

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

Monday, November 20, 2023

7:00 p.m.

MEETING #5264

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PETITIONS & PROCLAMATIONS

Small Business Saturday 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 2021, 2023.
2. Appropriation Ordinance No.22, November 20, 2023.
3. Cereal Malt Beverage License:
4. Approval of Street Light's for the Rodeo Hill's South Subdivision.
5. Approval of Applications for Dodge City Public Library Board Members.

ORDINANCES & RESOLUTIONS

Resolution No. 2323-39: A Resolution of the City of Dodge City, Kansas, Establishing a Downtown Redevelopment Fund. Report by Nick Hernandez, City Manager.

UNFINISHED BUSINESS

NEW BUSINESS

1. CFAB Recommendation for Organizational Funding. Report by Melissa McCoy, Assistant City Manager/Public Affairs.
2. Approval of Task Order #3, Agreement/Scope of Services for the Water Rights Review and Reuse Evaluation, Pending Legal Review. Report by Ray Slattery, Director of Engineering.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

SMALL BUSINESS SATURDAY PROCLAMATION

Whereas, the government of Dodge City, Kansas, celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the U.S. Small Business Administration, there are 33 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62.7% of net new jobs created since 1995, and small businesses employ 46.4% of the employees in the private sector in the United States; and

Whereas, 68 cents of every dollar spent at a small business in the United States stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

Whereas, 72% of consumers reported that Small Business Saturday 2022 made them want to shop and dine at small, independently-owned retailers and restaurants all year long; and

Whereas, Dodge City, Kansas, supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, I, Michael Burns, Mayor of Dodge City, Kansas, do hereby proclaim, November 25, 2023, as

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and to Shop Small throughout the year.

Mayor

Attest:

City Clerk

CITY COMMISSION WORK SESSION

City Hall Commission Chambers

Monday, November 6, 2023

6:00 p.m.

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

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CALL OR ORDER

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

WORK SESSION

Kevin Israel, Director of Facilities. talked about the Motive Software which is a fleet driving real-time tracking diagnostics software that will be used on city equipment and vehicles if approved. It can regulate fuel management and idle times. On safety side the equipment will have cameras and city department heads will be able to review the cameras for incidents that occur during work time.

Nick Hernandez, City Manager spoke about the Downtown Redevelopment Fund Creation and asked the commissioners for direction and what their thoughts were on the funding.

ADJOURNMENT

Commissioner Joseph Nuci moved to adjourn the meeting. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

ATTEST:

Mayor

City Clerk

—

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

Monday, November 6, 2023

7:00 p.m.

MEETING #5263

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

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

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CALL TO ORDER

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

INVOCATION BY

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Mayor Michael Burns opened the public hearing. Nicole May, Finance Director spoke on the Issuance of Industrial Bonds (Stanion Wholesale Electric Co., Inc.,) Joann Knight, Director of Economic Development made comments. Mike owner of Stanion Wholesale Electric gave insight on the new building. Mayor Burns closed the public Hearing.

PETITIONS & PROCLAMATIONS

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

Presentation of the 2023 Spanish Engage Dodge Participants were recognized and given name signs. Congratulations to all that attended and took their time to learn more about our local government.

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, October 16, 2023.
2. Appropriation Ordinance No. 21, November 6, 2023.
3. Cereal Malt Beverage License:
 - a. Farmers Market Store, 1800 Central Avenue.
 - b. Panaderia La Tapatia, 614 E. Wyatt Earp Blvd.
 - c. Casey's Stores, 2201 N. 14th Avenue
 - d. Casey's Store, 700 W. Wyatt Earp Blvd.
4. Approval of South Wastewater Treatment Facility Roof Replacement.

5. Approval of the Dodge City Animal Shelter Kennel Remodel.
6. Approval of Bid for the Municipal Services Building Fuel Farm.
7. Approve the Bid for the Renovation of 1214 Longbranch, for the Community Development Block Grant through the Kansas Department of Commerce.
8. Approve the Bid for the Renovation of 1208 Longbranch, for the Community Development Block Grant through the Kansas Department of Commerce.

Commissioner Rick Sowers moved to approve the consent calendar as presented. Commissioner Chuck Taylor seconded the motion. The motion carried unanimously.

9. **Resolution No. 2023-35:** Authorize Payment of 2023 Year End Retention Stipend to Qualified Employees was approved on a motion by Commissioner Rick Sowers. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
10. **Resolution No. 2023-36:** A Resolution in Support of an Application for Funding Through the Moderate-Income Housing Program Offered Through the Kansas Housing Resources Corporation was approved on a motion by Commissioner Joseph Nuci. Commissioner Chuck Taylor seconded the motion. The motion carried unanimously.
11. **Resolution No. 2023-37:** A Resolution in Support of an Application for Funding Through the Kansas Housing Investor Tax Credit Program Offered Through the Kansas Housing Resources Corporation was approved on a motion by Commissioner Rick Sowers. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
12. **Resolution No. 2023-38:** A Resolution of the Governing Body of the City of Dodge City, Kansas, adopting a Title VI Policy was approved on a motion by Commissioner Kent Smoll. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

ORDINANCES & RESOLUTIONS

Ordinance No. 3805: An Ordinance of the City of Dodge City, Kansas Amending the Official Zoning Map of the City, Changing the Property Located at 706 Third Avenue, a Portion of Lot 1 of Original Townsite of Dodge City, Ford County, Kansas, From C-1 Commercial Downtown to C-2 Commercial Highway was approved on a motion by Commissioner Rick Sowers. Commissioner Chuck Taylor seconded the motion. The motion carried unanimously.

Resolution No. 2023-34: A Resolution of the Governing Body of the City of Dodge City, Kansas Determining the Advisability of Issuing Industrial Revenue Bonds for the Purpose of Financing the Acquisition, Construction and Equipping of a Commercial Facility to be Located in the City; and Authorizing Execution of Related Documents was approved on a motion by Commissioner Kent Smoll. Commissioner Chuck Taylor seconded the motion. The motion carried unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Rick Sowers moved to approve the bid from APAC Kansas, Inc Shears Division in the amount of \$619371.40 to perform major maintenance on US-50 Highway inside the city limits. Commissioner Chuck Taylor seconded the motion. The motion carried unanimously.
2. Commissioner Chuck Taylor moved to approve the US 283/400/56 corridor study with Olsson in the amount of \$272,676.92. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
3. Commissioner Kent Smoll moved to approve to name the classroom at the Municipal Services Building (MSB) to Strobel Solution Center after the late city attorney, city manager, Ken Strobel. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.
4. Commissioner Rick Sowers moved to approve of Public Transportation Local Match Grant Letters. Commissioner Joseph Nuci seconded the motion. The motion carried unanimously.
5. Commissioner Joseph Nuci moved to approve a 3-Year contract with Motive Fleet Systems. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.
6. Commissioner Rick Sowers moved to approval the recodification and online code hosting services. Commissioner Kent Smoll seconded the motion. The motion carried unanimously.

OTHER BUSINESS**STAFF REPORTS****EXECUTIVE SESSION**

Discussion Relating to Acquisition of Real Estate.

At 8:17 pm Commissioner Joseph Nuci moved that the City Commission recess into executive pursuant to the exception found in K.S.A. 75-4319(b)(6), The justification for closing the meeting is to hold a preliminary discussion regarding the acquisition of real property. The meeting will include commissioners, city manager, city attorney. The open meeting will resume in the City Commission Chambers in 10 minutes at 8:27 pm. Commissioner Rick Sowers seconded the motion. The motion carried unanimously.

Meeting reconvened at 8:27, Commissioner Joseph Nuci moved to authorize City Manager to execute a letter of intent. Commissioner Rick Sowers seconded the motion. The motion carried 5-0.

ADJOURNMENT

Commissioner Rick Sowers moved to adjourn the meeting. Commissioner Joseph Nuci seconded the motion. The 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: December 4, 2023
Subject: Approval of Street Lights for the Rodeo Hill's South Subdivision, PL 2202
Agenda Item: Consent Calendar

Purpose: Provide Streetlights for the Rodeo Hill's South Subdivision.

Recommendation: Approve the quote from Victory Electric to install 10 LED Street Lights for Rodeo Hill's South in the amount \$103,445.88.

Background: The Rodeo Hill's South Subdivision is currently under development; infrastructure is being installed and house foundations are being placed. 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. Rodeo Hill's South will have 10 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 \$: \$103,445.88

Fund:

Budgeted Expense Grant Bonds Other RHID

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

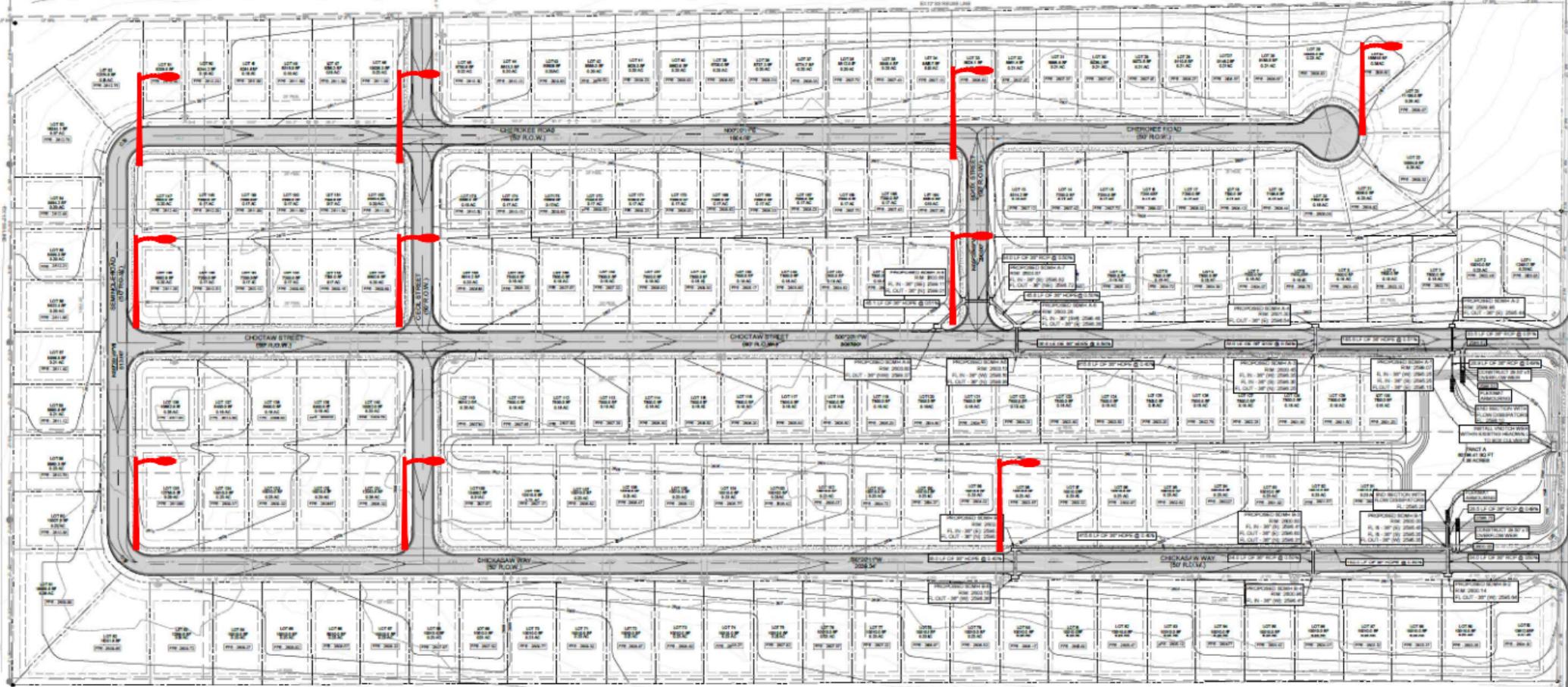
Mission/Values: The completion of this project aligns with the City's Core Value of Ongoing Improvement and Safety.

Attachments: Map of Street Light placement

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, PE, Dir. of Engineering Services





Memorandum

To: City of Dodge City Commission; CC: City Manager Nick Hernandez
From: Collin Clark, Public Information Officer
Date: November 20, 2023
Subject: Approval of appointments to fill two vacancies on the Dodge City Public Library Board
Agenda Item: Consent Calendar

Purpose: To fill recent vacancies of the Dodge City Public Library (DCPL) Board to keep the full 7 -person board as required by K.S.A. 2014 Supp. 12-16, 128.

Recommendation: Approve the appointment of Kirstin Bangerter to fill the vacant position with the term of 2/1/2021 to 1/31/2025 on the DCPL Board. In addition, the appointment of Samuel Unruh to fill a vacant position with the term of 7/5/2022 - 1/31/2025 on the DCLP Board.

Background: The City of Dodge City was notified of two open positions on the Dodge City Public Library board. The City of Dodge City received a total of seven applications for the two open positions. Mayor Michael Burns conducted phone interviews with each applicant. Following these interviews, Mayor Burns is recommending Kirstin Bangerter and Samuel Unruh for two vacant positions on the Dodge City Public Library Board.

City Commission Options:

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

Financial Considerations: There are no financial considerations.

Legal Considerations: There are no Legal Considerations

Mission/Values: Working with Boards and Commissions fulfills the City's mission statement: Together, we promote open communications with our community members to improve quality of life and preserve our heritage to foster a better future and accomplish our core purpose of making Dodge City the Best Place to be.

Approved for the Agenda by:

A handwritten signature in black ink, appearing to read "Collin Clark", written over a faint, large watermark of the City of Dodge City seal.

Collin Clark, Public Information Officer



Memorandum

To: Mayor and City Commission
From: Nickolaus Hernandez, City Manager
Date: November 17, 2023
Subject: Downtown Redevelopment Fund
Agenda Item: Resolution No. 2023-39

Purpose: To establish a Downtown Redevelopment Fund (DRF) for the purpose of promoting the economic vitality of downtown, including improvements to the streetscape, facades, enhancing storefront capabilities, and expanding downtown housing.

Staff Recommendation: Approve the creation of the Downtown Redevelopment Fund following the parameters set above.

Background:

The Downtown Redevelopment supports the vision set forth in the *Dodge City 2030 Comprehensive Plan, Planning for Tomorrow* which states that the City should encourage development in the existing core of the community by creating density through incentives for redevelopment and rehabilitation. This information was generated through the community engagement sessions and online survey for the Comprehensive Plan that stated that ninety-two percent of respondents found that strengthening the Downtown was important to them and where 91% said that the City should be involved in revitalizing the Downtown.

This program is a tool to encourage improvements and should be an investment in our future. Consideration should be given to the alternatives of potential investments in the historic district if such a program does not move forward.

City Commission Options:

- 1. Adopt Resolution 2023-39**
- 2. Revise the Resolutions Parameters**
- 3. Deny the Resolution**

Financial Considerations:

This Fund would have the following parameters:

1. Maximum Available Funds would not exceed \$5 Million

2. Term of the Loan would not exceed 10 years.
3. Loan Rate would be established by the Commission.
4. Applications would be accepted, and funding would be available for one year only beginning January 1, 2024.
5. The Program would have to reauthorized by future commission annually.
6. Funds would be made available by existing fund balances in the Biogas, Water, and Wastewater Funds. ALL of which shall be reimbursed to the utilized fund.

Legal Considerations:

The City Attorney has reviewed Resolution No. 2023-39 and found it correct to form.

Mission/Values:

This project meets three out of the four Core Values established by the City Commission.

- Safety - together, we endeavor to provide a safe and secure workplace and community.
- Ongoing Improvement - Together we value progress, growth & new possibilities by providing and preparing for the community's future.
- Working Towards Excellence - Together, we strive to achieve high performance and
- service standards set by us and expected by the community.

Attachments:

Resolution No. 2023-39

Dodge City 2030 Comprehensive Plan, Planning for Tomorrow - Pages 87 and 91

Approved for the Agenda by:



Nickolaus J. Hernandez, City Manager

RESOLUTION NO. 2023-39

**A RESOLUTION OF THE CITY OF DODGE CITY, KANSAS,
ESTABLISHING A DOWNTOWN REDEVELOPMENT FUND.**

WHEREAS, the City of Dodge City Commissioners (the “City”) desires to establish a Downtown Redevelopment Fund to be spent to promote the economic vitality of downtown, including streetscaping, façade improvements, enhanced storefront capabilities, and downtown housing;

WHEREAS, the City wishes to establish funding for eligible projects in form of low interest loans;

WHEREAS, the City authorizes staff to develop guidelines, proposals, and recommendations for the development or redevelopment of Dodge City properties located within the Historic District and to appoint a Downtown Development and Redevelopment Fund Committee ("DDRF Committee") to review and make recommendations to the City Commission as to those projects determined to be the most beneficial and efficient use of said funds in providing financial assistance to developers of residential projects in the Downtown Dodge City area; and

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DODGE CITY, KANSAS:

Section 1. Downtown Redevelopment Fund. The Governing Body of the City of Dodge City hereby authorizes the creation of the Downtown Redevelopment Fund with the program to be funded for a period of 1 year to expire on December 31, 2024 unless reauthorized through future Commission action.

Section 2. Funds and Source. A maximum of \$5 million (five million dollars) will be allocated towards the fund through the utilization of existing and future revenue funds from Biogas, Water, and Wastewater sources. All of which payments received are to be reimbursed to the coordinating fund.

Section 3. Terms and Rate. No such loan shall exceed 10 years in length and rates shall be set a ____%

Section 4. Approval. All loan agreements must be approved by the Commission on an individual basis.

Section 5. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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Michael Burns, Mayor

Attest:

Connie Marquez, City Clerk

Urban Design – Ratings:	Responses	Weighted Average
Appearance of Downtown Dodge City	116	2.62 / 5
Quality of New Commercial Development	117	3.02 / 5
Wyatt Earp Corridor Appearance	117	3.11 / 5
14th Ave. Corridor Appearance	117	3.06 / 5
North Central Ave. Corridor Appearance	116	3.13 / 5
Appearance of Walking and Bike Paths	115	3.59 / 5
Availability of Neighborhood Sidewalks	117	2.52 / 5
Overall Design/Layout of Dodge City	116	2.86 / 5
Overall Appearance of Dodge City	117	2.66 / 5

Selected Comments Made if Above Responses were “Below Average” or “Poor”

Overall, many pockets of the city are run down and need cleaned up. Much of this is private property not necessarily the cities responsibility.

Front Street apartments and some 2nd ave. business appear unkempt or abandoned. 14th Ave is pretty plain. There is a lack of sidewalks in most neighborhoods, Kids and pedestrian need to walk in the streets. There are a lot of dead trees and roads filled with potholes.

Most neighborhoods do not have sidewalks

If Central is opened to two way traffic that will help but the layout sucks. Wyatt Earp is looking better but there's still many places that just look old and run down. Downtown is the same, too many vacant and poorly maintained buildings. Second Ave should be torn out and paved and allowed to go through to Comanche. Comanche needs to be widened, straightened and completed all the way out to the casino. That was promised a long time ago and has yet to be delivered. No wonder business doesn't want to develop the casino area, the city hasn't done its part.

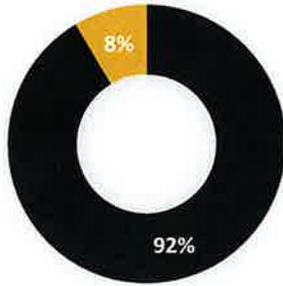
Sidewalks promote walking. There should be sidewalks on every block in town.

The downtown area could use re-vitalization and a better appearance. This is probably not entirely the responsibility of the city but more on the business owners. It is sad to see a Dodge City Landmark such as the former First National Bank building just sitting empty in disrepair.

There is minimum availability of Neighborhood Sidewalks and Down town DC looks like a hodgepodge of Run down shops and simply unattractive to most tourists and even DC shoppers

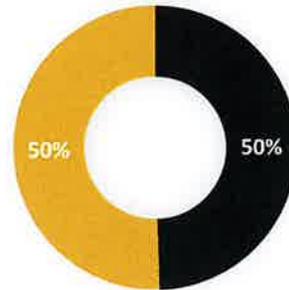
Downtown needs some improvements from the Urban Renewal era. This in already in the works and should be a great improvement. The layout of Dodge City has issues with no defined commercial centers. They are spread out making it difficult for commercial developers to determine where to be if they would develop. This isn't a new issue. The commercial areas that are struggling, instead of finding ways to save them, maybe redevelopment into a new use is better for the long term.

Is strengthening
Downtown important
to you?



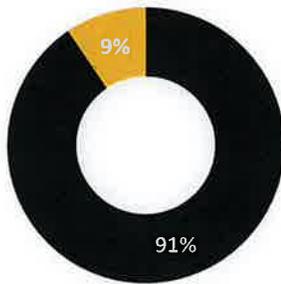
■ Yes ■ No

Is the City doing a good
job revitalizing
Downtown?



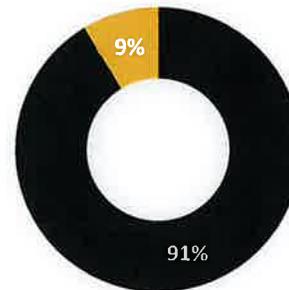
■ Yes ■ No

Is the preservation of
Dodge City's Historic
District and sites
important to you?



■ Yes ■ No

Should the City be
involved in Revitalizing
Downtown?



■ Yes ■ No



Memorandum

To: City of Dodge City Commission and Ford County Commission

From: Community Facility Advisory Board (CFAB)

Date: November 15, 2023

Subject: Recommendation for 2024 CFAB Organizational Funding

Recommendation: CFAB recommends approval of \$110,000 for 2024 CFAB Organizational Funding Requests to be recommended to the City and County Commissions.

Background: City staff received five (5) grant applications for CFAB Organizational Funding totaling **\$367,982.19**. The amount of available funding is **\$110,000.00**. CFAB met on Wednesday, November 15 and recommended approval by the Joint Commission of the 2024 recommended funding detailed in the chart below.

The requests were as follows:

<u>2024 CFAB Organizational Funding Requests</u>	<u>2024 Recommended Funding</u>	<u>2023 Approved Funding</u>
Dodge City Area Arts Council: \$16,522.19	\$ 15,000.00 Salaries, Utilities, and Insurance	\$ 12,000.00 Insurance and Hourly Wages
Dodge City Roundup: \$302,180.00	\$ 40,000.00 Contestant Payout	\$ 43,945.00 PRCA Payout and Grandstands
Ford County Historical Society: \$16,800.00	\$ 14,800.00 Operations and Legacy Center Vault Door	\$ 9,055.00 Home of Stone Operations, Software, Hardware
Kansas Teachers Hall of Fame: \$10,672.00	\$10,200.00 Utilities, Insurance, Security	\$13,000.00 Utilities, Insurance, Security
Young Guns Youth Rodeo: \$32,480.00	\$30,000.00 Insurance and Operations for 5 Rodeo Events.	\$32,000.00 Insurance and Operations for 5 Rodeo Events.

Summary of Individual Organizational Funding Requests:

Applicant: Dodge City Arts Council

Requested Grant Amount: \$16,522.19

Recommended Grant Amount: \$15,000.00

Percentage of Total Grant Funds: 13.63%

Matching Funds: \$3,000.00

Total Project Cost: \$20,652.74

Proposed Project Request:

- \$4,606.88 Insurance
- \$9,465.60 Salary/Wages
- \$2,449.71 Utilities

Applicant: Dodge City Roundup

Requested Grant Amount: \$302,180.00

Recommended Grant Amount: \$40,000.00

Percentage of Total Grant Funds: 36.36%

Matching Funds: \$8,000.00

Total Project Cost: \$521,680.00

Proposed Projects:

- \$257,180.00 West Grandstand
- \$45,000.00 PRCA Payout

Applicant: Kansas Teacher Hall of Fame

Requested Grant Amount: \$10,672.00

Recommended Grant Amount: \$10,200.00

Percentage of Total Grant Funds: 9.27%

Matching Funds: \$2,100.00

Total Project Cost: \$13,340

Proposed Project Request:

- \$5,552.00 Utilities
- \$4,640.00 Insurance
- \$480.00 Security System

Applicant: Ford County Historical Society

Requested Grant Amount: \$16,800.00

Recommended Grant Amount: \$14,800.00

Percentage of Total Grant Funds: 13.45%

Matching Funds: \$2,960.00

Total Project Cost: \$53,000.00

Proposed Project Request:

- \$8,800.00 Home of Stone Operations
- \$2,000.00 Landmark Arts Project
- \$6,000.00 Legacy Center Vault Door

Applicant: Young Guns Association

Requested Grant Amount: \$32,480.00

Recommended Grant Amount: \$30,000.00

Percentage of Total Grant Funds: 27.27%

Matching Funds: \$6,000.00

Total Project Cost: \$40,600.00

Proposed Project Request: (Operations and Rent)

- \$3,000.00 Rent WSB Expo
- \$29,480.00 wages for judges, secretary, timer, and announcer

Justification: The recommendation is based on the amount of funding available

Financial Considerations: The total available funds for 2024 Organizational Funding is \$710,000. The City and County recommend as a priority per the Inter-local agreement an amount not to exceed \$600,000 for funding costs and expenses of the County owned Expo Center and the City owned Santa Fe Depot or other Master Tourism implementation projects. This total amount shall be allocated one-half to the County and one-half to the City.

In addition, any Kansas not-for-profit, tax exempt corporation, organization with its principal offices located in Ford County and the principal function of which is to promote and or/preserve the western heritage of Dodge City and Ford County, the promotion of tourism and attracting visitors and conventions to the area through the construction and/or maintenance of public facilities and or conducting public activities may submit a request for Organizational Funding.

The funding requests from these organizations for 2024 is **\$110,000.00** and the total amount of funding available is \$110,000. This is a reimbursable grant and each entity that is awarded funding is required to provide documentation of a twenty percent match.

Legal Considerations: This recommendation meets the criteria set forth per the Inter-local Agreement.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering
Date: November 20, 2023
Subject: Approval of Task Order #3, pending Legal Review, for Water Rights Review and Reuse Evaluation, WL 2201
Agenda Item: New Business

Purposed: Add Task Order #3 to the original Burns & McDonnell Agreement to help with the Bureau of Reclamation Feasibility Study, WaterSMART Notice of Funding, and Build Kansas Fund Applications.

Recommendation: Approve Task Order #3, pending legal review, to the original Agreement/Scope of Services for the Water Rights Review and Reuse Evaluation with Burns & McDonnell for \$60,000.00.

Background: The City has been working with Burns and McDonnell on its water rights evaluation and the MAR (Managed Aquifer Recharge) project. Funding opportunities have become available through the Bureau of Reclamation (BOR) and the State to help with the funding of the MAR project. A feasibility study must be completed along with the application for the BOR. Burns & McDonnell will complete the study and applications on behalf of the City for these Grants.

City Commission Options:

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

Financial Considerations:

Amount \$: \$60,000.00

Fund: Water Fund

Budgeted Expense Grant Bonds Other

Legal Considerations: The City will enter into an agreement and scope of services with Burn & McDonnell and is bound by the provisions of such.

Mission/Values: This project aligns with the City's Core Value of Ongoing Improvements.

Attachments: Task Order #3 with Burns & McDonnell

Approved for the Agenda by:

Ray Slattery, PE

Ray Slattery, PE, Dir. of Engineering Services



**TASK ORDER 3
FOR ENGINEER-OWNER AGREEMENT
(Doc. No. AE-2 Exhibit A)**

This Task Order is entered into and authorized by Owner this ___th day of _____, 2023, by and between City of Dodge City, Kansas (hereinafter called OWNER) and Burns & McDonnell Engineering Company, Inc. (hereinafter called ENGINEER).

The parties agree that the ENGINEER shall perform the following Services in accordance with the terms of the Engineer-Owner Agreement dated May 27, 2022:

1. Scope of Services:

- Bureau of Reclamation Title XVI Feasibility Study
 - A memorandum will be developed to supplement the previously completed Feasibility Analysis (Task Order 2). The memorandum will address additional information that is required by the Bureau of Reclamation (BOR) to be eligible for Title XVI funding. A crosswalk will be created to reference specific sections that have already been addressed in the Feasibility Analysis required by the BOR for the Title XVI Feasibility Study. A Draft memorandum will be submitted to the Bureau of Reclamation. Upon receipt of comments from the Bureau of Reclamation, those comments will be addressed in a final memorandum that will be submitted to the Bureau of Reclamation. Elements of the BOR Feasibility Study will include the following items as defined in the Bureau of Reclamation's Directive and Standard Water 11-01 Section 5.B-Title XVI Feasibility Report Contents:
 - Review of City's water market
 - Review and discuss community engagement
 - Review lagoon and irrigation expansion alternative
 - Review potable water upgrades required to produce 4.0 MGD
 - Review reuse WWTP alternatives
 - Develop annual O&M and lifecycle costs for each alternative
 - Review qualitative benefits of the reuse alternative
 - Identify potential environmental impacts
 - Review required federal, state, tribal, and/or local environmental compliance measures
 - Identify potential water rights issues
 - Review DWR requirements and permitting procedures
 - Review funding strategy
 - Identify potential funding restrictions
 - Develop an implementation schedule
- Develop a funding application for the WaterSMART: Title XVI WIIN Act, Water Reclamation and Reuse Projects for Fiscal Years 2023 and 2024 Notice of Funding Opportunity (NOFO).
- Develop a funding application for the Build Kansas Fund Fiscal Year 2024 Application.

2. Compensation:

The basis of compensation for the above Services shall be:

- Hourly Rate per ENGINEER’s Rate Sheet, attached hereto subject to an upper-limit cap of sixty-thousand dollars (\$60,000.00), without further authorization.

3. Other Terms:

- A. The terms of this Task Order supersede any contrary terms of the Engineer-Owner Agreement.

IN WITNESS WHEREOF, the parties have made and executed this TASK ORDER as of the day and year first above written.

OWNER: City of Dodge City, Kansas

**ENGINEER: Burns & McDonnell
Engineering Company, Inc.**

By:

By:

Name: _____
Nick Hernandez

Name: _____
John Pruss

Title: _____
City Manager

Title: _____
Director Program Management