include shop drawing review, if necessary, and a measure of time for answering questions contractors may have during the bidding process or construction.

E. Additional Responsibilities of CLIENT:

The CLIENT agrees to provide the following pursuant to PEC accomplishing the Scope of Services outlined herein.

1. Provide plan changes to the PEC design team with adequate time to revise the documents or the submitted plans and notify PEC that said changes are coming with a description of changes to help the design team expedite the necessary adjustments.
2. Project design schedule and modifications to the design schedule made during project design.
3. Geotechnical investigation and report with recommendations for foundation and pavement design unless included in Scope.
4. AutoCAD files of site layout showing buildings and pavement limits. PEC will check the paving geometry and recommend changes as needed.

F. Additional Services:

The following services can be provided by PEC at an additional cost by Supplemental Agreement:

1. Production of record drawings, as-builts, or release of electronic files.
2. Meetings in excess of the number above will be performed on an hourly basis.
3. Design of utilities to the PROJECT site.
4. Analysis of existing utility systems.
5. Design of “Additional Services or Extra Services” as defined by CASE unless specifically agreed to. Additional services typically consist of site structures, screen walls, shoring, preparation of shop drawings, and review of value engineering and substitutions.
6. Design of safe rooms (storm shelters). All safe rooms will be designed structurally in accordance with FEMA 361 and/or ICC 500.
7. Plan revisions, as necessary, to reduce the cost of construction after issue of CDs. (Typically referred to as “Value Engineering” or “VE”.)
8. Design of retaining walls.
9. Design of any water pump stations, or sanitary sewer lift stations located outside the building footprint.
10. Telecommunications design – Voice, Data, and Video Distribution System.
11. Provide documentation required to support LEED credits designed by PEC.
12. Alternate designs not specifically listed in the Scope of Services.

G. Exclusions:

The following shall be specifically excluded from the Scope of Services to be provided by PEC.

1. Printing costs.
2. Plan Review and Permit fees required by other agencies.
3. In-depth or Inventory Inspection post-construction
4. Environmental assessments/clearances.
5. Franchise or off-site Utility Design.
6. Platting and/or Zoning change processes. Easement abandonments and dedications.
7. Construction Testing and Inspection, Construction Staking.
8. Outside consultants.
9. Special inspection services. Special inspections are usually required by building codes,

10. building officials, or designers for structural elements of the project but may include other design disciplines and testing agencies. Any special inspection services required will be covered under a separate or supplemental agreement and are not covered under standard observation services.

H. PEC's Fees & Reimbursable Expenses.

1. PEC will invoice CLIENT one time per month for services rendered and Reimbursable Expenses incurred in the previous month. CLIENT agrees to pay each invoice within 30 days after receipt. Unpaid invoices may bear interest at the rate of 18% per annum.
2. PEC's Fee for its Scope of Services will be on an hourly basis, at the rates established on the attached Exhibit B, including Reimbursable Expenses not-to-exceed **\$39,127.50**.
3. Reimbursable Expenses shall include digital scanning and printing by outside firms, deliveries made by outside services, vehicle mileage or vehicle rental and fuel for travel outside the county of the PEC office(s) providing design services, vehicle parking and tolls, travel fares (air/land/water), lodging, meals, and filing/permit fees.
4. Taxes are not included in PEC's Fees. CLIENT shall reimburse PEC for any sales, use, and value-added taxes which apply to these services.

EXHIBIT B: FEE SCHEDULE

I. STANDARD HOURLY

A. SB 14th Avenue Bridge Repairs

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	3	\$585.00
Project Manager	\$175.00	6	\$1,050.00
Senior Engineer	\$170.00	31	\$5,270.00
Project Engineer	\$145.00	46	\$6,670.00
Technician	\$135.00	80	\$10,800.00
Subtotal A.		166	\$24,375.00

B. Quantities & Specs

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	1	\$195.00
Project Manager	\$175.00	9	\$1,575.00
Senior Engineer	\$170.00	14	\$2,380.00
Project Engineer	\$145.00	4	\$580.00
Technician	\$135.00	4	\$540.00
Subtotal B.		32	\$5,270.00

C. 0

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	0	\$0.00
Project Manager	\$175.00	0	\$0.00
Senior Engineer	\$170.00	0	\$0.00
Project Engineer	\$145.00	0	\$0.00
Technician	\$135.00	0	\$0.00
Subtotal C.		0	\$0.00

D. 0

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	0	\$0.00
Project Manager	\$175.00	0	\$0.00
Senior Engineer	\$170.00	0	\$0.00
Project Engineer	\$145.00	0	\$0.00
Technician	\$135.00	0	\$0.00
Subtotal D.		0	\$0.00

E. Bidding Phase (5.0)

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	1	\$195.00
Project Manager	\$175.00	10	\$1,750.00
Senior Engineer	\$170.00	15	\$2,550.00
Subtotal E.		26	\$4,495.00

F. Construction Phase (6.0)

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	0	\$0.00
Senior Engineer	\$170.00	15	\$2,550.00
Project Engineer	\$145.00	0	\$0.00
Subtotal F.		25	\$4,300.00

G. Bridge Inventory Inspection (7.0)

Position/Title	Hourly Rate	Estimated Hours	Extension
Principal	\$195.00	0	\$0.00
Senior Engineer	\$170.00	0	\$0.00
Project Engineer	\$145.00	0	\$0.00
Subtotal G.		0	\$0.00

TOTAL DIRECT PAYROLL (A+B+C+D+E+F+G) =

\$38,440.00

II.

III.

IV.

V. DIRECT EXPENSES

a. Vehicle Mileage	\$437.50
b. Printing and Mailing	\$0.00
c. Vehicle Rental	\$250.00
d.	

TOTAL DIRECT EXPENSES

\$687.50

GRAND TOTAL

(Total Standard Hourly + Direct Expenses)

\$39,127.50



Memorandum

To: City Commission

From: City Manager, Nickolaus J. Hernandez & Assistant City Manager/Public Affairs, Melissa McCoy

Date: September 6, 2022

Subject: CFAB Recommendation for DCRP and RFQ for 2023 Season

Agenda Item: New Business

Purpose: The purpose of this request is to present the Community Facility Advisory Board (CFAB) recommendation on changes to the existing subsidy as detailed in the current agreement with Craig Dollansky Racing (CDR) Promotions for Dodge City Raceway Park (DCRP). In addition, due to the proposed changes, administration recommends issuing a request for qualifications for the operation/promotion of DCRP, for the 2023 season.

Recommendation: At a special meeting on July 21, 2022, CFAB recommended the following changes to the existing agreement with CDR Promotions for the Operations of DCRP:

- Change the average attendance requirement for major events from 1,000 to 700 attendees.
- Reimburse and provide funding for short track expenses at \$3,000 per race.
- Implement an event fund policy up to \$150,000 to be used to increase DCRP special events.
- Increase the annual subsidy for the operator/ promoter for an amount not to exceed \$400,000 for 2022.

Background: CDR Promotions submitted a proposal to City Administration to increase funding to assist with the operation and promotion of the facility. Since these changes would significantly change the existing subsidy amount as defined in the agreement, the proposal was presented to CFAB for consideration.

The request to issue an RFQ for the future operation of the track is needed due to changes to the existing agreement. The proposed RFQ will also open the opportunity for any promoters/operators to submit a proposal due to the changes in potential funding for the facility.

City Commission Options:

1. Approve
2. Approve a portion of the recommendation
3. Disapprove
4. Table for further discussion

Financial Considerations: The current subsidy for the operation of the DCRP is \$250,000. The proposed amendments and entertainment fund policy include:

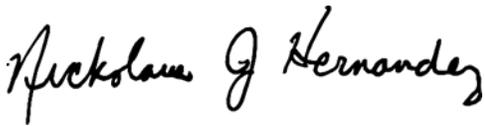
- \$150,000 maximum amount of at-risk funding for the Event Fund Policy.
- \$3,000 per short track race or maximum of \$30,000 annually.
- \$400,000, an annual subsidy to not exceed this amount.

Revised Total (an amount not to exceed): \$580,000.

Legal Considerations: The requested modifications to the existing agreement for operation of DCRP would create substantial and significant changes to the contractual relationship of the parties. If these modifications are being considered, it would warrant issuing a Request for Qualifications for future operation of the facility.

Mission/Values: This request meets the City's core value of Ongoing Improvement where together we value progress, growth, and new possibilities by providing and preparing for the community's future and making Dodge City the best place to be.

Approved for the Agenda by:

A handwritten signature in black ink that reads "Nickolaus J. Hernandez". The signature is written in a cursive style with a large, stylized initial 'N'.

Nickolaus J. Hernandez
City Manager



Memorandum

To: City Commission

From: Assistant City Manager/Legislative Affairs, Ernestor De La Rosa

Date: September 6, 2022

Subject: Approval to submit a grant application to the United States Department of Transportation: Safe Streets and Roadways for All for a Dodge City Comprehensive Safety Action Plan

Agenda Item: New Business

Purpose: The purpose of this request is to submit a grant application to secure funds for the development of a Dodge City Comprehensive Safety Action Plan. A comprehensive safety action plan (referred to as Action Plan) is aimed at preventing roadway fatalities and serious injuries within the city limits.

Action Plan Grant example activities- Communities can use the Action Plan Grant funds to develop or complete an Action Plan or to conduct supplemental planning activities. Below are illustrative examples of activities that could directly assist in the process of developing or updating an Action Plan by conducting outreach, data collection, analysis, and other related tasks:

- **Leadership commitment and goal setting** that includes a goal timeline for eliminating roadway fatalities and serious injuries.
- **Planning structure** through a committee, task force, implementation group, or similar body charged with oversight of the Action Plan development, implementation, and monitoring.
- **Safety analysis** of the existing conditions and historical trends that provides a baseline level of crashes involving fatalities and serious injuries across a jurisdiction, locality, Tribe, or region.
- **Engagement and collaboration** with the public and relevant stakeholders, including the private sector and community groups, that allows for both community representation and feedback.
- **Equity** considerations developed through a plan using inclusive and representative processes.
- **Policy and process changes** that assess the current policies, plans, guidelines, and/or standards to identify opportunities to improve how processes prioritize transportation safety.
- **Strategy and project selections** that identify a comprehensive set of projects and strategies, shaped by data, the best available evidence, and noteworthy practices, as well as stakeholder input and equity considerations, that will address the safety problems described in the Action Plan.
- **Progress and transparency methods** that measure progress over time after an Action Plan is developed or updated, including outcome data.

Recommendation: City staff recommends the City Commission approve the submission of an application to the United States Department of Transportation (U.S. DOT) for a Safe Streets and Roadways for All grant for a Dodge City Comprehensive Safety Action Plan.

Background: On May 16, 2022, the U. S. DOT published a notice of funding opportunity for the Safe Streets and Roads for All Discretionary Grant Program. The purpose of this notice is to solicit applications funds to be awarded on a competitive basis to support planning, infrastructure, behavioral, and operational initiatives to prevent death and serious injury on roads and streets involving all roadway users, including pedestrians; bicyclists; public transportation,

personal conveyance, and micromobility users; motorists; and commercial vehicle operators. Grant applications are due on September 15, 2022, at 5:00 p.m.

Communities must develop an Action Plan before they are eligible to apply for federal funds to implement that plan. Once this Action Plan is completed, the City will be eligible to apply for grants to fund improvement projects under the Safe Streets for All program over the next four years.

City Commission Options:

1. Approve the recommendation from City staff to submit a grant application to the United States Department of Transportation: Safe Streets and Roadways for All for a Dodge City Comprehensive Safety Action Plan
2. Disapprove the recommendation from City staff.

Financial Considerations: The [Bipartisan Infrastructure Law](#) (BIL) established the new Safe Streets and Roads for All (SS4A) discretionary program with \$5 billion in appropriated funds over the next 5 years. In fiscal year 2022 (FY22), up to \$1 billion is available. This grant would be funded 80% by the U.S. DOT and 20% by the city. Additionally, if the grant application is approved, the Kansas Department of Transportation (KDOT) will provide a minimum of 10% of total project cost (i.e., 50% of the local match portion). The total project cost is not to exceed \$300,000 and the funding sources would be as follows:

- \$240,000 (80%) U.S. DOT
- \$30,000 (10%) KDOT
- \$30,000 (10%) City of Dodge City

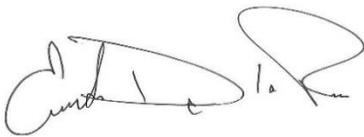
Fund: Growth and Development Fund (420) Dept: Administration Expense Code:

Budgeted Expense Grant Bonds Other

Legal Considerations: A commitment letter to the local match is a required element of the City's application for grant funding.

Mission/Values: 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.

Attachments: None. **Approved for the Agenda by:**



Ernestor De La Rosa, Assistant City Manager/Legislative Affairs