



EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
August 2, 2021 – 6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Invocation** – Pastor Jurdan Counts with Park Avenue Baptist Church
4. **Pledge of Allegiance**

Proclamations and Recognition

5. None

Personal Appearances. Personal appearances are opportunities for organizations or citizens to make special presentations before the City Commission. Such appearances are scheduled in advance of the meeting by calling City Clerk Tabitha Sharp at (316) 321-9100 by 5:00 pm the Tuesday preceding the meeting. Presentations are limited to ten minutes. Any presentation is for information purposes only; no action will be taken.

6. [AdamsBrown LLC – Annual Audit Presentation](#)

Public Comments. Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon the Mayor. Comments on personnel matters and matters pending in court are not permitted. Speakers are limited to three minutes. Any presentation is for information purposes only; no action will be taken.

Consent Agenda (*Consent agenda items will be acted on by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.*)

7. Approval of [City Commission Minutes from July 19, 2021 and Special City Commission Minutes from March 24, 2021 and July 19, 2021.](#)

Old Business

8. [Authorization of the City's participation in a project to underground the overhead utilities within the 100 block of North Main Street.](#)

Public Hearings

9. [Public Hearing to consider comments regarding the closeout of COVID Community Development Block \(CDBG-CV\) Grants.](#)

New Business

10. [Approval of a Change Order No. 2 with APAC-Kansas, Inc. in the amount of \\$108,841.00 for the addition of Pine Street from Washington to Taylor and 3rd Avenue from Orchard to Oil Hill to the 2021 Mill and Overlay Program.](#)
11. [Authorization to participate in a City Connecting Link Improvement Program Project with the Kansas Department of Transportation.](#)

12. Authorization to donate certain real property to the Land Bank of the City of El Dorado, Kansas.
13. Approval of a Professional Services Agreement with TREKK Design Group for the purposes of providing sanitary sewer flow monitoring at a not-to-exceed cost of \$69,000.
14. Authorization to proceed with preliminary engineering of public infrastructure for the Deer Run Addition.

Discussion Items

15. None

Reports

16. City Commission and Advisory Board Updates
17. City Manager

Executive Session

18. None

Adjournment

19. Consideration of a motion to adjourn the August 2, 2021 regular meeting

PUBLIC COMMENT POLICY:

Citizens are encouraged to address the City Commission during regularly scheduled meetings. This policy is intended to provide some guidelines to ensure that all El Dorado citizens have a chance to address the Commission.

1. Each citizen will state their name and address before making comments.
2. There are no residency requirements.
3. Each citizen will have three minutes to present his or her comments.
4. An extension of time, if necessary, may be approved but must be by a majority of the City Commission.
5. Comments or questions will be directed only to the City Commission.
6. Citizens will follow the decorum policy.
7. Debate or argument between parties in the audience will not be allowed.
8. Certain legal issues may not be discussed. (Examples include but are not limited to personnel issues, lawsuits, etc.)
9. Violation of this public comment policy will result in the citizen being directed to cease or resume sitting.

Approved by the Commission this 2nd day of May 2005.

July 28, 2021

To the City Commission
City of El Dorado, Kansas
El Dorado, Kansas

Governance Letter

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of **City of El Dorado, Kansas** for the year ended December 31, 2020. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated January 18, 2021. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by **City of El Dorado, Kansas** are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year ended December 31, 2020. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the governmental activities, business-type activities, aggregate discretely presented component units, and proprietary fund financial statements were depreciation expense, deferred outflows – pension, deferred outflows – OPEB, net pension liability, net OPEB liability, deferred inflows – pension, deferred inflows – OPEB and water storage space asset. The most sensitive estimates affecting the governmental activities, business-type activities, aggregate discretely presented component units, each major fund, and the aggregate remaining fund information were the allowance for doubtful accounts, accrued self-insurance claims and encumbrances.

The financial statement disclosures are neutral, consistent, and clear.

July 28, 2021

To the City Commission
City of El Dorado, Kansas
El Dorado, Kansas

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The financial statement disclosures are neutral, consistent, and clear.

City of El Dorado, Kansas

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July 28, 2021

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The attached schedule summarizes uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

The attached schedule summarizes material misstatements detected as a result of audit procedures and corrected by management.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated July 28, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to management's discussion and analysis, schedules of the City's and Library's proportionate share of the collective net pension liability – KPERS pension plan, schedules of the City's and Library's contributions – KPERS pension plan, schedule of changes in the City's net OPEB liability and related ratios – health insurance, schedule of the City's contributions – health

insurance, schedule of investment returns – health insurance, and schedules of changes in the City's and Library's total OPEB liability and related ratios – disability benefits and life insurance, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining balance sheet – nonmajor governmental funds, combining statement of revenues, expenditures and changes in fund balance – nonmajor governmental funds, and schedules of revenues, expenditures, and changes in fund balance – budget and actual, which accompanies the financial statements but is not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Audit Recommendations

We wish to communicate to the governing body recommendations that we discussed with management to improve operational or administrative efficiencies and for improving internal control.

- We recommend the City record the Intrust Bank Police Department and Municipal Court accounts on its books.
- We recommend the City clean up the depreciation schedule including removing assets that are no longer in use and adjusting assets with negative net asset values.
- We recommend the City clean up old outstanding deposits and checks. Old outstanding checks should be sent to the State as unclaimed property.
- Per K.S.A. 12-1608, the City must publish the City's treasurer report within 30 days of quarter end. As of fieldwork in March, the report had not yet been published.

We will review the status of these items during our next audit engagement. We have already discussed many of these items and suggestions with the appropriate personnel, and we will be pleased to discuss them in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

This information is intended solely for the use of the City Commission and management of **City of El Dorado, Kansas** and is not intended to be, and should not be, used by anyone other than these specified parties.



ADAMSBROWN, LLC

Certified Public Accountants

El Dorado, Kansas

EL DORADO CITY COMMISSION MEETING

July 19, 2021

The El Dorado City Commission met in a regular session on July 19, 2021 at 6:40 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Commissioner Gregg Lewis and City Attorney Ashlyn Lindskog.

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Nathan & Nicole Ensminger	142 N Main	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Syndee Scribner	826 W 4 th	El Dorado, KS
Charley Green	1365 Country Club Rd	El Dorado, KS
Leon Leachman	El Dorado Main Street	El Dorado, KS
Steve Waite	El Dorado Main Street	El Dorado, KS
Sam McVay	1832 Circle Drive	El Dorado, KS
Steve Fellers	2340 Chelsea Drive	El Dorado, KS
David Sundgren	844 Par Drive	El Dorado, KS
Clint Arndt	2155 Road 170	Reading, KS
Dwight Wernli	316 Random Road	El Dorado, KS
Teresa Tosh	1335 Kala Court	El Dorado, KS
Lonnie Currier	1950 Chelsea Drive	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the July 19, 2021 meeting to order.

INVOCATION

Reverend Mark Somerville, Family Worship Center, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

Steve Fellers, 2340 Chelsea Drive, stated that he appreciated the Commission's discussion at the previous work session and on the monthly newsletter. He stated that he wanted to talk about the sales tax that provides funding to the City of El Dorado. He stated that at a previous meeting, the Commission discussed changing the sales tax policy. He stated that he is

EL DORADO CITY COMMISSION MEETING

July 19, 2021

not against that, but would like to have more discussion and encouraged the Commission to go forward with the current method and discuss a different approach next year.

CONSENT AGENDA

Approval of City Commission Minutes from July 6, 2021 and Special City Commission Minutes from June 30, 2021.

Commissioner Nick Badwey moved to approve the consent agenda as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

OLD BUSINESS

CONSIDERATION OF THE CITY'S PARTICIPATION IN A PROJECT TO UNDERGROUND THE OVERHEAD UTILITIES WITHIN THE 100 BLOCK OF NORTH MAIN STREET

City Manager David Dillner stated that in an effort to reach an amicable conclusion, he is thinking that the parking lots and the two blocks equal about 25% each. He stated that considering the parking lots as the City's property, then that would give the City 50% of the property.

Commissioner Matt Guthrie stated that at 30%, it would reduce the yearly payment on option four to approximately \$1,700. He asked if the benefit district goes across First Avenue.

City Engineer Scott Rickard stated that the property north of that is already underground, so he did not include that.

Commissioner Guthrie stated that he would be willing to go to 35%, which would bring the district's cost to approximately \$1,580 per year.

Mayor Bill Young stated that he would advocate for option number three and to increase the city-at-large cost.

Commissioner Nick Badwey asked if city staff have ever done the boring work like this before for a four inch pipe.

City Engineer Rickard stated that the boring work would only be under the streets, the rest would be open cut. He stated that the rental equipment would allow us to do the work, we have done it for some street projects.

David Sundgren, 844 Par Drive, stated that he would like the Commission to consider that the difference between taxes for residential and commercial properties is probably the most unfair taxing policy. He stated that his office building pays over \$500 per month in property tax,

EL DORADO CITY COMMISSION MEETING

July 19, 2021

his house is valued at twice his business and he pays half of the taxes. He stated that they should keep in mind that those businesses bring in many of the tax dollars to the city.

Sam McVay, 1832 Circle Drive, stated that he didn't think that the comparison between homes and businesses was accurate. He stated that they haven't discussed the value for the city such as a cleaner environment, beautifying the downtown and preserving history. He stated that those businesses are not just paying property taxes, they are paying sales taxes and employees. He stated that he is downtown because he has a commitment to create culture, environment and experience in El Dorado. He stated that he has seen one improvement in the downtown in six years, the dumpster corrals. He stated that the opportunity to go from \$1.3 million to \$340,000 is too good to turn down.

Commissioner Badwey asked what the \$1.3 million was.

City Engineer Rickard stated that because Evergy is coming to improve service, they reduced the cost to underground utilities because they were going to be here for the upgrades.

Mr. McVay stated that the terms have to be longer and they have to consider what the cost would be for businesses who are already struggling to put businesses into their empty buildings.

Charley Green, Charley's Appliance, stated that the citizens of El Dorado have been very good to his business. He stated that as they talk about the benefit district, they need to consider the benefit provided to the City by these small businesses.

Steve Fellers, 2340 Chelsea Drive, suggested that it be treated like one of the 80/20 matching grants that we get from the government.

Leon Leachman, 1915 Quail Run, thanked the Commission for their work. He stated that they needed to consider where their sales tax revenues are generated. He stated that increasing their property tax will put the downtown businesses in a very difficult position. He felt that going back and forth throwing numbers out was not a good way to make the decision, he felt they need to base it off of actual data.

Nathan Ensminger, 424 Pine, stated that as they have continued to update the property at 142 Main, they have considered increasing the number of stories on their building but they aren't because of the electrical lines. He stated that he sees the community as a whole getting benefit from this project, not just the business owners. He felt that allowing the petition would only cause the project to fail because they would not be able to afford the cost.

Mayor Young stated that it is his hope is to make a decision tonight, but the Commission has been put in a difficult position because they received the proposal with such short notice. He stated that this is a chance to seize the opportunity to increase aesthetics and experience in the downtown area. He stated that he was in favor of participation by the city in not only direct expenses but also in-kind expenses.

EL DORADO CITY COMMISSION MEETING

July 19, 2021

Commissioner Badwey stated that he felt they have invested quite a bit in downtown with the sidewalks, stamped concrete, light poles and flowers. He stated that he does not see how putting these lines underground behind the buildings will be valuable. He stated that those funds could purchase dump trucks or other equipment for the City.

Commissioner Guthrie stated that he was hearing two stories, the businesses downtown want this project, but if there is a petition, they will vote no. He stated that he didn't feel that any work done by the city did not count, because those hours have a cost to the city.

Mayor Young stated he staff decide where they will spend their hours based on the direction of the Commission's policy. He stated that we will have to pay the labor regardless of where it is utilized. He stated that he appreciated the business owners contributions to the city and he understands that if the businesses downtown are assessed more taxes, they will have to cut employees or close.

Commissioner Wilkinson stated that she had not yet heard from staff that they could not do this.

City Manager Dillner stated that there aren't plans yet and so there could be things that cause trouble, but he felt that the staff could work through it. He stated that when he wrote the e-mail that staff were skeptical, he was unsure of what was needed, but they have had further conversations. He said that generally we contract out this work, but understanding the constraints of the project, we are going to make it work if the Commission wishes it. He stated that the job of staff is to do what the Commission directs, we don't operate like the private sector.

City Manager Dillner stated that if the city provides the in-kind work and we extend the assessment time, it will make it more financially acceptable to the businesses downtown. He stated that the conversation really needs to be about what percentage of the total cost the city would like to cover.

Commissioner Kendra Wilkinson moved to table the conversation until the next meeting.

Commissioner Guthrie stated that they can't wait for that if there is a benefit district.

Commissioner Badwey stated that he thought Everygy needs to have this information before then.

City Engineer Rickard stated that adding a benefit district adds layers to the project and increases the potential of the project not being completed.

Mayor Young stated that Commissioner Wilkinson's motion has died due to lack of second.

Commissioner Guthrie asked what will happen if we exceed the cost of \$160,000.

City Manager Dillner stated that we would finish the project.

EL DORADO CITY COMMISSION MEETING

July 19, 2021

City Engineer Rickard stated that if something major happens and interrupts the project, staff will return to the Commission and have a conversation.

City Manager Dillner stated that another option is to split the cost of the project between the General Fund and Economic Development.

Commissioner Badwey asked if El Dorado Main Street has offered a contribution.

Leon Leachman, El Dorado Main Street President, stated that they have contributed by informing the downtown businesses about this project. He stated that Main Street did not have cash to contribute.

Commissioner Wilkinson asked how funds from Economic Development are spent.

City Manager Dillner stated that staff develops proposals and brings them to the Commission for approval. He stated that currently the only thing funded from there is the Cody Foster Sales Tax Reimbursement Agreement.

Commissioner Kendra Wilkinson moved to pay \$200,000 with in-kind labor, \$40,000 from the General Fund and \$100,000 from Economic Development.

Mayor Bill Young seconded the motion.

Motion failed 2 – 2 (Commissioners Matt Guthrie and Nick Badwey voted against).

Commissioner Kendra Wilkinson moved to table the topic until the next meeting.

Mayor Bill Young seconded the motion.

Motion carried 4 – 0.

NEW BUSINESS

CONSIDERATION OF AN ORDINANCE GRANTING TO IDEATEK TELCOM, LLC A FRANCHISE AGREEMENT TO CONSTRUCT, OPERATE, AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF EL DORADO, KANSAS

City Manager David Dillner stated that IdeaTek Telcom, LLC desires to construct a fiber optic network within the City's public right-of-way. He stated that staff are requesting a franchise agreement which will provide regulations for the company for work in the right-of-way as well as a minor increase in revenue.

Commissioner Nick Badwey moves to approve Ordinance Number 1355 granting to IdeaTek Telcom, LLC, a franchise construct, operate, and maintain a telecommunications system in the City of El Dorado, Kansas.

EL DORADO CITY COMMISSION MEETING

July 19, 2021

Commissioner Kendra Wilkinson seconded the motion.

Roll Call Vote

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Absent

DISCUSSION ITEMS

BEYOND BASEBALL PROPOSAL

City Manager David Dillner stated that after the cancellation of the Broncos season, staff received a phone call from the Pecos League to complete their season at McDonald Stadium. He stated that shortly after that we received a call from Beyond Baseball who would like to create a collegiate wood bat league and otherwise manage McDonald Stadium. The City would still be responsible for structural maintenance and mowing.

Commissioner Kendra Wilkinson asked if anyone has talked to the other cities who have these teams.

Kevin Wishart, Parks and Recreation Director, stated that he had not talked to other cities. He stated he had read some articles published about the league and it seems that he runs a good organization. He stated that as he understands it, this league would be all new teams.

Mayor Young asked staff to reach out and get some more information from cities who currently have this program.

The City Commission agreed to proceed with discussion.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Matt Guthrie moved to go forward with the recommendations of the sales tax committee after hearing feedback from a few members of the committee.

Commissioner Nick Badwey seconded.

Mayor Bill Young confirmed that the cemetery roads have already been done with street funds.

City Manager David Dillner stated that they were.

Mayor Young stated that by doing this, we would not be able to move forward with a larger project. He stated that his representative was okay with considering a larger project and being purposeful with the funding. He stated that he heard from several people who were appreciative of staff finding another method of paying for the cemetery roads.

Motion carried 4 – 0.

Commissioner Badwey stated that Mica Hunter is the new interim director of the library; they will be discussing her continuation as director at the September meeting. He stated that their book sale is in August.

Mayor Young stated that the stadium authority met this month. He stated that one of the members brought a product that could be used to help put stages on the field without damage so that we can hold concerts or other similar events.

CITY MANAGER REPORT

City Manager David Dillner stated that we need to amend the RNR hearing date, staff mistakenly put it on the wrong Monday and if we move forward, it would have to be held at a special meeting.

Commissioner Nick Badwey moved to hold the RNR hearing on September 7th at 6:30 p.m.

Commissioner Guthrie seconded the motion.

Motion carried 4 – 0.

City Manager Dillner thanked city staff for working through the weekend and those who volunteered at the various events as well as the Crossmen, local bands and the baseball league who provided entertainment for our citizens.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:27 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

EL DORADO CITY SPECIAL COMMISSION MEETING

March 24, 2021

The El Dorado City Commission met in special session on March 24, 2021 at 5:00 pm at 220 E 1st Avenue with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Commissioner Gregg Lewis

VISITORS

Tammy Schaffer	220 E 1 st Ave	El Dorado, KS
Kevin Wishart	220 E 1 st Ave	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Brad Meyer	222 E 2 nd Ave	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the March 24, 2021 Special City Commission meeting to order at 5:00 p.m.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the attorney client privilege exception under KSA 75-4319(b)(2) for the purposes of discussing legal issues and to reconvene the meeting at 5:30 p.m. in the City Commission room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

Mayor Bill Young called the meeting back to order at 5:30 p.m.

150TH CELEBRATION SPONSORSHIPS

City Clerk Tabitha Sharp stated that she had received a few requests to fund events that would be held during the 150th. She stated that staff had discussed it, and to make it fair, if the Commission agrees to fund other groups, there should be an application process as well as a set amount of funding.

The City Commission felt that the \$50,000 budget was for the main City event. They stated that if the committee raises funds, then those funds can be allocated to other groups.

SNOW REMOVAL PLAN

Public Works Director Brad Meyer reviewed the snow removal policy and the plan to build a new building for salt storage.

AMERICAN RESCUE PLAN OF 2021

City Manager David Dillner reviewed the local funding portion of the American Rescue Plan. He stated that staff would need direction on how the Commission would like to spend the funds.

The City Commission asked for a proposal on all available options with the exception of household experience.

MASK ORDINANCE AND SENATE BILL 286

City Manager David Dillner stated that the State Senate has introduced a bill that will allow businesses to get a refund on property taxes paid if they are in a City or County with a mask ordinance.

The City Commission discussed the issue and agreed to repeal the mask ordinance in an effort to protect the city from further damages.

Commissioner Matt Guthrie moved to approve Ordinance Number G-1347, an ordinance repealing Ordinance Number G-1346 requiring the wearing of masks or other face coverings in public spaces in El Dorado, Kansas.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Absent
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes

REGULAR AGENDA REVIEW

Mayor Bill Young reviewed the items on the upcoming agenda.

REPORTS

City Manager David Dillner stated that the YMCA has brought a proposal to take over recreation sports with the exception of baseball and softball. He asked the Commission if staff could proceed with a survey and community meeting to see how the citizens felt about it.

The City Commission agreed to move forward with both.

Commissioner Kendra Wilkinson asked about the Holiday Inn CID.

City Manager Dillner stated that the City Attorney was still investigating; she thought they might have to do more notification before rescinding the order.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 6:51 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

EL DORADO CITY SPECIAL COMMISSION MEETING

July 19, 2021

The El Dorado City Commission met in special session on July 19, 2021 at 5:30 pm at 220 E 1st Avenue with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Commissioner Gregg Lewis

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Nathan & Nicole Enslinger	142 N Main	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
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Leon Leachman	El Dorado Main Street	El Dorado, KS
Steve Waite	El Dorado Main Street	El Dorado, KS
Sam McVay	1832 Circle Drive	El Dorado, KS
Steve Fellers	2340 Chelsea Drive	El Dorado, KS
David Sundgren	844 Par Drive	El Dorado, KS
Reed Holbrook & Representatives	Every	Wichita, KS

CALL TO ORDER

Mayor Bill Young called the July 19, 2021 Special City Commission meeting to order at 5:30 p.m.

CONSIDERATION OF THE CITY'S PARTICIPATION IN A PROJECT TO UNDERGROUND THE OVERHEAD UTILITIES WITHIN THE 100 BLOCK OF NORTH MAIN STREET

The City Commission discussed participating in a project to underground the utilities in the 100 block of North Main Street. Staff presented several options for the City's participation, from fully funding the project to creating a benefit district.

The Commission tabled the discussion to be continued in the regular meeting.

ADJOURNMENT

The Commission switched to the regular meeting at 6:40 p.m., there was no adjournment.

City Clerk Tabitha D. Sharp

Mayor Bill Young

EL DORADO

K A N S A S

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Downtown Underground Infrastructure Proposal
DATE: July 29, 2021

Background: Staff met with representatives from Evergy, Cox Communications, and AT&T to discuss a proposed project to place overhead utilities located in the alleys of the 100 block of N. Main Street underground. All parties expressed interest in participating in the underground project if the City elects to proceed with undergrounding the overhead utilities. All parties stated that design will commence as soon as the City affirms its commitment to the project with the goal of having the work completed in early 2022.

Participating in the project now presents the best opportunity to underground the infrastructure if there is a desire to move the infrastructure underground. None of the companies will likely participate in the cost of an undergrounding project in the future because they have no need to go underground and the infrastructure will already be upgraded.

Strategic Priority: Infrastructure - Continuously *evaluate public facilities*, provide necessary resources for ongoing maintenance, and plan for future facility needs to maintain service delivery; Evaluate funding options for *continued investment in critical public infrastructure*.

Fiscal Impact: The City's total contribution (in-kind and direct out-of-pocket expenses) for participation in the project should not exceed \$380,000 based on the option of Evergy doing a turnkey solution or the City doing part of the work in-house. The City Manager proposes using \$150,000 from the Economic Development Sales Tax Fund for the project with the balance coming from various funds as generally shown in the table below.

Revenue		Expenses	
EcoDevo Sales Tax	\$150,000	City In-Kind	\$180,000
General Fund	\$80,000	Evergy	\$140,000
Major Street Fund	\$50,000	Cox	\$40,000
Water Fund	\$50,000	City Direct	\$20,000
Sewer Fund	\$50,000		
TOTAL	\$380,000	TOTAL	\$380,000

Legal Review: The City Attorney has not reviewed this item as it is a policy decision and does not require legal review.

Trade-offs: Evergy plans to upgrade its infrastructure regardless of whether the City participates in the underground project. AT&T and Cox will only participate in the undergrounding project if the City elects to participate because they do not have any need to go underground. By participating in the project, however, the City may leverage the opportunity to clean up the alleys and provide an opportunity to address downtown aesthetics at a cost that will not be matched in future years.

As with any public project, the City Commission should weigh the opportunity cost of allocating public funds to all projects. The governing body is deciding to spend \$380,000 on this project instead of allocating it to another public purposes or projects. The project, while positive for the aesthetics of downtown El Dorado, will likely not increase property valuations or create a significant catalyst for new sales tax generation. In other words, taxpayers of the City will not see a tangible return on the public funds invested in the project.

In making this decision, the City Commission needs to weigh the need for the proposed project with other community priorities to determine if the project justifies an at-large contribution or if public funds would serve a better purpose allocated to other projects.

Staff Recommendation: The City Manager recommends participating in the underground utility project at a not-to-exceed cost of \$380,000, and further recommends authorization to use up to \$150,000 from the Economic Development Sales Tax Funds for the project.

Commission Action:

Commissioner _____ moves to authorize the City to participate in the underground utility project at a not-to-exceed cost of \$380,000, and authorizes the use of up to \$150,000 from the Economic Development Sales Tax Fund, with the remaining project expenses to be paid from the fund balance of the General, Water, and Sewer Funds at the City Manager's discretion.

Commissioner _____ seconded the motion.

[Return to Agenda](#)

[Next Item](#)

TO: City Commission
FROM: Kristina Traina
SUBJ: Public Hearing to consider comments regarding the closeout of COVID Community Development Block (CDBG-CV) Grants.
DATE: July 27, 2021

Background:

The City received approval from the Community Development Block Grant program for COVID-19 relief funds that were to be granted to local small businesses in 2020. Cities were given one year to disburse the funds using criteria developed for the purposes of this funding. The City was able to disburse funds to 14 local businesses for the purposes of COVID-19 recovery. It is estimated that these funds assisted local businesses in retaining 61 jobs in El Dorado. Staff are requesting that the Commission hold the public hearing associated with the closure of this grant.

2021 Strategic Plan

- I. **Economic Development** – *The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*
- a. The funds were used for reimbursement of working capital expenses to facilitate recovery efforts in El Dorado.

Attachments:

Close out documents.

Policy Issue:

The City Commission must hold a public hearing to close out the project and authorize the Mayor to sign all applicable documents.

Alternatives:

N/A

Fiscal Impact:

The City of El Dorado received \$132,000 from the CDBG-CV grant. After deducting admin fees of \$11,500, the City was able to disburse \$115,000 of the remaining dollars. Despite several attempts by the City and our Economic Development partners, we were unable to grant the remaining \$5,500 and so it will be returned to the State of Kansas. The only city funds utilized for the purpose of this grant was the \$1,750 paid to SCKEDD for the application which was paid from Economic Development funds.

Staff Recommendation:

Hold the Public Hearing and approve the grant closure.

Commission Actions:

Commissioner _____ moved to authorize the Mayor to execute all documents related to the closure of the Community Development Block Grant 20-CV-080.

Commissioner _____ seconded the motion

[Return to Agenda](#)

[Next Item](#)

**CDBG-CV
GRANT CLOSE-OUT TRANSMITTAL FORM**

Grantee's Name and Address:

City of El Dorado

220 E. 1st Ave.

El Dorado, KS 67042

Grant Agreement No.: 20-CV-080

Commencement Date: 08/01/2020

Completion Date: 07/31/2021

Please complete this form and the forms listed below, including the Performance Hearing affidavit, Final Quarterly Report and Final RFP/Cash Disbursement Form to conclude this grant project.

1. Grantee's Release Form
2. Final Independent Auditor's Report
3. Certificate of Completion (2 originals)
4. Economic Development Report
5. CDBG-CV Program Close-Out Certificate for Businesses (per business awarded)
6. Performance Hearing Affidavit
7. Final Quarterly Progress Report
8. Final RFP/Cash Disbursement Report

No costs have been incurred after the Completion Date of the above contract. All necessary documents and procedures have been followed, thereby finalizing the above referenced contract.

Elizabeth Lawless

Preparer's Name

Grant Administrative Assistant

316-440-3472

Title

Telephone Number

07/06/2021

Date

Rev. 11/19/2020

GRANTEE'S RELEASE FORM

1 Pursuant to the terms on Grant Agreement Number 20-CV-080 and in consideration of
2 the sum of one hundred twenty six thousand five hundred dollars (\$126,500) which has been
3 or is to be paid under the said contract to the City of El Dorado,
4 grantee upon payment of the said sum by the State of Kansas, Department of Commerce, hereinafter
5 called the grantor, does remise, release, and discharge the grantor, its officers, agents and employees
6 of and from all liabilities, obligations, claims, and demands whatsoever under or arising from the
7 said contract.

8 IN WITNESS WHEREOF, this release has been executed this ____ day of
9 _____, _____.

10 Signature of Authorized Elected Official: _____

11 Typed Name and Title: Bill Young, Mayor

ATTEST AND SEAL

12 _____

13 _____

(Rev. 2-2018)

FINAL INDEPENDENT AUDITOR'S REPORT

If the grantee expends **\$750,000** or more from all Federal sources in any fiscal year in which the grant is open, a 2 CFR Part 200 audit is required from the grantee. If you expend or expect to expend this amount in the current fiscal year, please indicate below. If required, a copy of the entire audit report must be submitted to Commerce in the required time period.

- ☐ A. 2 CFR Part 200 audit is not required.
- ☐ B. Audit is complete and one copy is enclosed.
- ☐ C. Audit is in progress or not yet begun.

Auditor's Name: _____

Address: _____

Telephone: _____

Contact person with firm: _____

Date audit to begin: _____

How the audit will be paid for: _____

Date audit to be completed: _____

CERTIFICATE OF COMPLETION

A. Name of Grant Recipient City of El Dorado	B. Grant Agreement Number 20-CV-080
--	---

C. Final Statement of Cost

Program Activity Categories	To Be Completed By The Recipient			To Be Completed By CDBG
	Paid Costs (a)	Local Unpaid Costs (b)	Total Costs (c)	Approved Total Costs
1. ED Grants	115,000.00		115,000.00	
2. Admin	11,500.00		11,500.00	
3.				
4.				
5.				
6.				
7.				
8.				
9. Total Program Costs	126,500.00		126,500.00	
10. Less Other Funds Applied				
11. CDBG Grant Amount Applied	126,500.00		126,500.00	

D. Computation of Grant Balance

	To Be Completed By The Recipient	To Be Completed By CDBG
12. Total Amount Applied (Line 11a)	126,500.00	
13. Estimated for Unsettled Third-Party Claims		
14. Subtotal (Line 11c)	126,500.00	
15. Grant Amount Per Agreement (from contract)	132,000.00	
16. Unutilized Grant to be Canceled (Line 15 less Line 14)	5,500.00	
17. Grant Funds Received	126,500.00	
18. Balance of Grant Payable (Refundable) (Line 14 less Line 17)*		

* If Line 17 exceeds Line 14, enter excess as a negative amount. This amount shall be repaid to the Department by check.

CERTIFICATE OF COMPLETION - PAGE 2

E. Unpaid Costs and Unsettled Third-Party Claims (Local Only)

List amounts and describe circumstances

☐ Check if continued on additional sheet and attach

F. Remarks

☐ Check if continued on additional sheet and attach

G. Certification of Recipient

It is hereby certified that all activities undertaken by the recipient with funds provided under the Grant Agreement identified as Item B above have, to the best of my knowledge, been carried out in accordance with the Grant Agreement; that proper provision had been made by the recipient for payment of all unpaid costs and unsettled third-party claims identified in Item E above; that the Department, the State of Kansas, and the United States of America are under no obligation to make any further payment to the recipient under the Grant Agreement in excess of the amount identified on Line 18 above; and that every statement and amount set forth in this instrument is, to the best of my knowledge, true and correct as of this date.

		Bill Young, Mayor
_____	_____	_____
Date	Signature of Chief Elected Official	Typed Name and Title

H. Department Approval

This Certificate of Completion is hereby approved. Therefore, I authorize cancellation of the unutilized contract agreement and related funds reservation and obligations _____ (line 16 above).

_____	_____	_____
Date	Signature for CDBG Program	Typed Name

ECONOMIC DEVELOPMENT REPORTDate: 07/06/2021Grant Agreement No: 20-CV-080Grantee: City of El Dorado**I. Direct Beneficiaries**A. Total businesses awarded: 14

B. Grant Agreement:

Number of Jobs to be retained: _____

Target total LMI: _____ %

C. Final Performance:

Number of Jobs: actually retained: 61Number of Jobs: LMI retained: 55 Total LMI: 90 %

Must correspond with information in Section II (below).

D. Total funds spent by private industry: \$ _____

E. Total (Recipient) cash contribution: \$ _____

F. Other contributions: \$ _____

G. Comments:

II. Actual Accomplishments (Job summary attached to final monitoring to be used for close-out.)

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Rachhod Rai LLC

DUNS Number: 783708332

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Rachhod Rai LLC, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 1 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>1</u>	<u>1</u>	<u> </u>	<u> </u>	<u>100%</u>	<u>1-A</u>	<u> </u>
Actual FTE Jobs	<u>1</u>					<u>1-A</u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits

1

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	<u>1</u>
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Navni Services

DUNS Number: 117668799

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Navni Services, for the amount of \$10,000.00. The funds were used for reimbursement of working capital expenses. 9 job(s) retained.

Grant Amount \$ 10,000.00 Match Amount \$ 0.00

Applicable HUD requirements: Completed N/A

Governing Body Approval ☒ ☐

Environmental Review (submit to Commerce) ☒ ☐

Job Certifications ☒ ☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>5</u>	<u>5</u>	<u>4</u>	<u>4</u>	<u>100%</u>	<u>4-W; 5-</u>	
Actual FTE						<u>A</u>	
Jobs	<u>5</u>						

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	_____
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	<u>4</u>
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	<u>1</u>
Service Workers	_____	<u>4</u>

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Walter's Flowers & Interiors

DUNS Number: 059969808

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Walter's Flowers & Interiors, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 5 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	Full Time	Full Time Low/Mod	Part Time	Part Time Low/Mod	Low/Mod Jobs		
Actually Retained	_____	_____	<u>5</u>	<u>5</u>	<u>100%</u>	<u>4-W; 1-</u>	_____
Actual FTE	_____	_____				<u>0</u>	_____
Jobs	_____	_____				_____	_____

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	_____
Professionals	_____	<u>3</u>
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	<u>2</u>
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Westhill Holdings LLC

DUNS Number: 117668815

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Westhill Holdings LLC, for the amount of \$10,000.00. The funds were used for reimbursement of working capital expenses. 8 job(s) retained.

Grant Amount \$ 10,000.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>5</u>	<u>5</u>	<u>3</u>	<u>3</u>	<u>100%</u>	<u>3-W; 5-A</u>	<u> </u>
Actual FTE Jobs	<u>5</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	_____
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	<u>4</u>
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	<u>4</u>

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Laforges Business Machines

DUNS Number: 481156864

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Laforges Business Machines, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 1 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>1</u>	<u>1</u>	<u> </u>	<u> </u>	<u>100%</u>	<u>1-W</u>	<u> </u>
Actual FTE Jobs	<u>1</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	1
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: THAIRapy Salon

DUNS Number: 050918518

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, THAIRapy Salon, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 1 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent Low/Mod Jobs	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>			
Actually Retained	<u>1</u>	<u>1</u>	_____	_____	<u>100%</u>	<u>1-W</u>	_____
Actual FTE Jobs	<u>1</u>					_____	_____

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	<u>1</u>
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Walnut River LLC

DUNS Number: 117668821

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Walnut River LLC, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 3 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>2</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>100%</u>	<u>2-W; 1-A</u>	<u> </u>
Actual FTE							
Jobs	<u>2</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	_____
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	<u>1</u>
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	<u>2</u>

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Walnut River Brewing Co. LLC

DUNS Number: 055164688

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Walnut River Brewing Co. LLC, for the amount of \$10,000.00. The funds were used for reimbursement of working capital expenses. 12 job(s) retained.

Grant Amount \$ 10,000.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>7</u>	<u>4</u>	<u>5</u>	<u>4</u>	<u>67%</u>	<u>10-W:</u> <u>1-</u> <u>AI/AN:</u> <u>1-</u> <u>AI/AN/BA</u>	<u> </u>
Actual FTE Jobs	<u>7</u>						<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits

12

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	<u>4</u>
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	<u>1</u>
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	<u>3</u>
Service Workers	_____	<u>4</u>

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Psycho Kitty Creations

DUNS Number: 117686056

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Psycho Kitty Creations, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 1 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>1</u>	<u>1</u>	<u> </u>	<u> </u>	<u>100%</u>	<u>1-W</u>	<u> </u>
Actual FTE Jobs	<u>1</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	1
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Moore Transport LLC

DUNS Number: 081490656

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Moore Transport LLC, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 1 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>1</u>	<u>1</u>	<u> </u>	<u> </u>	<u>100%</u>	<u>1-W</u>	<u> </u>
Actual FTE Jobs	<u>1</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	1
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Glass Upholstery Center Inc.

DUNS Number: 859812125

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Glass Upholstery Center Inc., for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 4 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements: Completed N/A

Governing Body Approval ☒ ☐

Environmental Review (submit to Commerce) ☒ ☐

Job Certifications ☒ ☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>3</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>100%</u>	<u>4-W</u>	<u> </u>
Actual FTE							
Jobs	<u>3</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits

4

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	<u>1</u>
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	<u>1</u>
Craft Workers (Skilled)	_____	<u>1</u>
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	<u>1</u>
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Good To Be Clean LLC

DUNS Number: 031873593

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Good To Be Clean, for the amount of \$10,000.00. The funds were used for reimbursement of working capital expenses. 10 job(s) retained.

Grant Amount \$ 10,000.00 Match Amount \$ 0.00

Applicable HUD requirements:	Completed	N/A
Governing Body Approval	☒	☐
Environmental Review (submit to Commerce)	☒	☐
Job Certifications	☒	☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>5</u>	<u>5</u>	<u>5</u>	<u>4</u>	<u>90%</u>	<u>6-W</u>	<u>1-W;1-AI/AN/W;2-O</u>
Actual FTE							
Jobs	<u>5</u>						

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	1
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	2
Laborers (Unskilled)	_____	7
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado

Original Grant Number: 20-CV-080

Company Name: Timer Guys LLC

DUNS Number: 068250293

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Timer Guys LLC, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 3 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements: Completed N/A

Governing Body Approval ☒ ☐

Environmental Review (submit to Commerce) ☒ ☐

Job Certifications ☒ ☐

A. Jobs

Job Retention

	Total Job Count			Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>	
Actually Retained	<u>3</u>	<u>2</u>	_____	_____	<u>67%</u>	_____
Actual FTE Jobs	<u>3</u>					_____

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	2
Professionals	_____	1
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	_____
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

Kansas Department of Commerce (CDBG-CV Program)

CDBG-CV PROGRAM CLOSE-OUT CERTIFICATE FOR BUSINESSES

City or County Name: City of El Dorado
 Original Grant Number: 20-CV-080
 Company Name: Janell D. Crank Agency, LLC
 DUNS Number: 927874560

Description of Project:

The CDBG-CV City of El Dorado grant was awarded to the grantee, Janell D. Crank Agency, LLC, for the amount of \$7,500.00. The funds were used for reimbursement of working capital expenses. 2 job(s) retained.

Grant Amount \$ 7,500.00 Match Amount \$ 0.00

Applicable HUD requirements: Completed N/A

Governing Body Approval ☒ ☐

Environmental Review (submit to Commerce) ☒ ☐

Job Certifications ☒ ☐

A. Jobs

Job Retention

	Total Job Count				Percent	Race	Hispanic
	<u>Full Time</u>	<u>Full Time Low/Mod</u>	<u>Part Time</u>	<u>Part Time Low/Mod</u>	<u>Low/Mod Jobs</u>		
Actually Retained	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>100%</u>	<u>2-W</u>	<u> </u>
Actual FTE							
Jobs	<u>1</u>					<u> </u>	<u> </u>

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

Retained

Of Jobs Retained, number of jobs with employer sponsored health care benefits _____

C. Types of Jobs Retained

<u>Jobs Category</u>	<u>Jobs Created</u>	<u>Jobs Retained</u>
Officials and Managers	_____	<u>1</u>
Professionals	_____	_____
Technicians	_____	_____
Sales	_____	_____
Office and Clerical	_____	<u>1</u>
Craft Workers (Skilled)	_____	_____
Operatives (Semi-skilled)	_____	_____
Laborers (Unskilled)	_____	_____
Service Workers	_____	_____

We hereby certify that all applicable requirements have been met.

Signed By: _____

Date: _____

6-4-2020

QUARTERLY PROGRESS REPORT - PAGE 1
KANSAS DEPARTMENT OF COMMERCE
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Grantee: City of El Dorado Report #: 5 (Fifth - final)
 Grant #: 20-CV-080 Quarter Ending: 09/30/2021
 Address: 220 East First Avenue El Dorado, Kansas 67042-2003 Contract Award End Date: 07/31/2021
 Company Name (ED Projects): _____ Date Prepared: 07/14/2021
 Current Chief Elected Official: Bill Young
 Name and telephone number of person who prepared this report: Elizabeth Lawless/SCKEDD 316-440-3472
 Name Telephone Number

Financial Status:

Total Grant: \$132,000 Total Local Injection \$0
 Drawdowns received to date: \$126,500 Local spent to date \$0
 Drawdowns requested and not yet received: \$0 Initial Monitoring Conducted ☐
 Total Grant available \$5,500 Final Monitoring Conducted ☐

Contracts Awarded This Quarter With All Monies: *

Name & Address, DUNS#	Total Contract Amount	Local	CDBG	Activity		Contractor Data				
				No.	Title	Type of Procurement	Section 3	** MBE	** WBE	Davis- Bacon
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							
		☐	☐							

* Attach additional pages if needed.

** Categories are: 1-White, 2-Black/African American, 3-Asian, 4-American Indian/Alaskan Native, 5-Native Hawaiian/Other Pacific Islander, 6-American Indian/Alaskan Native & White, 7-Asian & White, 8-Black/African American & White, 9-American Indian/Alaskan Native & Black/African American, 10-Other Multi Racial, 11-Hispanic, 12-Non-Hispanic

Describe project accomplishments this quarter:

A total of fourteen (14) local businesses received grant funds resulting in 61 jobs retained. Final closeout submitted.

Planned activities next quarter:

None.

Technical assistance needs:

None.

QUARTERLY PROGRESS REPORT - PAGE 2

You must complete this page if you have a:

1. Community Improvement, Urgent Need or KAN STEP grant and this is your **first** or **final** report
2. Economic Development grant
3. Attach housing log for housing projects

Complete for all circumstances listed above:

		Number of Beneficiaries	Number of LMI Beneficiaries
1.	Target	61	55
2.	Total to Date	61	55

*		White	BAA	BAA/W	AI/AN	NH/PI	A	A/W	AI/AN/BAA	AI/AN/W	Other
1.	Total Beneficiaries	41	0	0	1	0	12	0	1	1	1
2.	Hispanic Beneficiaries	1	0	0	0	0	0	0	0	1	2

*BAA-Black African American; BAA/W-Black African American & White; AI/AN-American Indian or Alaskan Native; NH/PI-Native Hawaiian or Pacific Islander; A-Asian; A/W-Asian & White; AI/AN/BAA-American Indian or Alaskan Native & Black African American; AI/AN/W-American Indian or Alaskan Native & White

- | | |
|--|----|
| 3. Total Number of Households Benefiting to Date | 61 |
| 4. Total Number of Female Heads of Households Benefiting | 11 |
| 5. Total Number of Disabled Persons Benefiting | 3 |

NOTE: Beneficiaries are to be reported cumulatively as they occur

Economic Development Grants only:

Proposed (FTE - Jobs Count)

		QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8
1.	Total Jobs Retained					61			
2.	Total LMI Jobs Retained					55			
3.	Total Jobs Created								
4.	Total LMI Jobs Created								
5.	Total Jobs to be generated								

Accomplishments

	a. Planned this Quarter	b. Completed this Quarter	c. Completed to Date
6. Number of Jobs Retained	61	61	61
7. Number of LMI Jobs Retained	55	55	55
8. Number of Jobs Created			
9. Number of LMI Jobs Created			

10. Explain any variances from planned number of jobs:

REQUEST FOR PAYMENT OF CDBG FUNDS

CFDA 14.228

PART I: REQUEST FOR PAYMENT INFORMATION

GRANTEE - NAME City of El DoradoGRANT NO. 20-CV-080STREET ADDRESS 220 E 1st AveREQUEST NO. Six (6)

PO BOX _____

tsharp@eldoks.comCITY, STATE, ZIP El Dorado, KS 67042

Grantee's - E-mail address for notifying about ACH deposit

elawless@sckedd.org

Administrator - E-mail address for notifying about ACH deposit

PART II: STATUS OF CDBG FUNDS

AMOUNT

1	PAYMENT DUE & AMOUNT OF THIS REQUEST	<u>2,500.00</u>
2	CDBG GRANT AWARD	<u>132,000.00</u>
3	PROGRAM INCOME AND OTHER RECEIPTS	
4	TOTAL FUNDS (2 + 3)	<u>132,000.00</u>
5	CDBG FUNDS RECEIVED TO DATE	<u>124,000.00</u>
6	TOTAL (1 + 5)	<u>126,500.00</u>
7	REMAINING CDBG FUNDS (4 - 6)	<u>5,500.00</u>

PART III: CERTIFICATION

I HEREBY CERTIFY THAT THE DATA REPORTED ABOVE IS CORRECT AND THAT THE AMOUNT REQUESTED IS NOT IN EXCESS OF CURRENT NEEDS

DATE _____ SIGNATURE _____ TITLE _____

DATE: _____ SIGNATURE _____ TITLE _____

PART IV: APPROVAL (FOR KANSAS DEPT. OF COMMERCE USE ONLY)

CDBG APPROVAL:

1. CONTRACT TERMINATION DATE: _____

2. AUTHORIZED SIGNATURE: _____

3. MONITORING RESOLUTION: CURRENT / PAST DUE / NA

4. QUARTERLY PROGRESS REPORTS: CURRENT / PAST DUE

FIELD REPRESENTATIVE _____ DATE _____

FISCAL _____ DATE _____

Kansas Department of Commerce
Small Cities Community Development Block Grant

(For Economic Development Grants, please attach a copy of summary of payment)

GRANT NUMBER: 20-CV-080

Kansas Dept of Commerce
1000 SW JACKSON STREET, SUITE 100
TOPEKA, KS 66612-1354

6/2017 (REV)

Total Expended	
----------------	--

100%

July 14, 2021

Tabitha Sharp
City of El Dorado
220 East First Avenue
El Dorado, KS 67042

Re: Administrative Billing
CDBG-CV 20-CV-080



Serving the
Economic Needs
of South Central
Kansas.

Dear Tabitha,

Per the administration contract agreement, SCKEDD's fees were \$12,000.00. Because the City of El Dorado did not expend all grant funds, per grant rules, SCKEDD has chosen to lower its admin fees to 10% of the total grant. Admin fees now total \$11,500.00.

Payments are due to SCKEDD as follows for administrative duties.

1. 3,000.00 at completion of the environmental assessment.
2. 3,000.00 after the first drawdown of funds.
3. 3,000.00 once 50% of the total of all money set aside for businesses is spent.
4. **1,500.00 when the grant is ready for closeout, and clearance of all monitoring findings has cleared KDOC.**
5. **1,000.00 when the final closeout paperwork (with the exception of audit) is submitted to KDOC.**

Please consider this letter the billing statement for item **number 4 & 5.**

Total amount now due: \$2,500.00

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "EL", is written over a horizontal line.

Elizabeth Lawless
Grant Administrative Assistant

Butler
Chautauqua
Cowley
Elk
Greenwood
Harper
Harvey
Kingman
Marion
McPherson
Reno
Rice
Sedgwick
Sumner

9730 E. 50th St. N.
Bel Aire, KS 67226

P:316.262.7035
F:316.262.7062
www.sckedd.org

TO: City Commission
FROM: Scott Rickard
SUBJ: Approval of a Change Order No. 2 with APAC-Kansas, Inc. in the amount of \$108,841.00 for the addition of Pine Street from Washington to Taylor and 3rd Avenue from Orchard to Oil Hill to the 2021 Mill and Overlay Program.
DATE: July 30, 2021

Background:

In receiving favorable bids on El Dorado's 2021 Sales Tax overlay projects, staff has solicited additional work to fully utilize funds available. Staff is seeking authorization on Change order #2 with APAC Kansas, on project #582. Projects are listed below.

Original Contract

Southwest Trafficway (Main St. to City Limits @ Douglas Rd) - Authorized-Construction Costs- \$218,964.37

Change Order #1

Paving the South side of Walnut Valley Cemetery- Authorized-Construction Costs- \$58,620.00

Change Order #2

Paving Pine St. (Washington to Taylor)

Paving 3rd Ave. (Orchard to Oil Hill)

Seeking Authorization-Construction Costs - \$108,841.00

Project Schedule:

It is anticipated that construction will begin in late August 2021.

Strategic Plan:

***III. Infrastructure** - The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

c. Evaluate funding options for ***continued investment in critical public infrastructure.***

Attachments:

Estimates

Policy Issue:

The City Commission must authorize change order No. 2 to project 582.

Fiscal Impact:

The total cost of the project including a contingency and engineering is \$455,981.94 and will be funded from street sales tax dollars.

Staff Recommendation:

Authorize change order No. 2

Commission Actions:

Commissioner _____ moved to authorize change order No. 2 with APAC Kansas on project number 582.

Commissioner _____ seconded the motion.

[Return to Agenda](#)

[Next Item](#)



A CRH COMPANY

APAC-KANSAS, INC., SHEARS DIVISION

A CRH COMPANY

3511 S WEST ST | WICHITA, KS 67217

P (316) 524 5200 | F (316) 524 3651

CHANGE ORDER

TO City of El Dorado
Erik Tharp
Josh Potter

PROJECT El Dorado Project 582
SW Trafficway Mill & Overlay

LOCATION El Dorado, Kansas

DATE 07/20/2021

CO 02

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY	UNIT	AMOUNT
CO2	PINE – WASHINGTON TO TAYLOR				
	Milling (2")	\$ 2.00	1,171.000	SY	\$ 2,342.00
	Commercial Grade Asphalt (2")	\$ 65.00	144.000	Tons	\$ 9,360.00
	Asphalt Patching (If Needed)	\$ 125.00	20.000	Tons	\$ 2,500.00
	3 RD AVE – ORCHARD TO OIL HILL				
	Milling (2")	\$ 2.00	8,892.000	SY	\$ 17,784.00
	Commercial Grade Asphalt (2")	\$ 65.00	1,067.000	Tons	\$ 69,355.00
	Asphalt Patching (If Needed)	\$ 125.00	60.000	Tons	\$ 7,500.00

1. ORIGINAL CONTRACT AMOUNT	\$	218,964.37
2. NET CHANGE BY PREVIOUS CHANGE ORDER(S)	\$	58,620.00
3. CURRENT CONTRACT AMOUNT (1+2)	\$	277,584.37
4. THIS CHANGE ORDER AMOUNT	\$	108,841.00
5. NEW CONTRACT AMOUNT (3+4)	\$	386,425.37

If you have any questions or need any additional information, please call me at (316) 524-5200.

Sincerely,

Daniel Plake
Construction Manager
daniel.plake@apac.com

Accepted By: _____

Printed Name: _____

Date: _____

TO: City Commission
FROM: Scott Rickard
SUBJ: Authorization to participate in a City Connecting Link Improvement Program Project with the Kansas Department of Transportation.
DATE: July 30, 2021

Background:

The City has been allocated funding for surface preservation on South Main from South City limits to Central Ave. which will include a 2” mill & overlay. This award is a competitive process to receive funds for the rehabilitation of the State highway system within City Limits. The City of El Dorado is responsible for the maintenance of Central Ave. and Main St. and as such these funds will significantly reduce the burden to our local tax base. This project will be combined with the mill & overlay of Central Avenue from Taylor St. to Griffith St., which was previously approved.

Project Schedule:

The project will be part of the KDOT 2022 & 2023 Fiscal Year. Once the City submits the attached 1302 form a project schedule will be developed by KDOT. The City anticipates that the project will be bid in the summer of 2022.

Strategic Plan:

III. Infrastructure - *The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

- a. Evaluate funding options for ***continued investment in critical public infrastructure.***

Attachments:

See award letter & Location Map

Policy Issue:

Approval of the City Commission to authorize the Mayor to sign and submit KDOT form 1302, and submit that sufficient funds are available to cover the City’s 10% responsibility.

Alternatives:

Decline the project, which then KDOT would allocate the funds to another

Fiscal Impact:

KDOT \$600,000 City 10%. The City’s funding would be paid from Sales Tax street rehabilitation funds. Annually \$600,000 in sales tax dollars are allocated to street rehabilitation.

Staff Recommendation:

To approve KDOT project programming request

Commission Actions:

Commissioner _____ moves to authorize the Mayor to sign and submit KDOT form 1302 for the preservation project of South Main from South City Limits to Central Ave. & Central Ave. from Taylor St. to Griffith St.

Commissioner _____ seconded the motion

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[Next Item](#)

Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street
Topeka, KS 66603-3745



Phone: 785-296-3861
Fax: 785-296-6946
kdot#publicinfo@ks.gov
<http://www.ksdot.org>

Julie L. Lorenz, Secretary
Michael J. Stringer, P.E., Chief

Laura Kelly, Governor

July 19, 2021

Mr. Scott Rickard
City Engineer
220 E. 1st Ave.
El Dorado, KS 67042

Dear Mr. Rickard,

Congratulations! Your application for a Surface Preservation project has been selected for funding as part of the Kansas Department of Transportation (KDOT) State Fiscal Year (SFY) 2023 City Connecting Link Improvement Program. KDOT has allocated \$300,000 for Construction and Construction Engineering for this project:

Mill and overlay on US-54/US-77 (S. Main St.) from the South City Limits to Central Ave.

The City will be required to contribute a minimum of 10% plus anything over the amount shown above and will also be responsible for all Preliminary Engineering, Right-of-Way, and Utility costs.

For KDOT to program your project, KDOT must receive a completed 1302 form from you before Sept. 1, 2021. Please complete the enclosed form and return it as soon as possible to KDOT.LPePlans@ks.gov.

Once KDOT receives your completed 1302 form, KDOT will program the project and send a project schedule as a reference in developing the project in accordance with KDOT's procedures. Project development details may be found in the LPA Project Development Manual at [KDOT: Local Projects](#).

To keep the project on schedule, this letter serves as the commitment from KDOT to fund this project at the amount written above. An agreement between KDOT and the City will be forthcoming that outlines all terms and conditions of KDOT's funding. However, to allow for you to begin preliminary engineering, the following clauses will be included in the agreement between the City and KDOT and shall be included in your contract with a consultant to provide preliminary engineering services:

Conformity with State and Federal Requirements. The City shall be responsible to design the Project or contract to have the Project designed in conformity with the state and federal design criteria appropriate for the Project in accordance with the current Local

Projects LPA Project Development Manual, Bureau of Local Project's (BLP's) project memorandums, memos, the KDOT Design Manual, Geotechnical Bridge Foundation Investigation Guidelines, Bureau of Road Design's road memorandums, the latest version, as adopted by the Secretary, of the Manual on Uniform Traffic Control Devices (MUTCD), the current version of the Bureau of Transportation Safety and Technology's Traffic Engineering Guidelines, and the current version of the KDOT Standard Specifications for State Road and Bridge Construction with Special Provisions, and any necessary Project Special Provisions, and with the rules and regulations of the FHWA pertaining to the Project.

Consultant Contract Language. The City shall include language requiring conformity with Article III, paragraph 3 above, in all contracts between the City and any Consultant with whom the City has contracted to perform services for the Project. In addition, any contract between the City and any Consultant retained by them to perform any of the services described or referenced in this paragraph for the Project covered by this Agreement must contain language requiring conformity with the paragraph entitled Conformity with State and Federal Requirements. In addition, any contract between the City and any Consultant with whom the City has contracted to prepare and certify Design Plans for the Project must also contain the following provisions:

- (a) Completion of Design. Language requiring completion of all plan development stages no later than the current Project schedule's due dates as issued by KDOT, exclusive of delays beyond the Consultant's control.
- (b) Progress Reports. Language requiring the Consultant to submit to the City (and to the Secretary upon request) progress reports at monthly or at mutually agreed intervals in conformity with the official Project schedule.
- (c) Third Party Beneficiary. Language making the Secretary a third party beneficiary in the agreement between the City and the Consultant. Such language shall read:

“Because of the Secretary of Transportation of the State of Kansas’ (Secretary’s) obligation to administer state funds, federal funds, or both, the Secretary shall be a third party beneficiary to this agreement between the City and the Consultant. This third party beneficiary status is for the limited purpose of seeking payment or reimbursement for damages and costs the Secretary or the City or both incurred or will incur because the Consultant failed to comply with its contract obligations under this Agreement or because of the Consultant’s negligent acts, errors, or omissions. Nothing in this provision precludes the City from seeking recovery or settling any dispute with the Consultant as long as such

settlement does not restrict the Secretary's right to payment or reimbursement."

If you have any questions, please do not hesitate to contact us. Questions may be directed to Dawn Hueske at (785) 207-1420 or Dawn.Hueske@ks.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Stringer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Stringer, P.E., Chief
Bureau of Local Projects

CC: Calvin Reed, Director of Engineering and Design
Brent Terstriep, KDOT District Engineer

PROJECT PROGRAMMING REQUEST

☒ New Project		☒ Amend Existing Project		Date:	8/2/2021
Program Year: 22/23		Funding Program: CCLIP-SP (Surface Preservation)			
KDOT District		MPO		MPO TIP #	
5		N/A			
County	City	Route / Corridor		Functional Classification	
Butler	El Dorado	US 77/K254		3 = Other Principal Arterial	
Project Sponsor / Lead Agency					
City of El Dorado					
Project Mgr / Contact		Phone		E-mail Address	
Scott Rickard		316-321-9100 x151		srickard@eldoks.com	
Project Title					
Mill & Overlay K-254/US-54 (Central Ave) from Taylor to Griffith & US-77/US-54 (S Main St) S City limits to US-54					
Project Length: 1.030 miles		Desired Letting Date:		June 2022	
Letting Type: ☐ KDOT ☒ LPA ☐ Force Account					
Location, Project Limits, Description, Scope of Work					
2" Mill & Overlay with pavement marking on K-254/US-54 (Central Ave) from Taylor St to Griffith St(2022 Award) & US-77/US-54 (S Main St) from South City Limits to US-54/K-254 (Central Ave) (2023 Award) The City of El Dorado is requesting that the two projects be combined and bid as one.					
Purpose and Need					
The roadway is in need of mill and overlay to protect the sub-base and improve ride quality.					
Project Benefits					
Preservation of K-254/US-54 and US-77/US-54 within the City of El Dorado					
RR within 1/2 mile?	RR Company Name	No. of Tracks	Existing Crossing Protection		
Yes	BNSF	2	Elevated Grade Separation		

In accordance with the Bureau of Local Projects (BLP) Memo 99-11, dated December 16, 1999, we are required, under the Comprehensive Transportation Program (CTP), to collect and record total costs of all work phases of projects. This includes local agency federal-aid and state-aid projects that include any non-participating, pre-construction local agency costs for preliminary engineering (plan design), rights of way and utility adjustments. Please show your estimate of the cost for all work phases below:

Project Cost Estimate				
	Participating	Non-Participating	Total	
PE (Design)	\$ -	\$ 57,856.08	\$ 57,856.08	
Utilities	\$ -	\$ -	\$ -	
ROW	\$ -	\$ -	\$ -	
CE (Inspection)	\$ 57,105.08	\$ -	\$ 57,105.08	
Construction Total	\$ 570,720.07	\$ -	\$ 570,720.07	
Grading	\$ 88,094.86	\$ -	\$ 88,094.86	
Surfacing (Asphalt)	\$ 393,982.96	\$ -	\$ 393,982.96	
Surfacing (Concrete)	\$ 20,400.00	\$ -	\$ 20,400.00	
Signing and Pavement Marking	\$ 58,242.25	\$ -	\$ 58,242.25	
Other	\$ 10,000.00	\$ -	\$ 10,000.00	
	\$ -	\$ -	\$ -	
			\$ -	
Project Totals	\$ 627,825.15	\$ 57,856.08	\$ 685,681.23	

PROJECT PROGRAMMING REQUEST

BE IT RESOLVED: That sufficient funds from City of El Dorado

are now, or will be available and are hereby pledged to the Secretary in the amount and at the time required for the supplementing of federal funds available for the completion of this project. Prior to Federal Authorization, any project expenditures made by the LPA are ineligible for federal funding and remain the responsibility of the LPA. Upon cancellation of the project by the LPA, the LPA shall reimburse the Secretary within thirty (30) days after receipt of statement of cost incurred by the Secretary prior to cancellation.

Please sign below in accordance with your local policy.

Recommended for Approval:

Appropriate Local Officials

Mayor

Title

ATTEST:

Title

City Clerk

Title

EL DORADO

K A N S A S

ENGINEERING DEPARTMENT

City of El Dorado, Kansas
Engineers Estimate of Cost Post Bid

7/21/2021

2021 Street Sales Tax Projects
Project 582

SW Trafficway (Main St to City Limits @ Douglas Rd)

Item No.	Description	Units	QTY	Unit Cost	Total
1	0.5" Mill	S.Y.	16,386	\$ 0.79	\$ 12,944.94
2	1.5" Mill	S.Y.	14,369	\$ 1.47	\$ 21,122.43
3	Commercial Grade Asphalt (1.5")	Tons	2,768	\$ 55.00	\$ 152,240.00
4	4" White Lane Line	L.F.	6,950	\$ 0.32	\$ 2,224.00
5	4" Solid Yellow Double Line	L.F.	5,950	\$ 0.64	\$ 3,808.00
6	Traffic Control	L.S.	1	\$ 7,800.00	\$ 7,800.00
7	Water Valve Pad	Ea.	3	\$ 475.00	\$ 1,425.00
8	Manhole Pad	Ea.	3	\$ 1,050.00	\$ 3,150.00
9	Asphalt Base Patching (If Needed)	TONS	20	\$ 125.00	\$ 2,500.00
10	Mobilization	L.S.	1	\$ 11,750.00	\$ 11,750.00

Construction Subtotal \$ 218,964.37

Change Order Number 1 *APPROVED CC*

Paving South Side of Walnut Valley Cemetery

Item No.	Description	Units	QTY	Unit Cost	Total
1	Commercial Grade Asphalt (1.5")	Tons	977	\$ 60.00	\$ 58,620.00

Construction Subtotal \$ 58,620.00

Change Order Number 2 *AWAITING APPROVAL*

Paving Pine (Washington to Taylor)

Item No.	Description	Units	QTY	Unit Cost	Total
1	2" Mill	SY	1,171	\$ 2.00	\$ 2,342.00
2	Commercial Grade Asphalt (1.5")	Tons	144	\$ 65.00	\$ 9,360.00
3	Asphalt Patching (If Needed)	Tons	20	\$ 125.00	\$ 2,500.00

Paving 3rd (Orchard to Oil Hill)

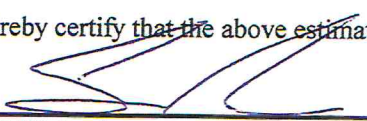
Item No.	Description	Units	QTY	Unit Cost	Total
1	2" Mill	SY	8,892	\$ 2.00	\$ 17,784.00
2	Commercial Grade Asphalt (1.5")	Tons	1,067	\$ 65.00	\$ 69,355.00
3	Asphalt Patching (If Needed)	Tons	60	\$ 125.00	\$ 7,500.00

Construction Subtotal \$ 108,841.00

Construction Total Project 582	\$ 386,425.37
Contingency	\$ 38,642.54
Engineering	\$ 30,914.03

Total Project \$ 455,981.94

I hereby certify that the above estimate is correct to the best of my knowledge.



Scott Rickard
Engineering Department

CITY OF EL DORADO

CCLIP SURFACE PRESERVATION

S MAIN / HWY 77
(CENTRAL TO KANSAS)

2021
APPLICATION

CENTRAL AVE / HWY 54

S MAIN / HWY 77

W OLIVE AVE

S VINE ST

W CAVE SPRINGS AVE

W KANSAS AVE

BNSF RAILROAD



TAYLOR ST

WASHINGTON ST

STAR ST

GORDY ST

MAIN ST / HWY 77

VINE ST

GRIFFITH ST

CENTRAL AVE / 254

CENTRAL AVE / 54

CITY OF EL DORADO
CCLIP SURFACE PRESERVATION

CENTRAL AVE
(GRIFFITH TO TAYLOR)

2022
APPLICATION

EL DORADO

K A N S A S

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Real Estate Donation to Land Bank
DATE: July 29, 2021

Background: The City of El Dorado owns a 10.34 acre tract of land in the North Industrial Park located on the west side of Garcia Court behind Pioneer Balloon. By donating the tract to the Land Bank, the property will have the same rights and privileges of other properties owned by the Land Bank.

JB Rentals, LLC has approached the City about leasing the property for the development of a building to attract an economic development prospect. The Land Bank could facilitate the development of the building while the Land Bank owns the property. Taxes on the property would not come due until such time as the Land Bank conveys, or sells, the property to the private party. This delayed transaction allows the developer to realize a tax incentive while the Land Bank continues to own the property.

The Land Bank would sell the property once a tenant occupies the building. At that time, the new private property owner would realize a tax liability.

Strategic Priority: Economic Development - Facilitate the *proactive recruitment of industrial development opportunities* that leverage El Dorado's physical and intangible assets.

Fiscal Impact: The City currently does not receive any property taxes or other revenue from the subject property. Donating the property to the Land Bank will not change the taxable status of the property. The City will only receive tax revenue from the property once it is conveyed from the Land Bank to a taxable entity.

Legal Review: The City Attorney has not reviewed the warranty deed for conveying the subject property to the Land Bank.

Trade-offs: As previously mentioned, conveying the property to the Land Bank does not change the taxable status of the property. It does create an opportunity to create work with a private party to develop the property using tools available to the Land Bank, but not otherwise available without significant cost and delay.

Staff Recommendation: The City Manager recommends conveying the aforementioned tract of real property to the Land Bank.

Commission Actions:

Commissioner _____ moves to authorize the conveyance of a tract of real property in the North Industrial Park as presented by the City Manager and legally described in the Warranty Deed to the Land Bank of the City of El Dorado, Kansas.

Commissioner _____ seconded the motion.

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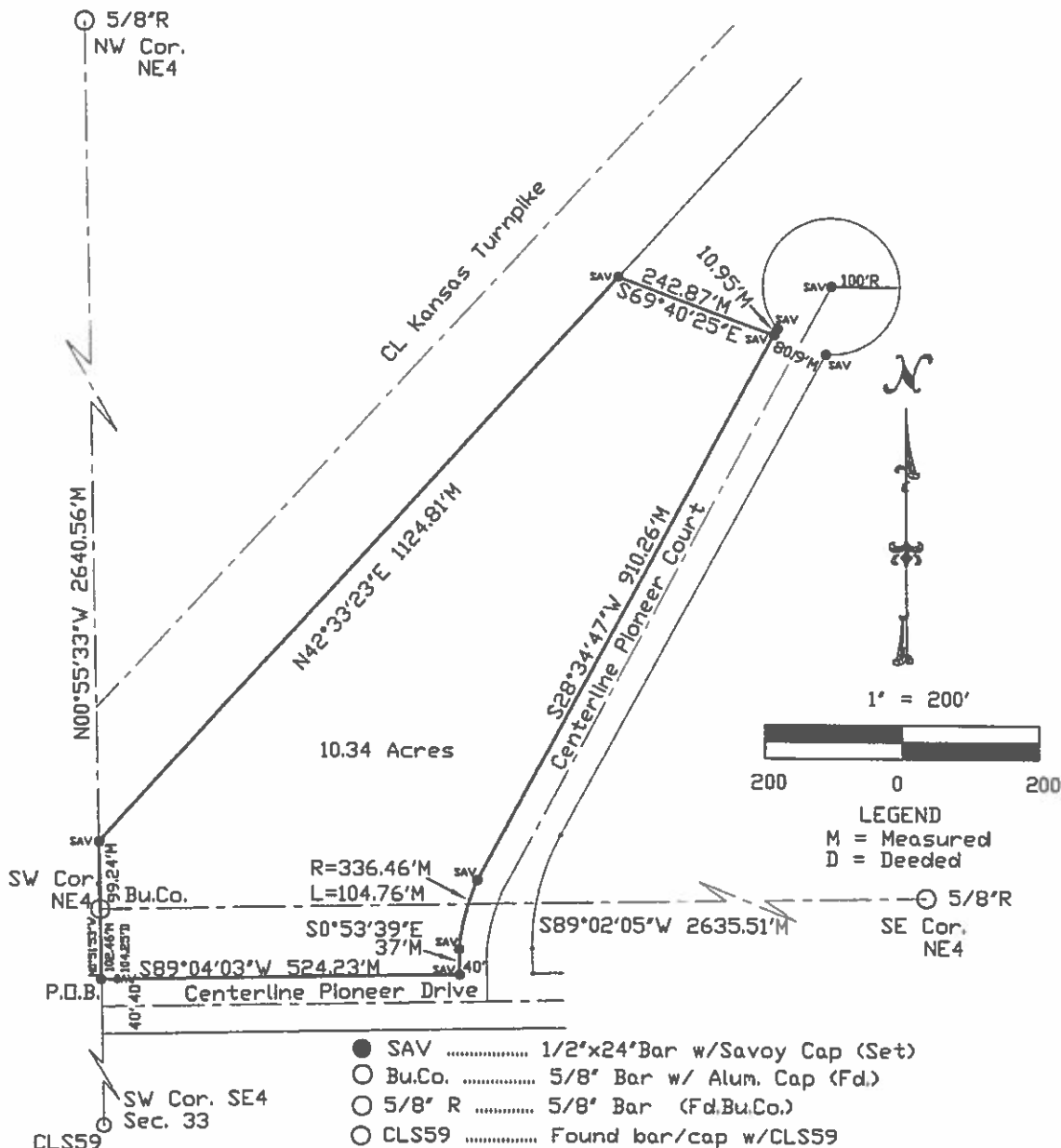


Savoy Company, P.A.
Land Surveyors
www.savoyco.com

Wichita, Kansas
433 S. Hydraulic
Wichita, KS 67211-1911
Tel. (316) 265-0005
Fax. (316) 265-0275

El Dorado, Kansas
120 N. Main, Suite 3
El Dorado, KS 67042-2058
Tel. (316) 452-5552
Fax (316) 452-5682

LEGAL DESCRIPTION FOR CITY OF EL DORADO AND JOHN BANKS



LEGAL DESCRIPTION

Beginning at a point on the West line of the Southeast Quarter (SE4) of Section 33, Township 25 South, Range 5 East of the Sixth Principal Meridian in El Dorado, Butler County, Kansas, said point being 104.25 feet South of the Northwest corner of said Southeast Quarter (SE4); thence North along said West line, a distance of 104.25 feet to said Northwest corner; thence N00°55'33"W, along the West line of the Northeast Quarter (NE4) a distance of 99.24 feet; thence N42°33'23"E, (bearings taken from NAD83 Kansas South Zone), along the Southeasterly Right-of-way of the Kansas Turnpike, a distance of 1124.81 feet; thence S69°40'25"E, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence S28°34'47"W, a distance of 910.26 feet to a point of curve, said curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence S00°53'39"E, a distance of 37 feet to a point on the North Right-of-way of Pioneer Drive; thence S89°04'03"W, a distance of 524.23 feet to the Point of Beginning. Said tract contains 10.34 Acres.

KANSAS WARRANTY DEED

On this ____ day of _____, 2021, the City of El Dorado, Kansas, Grantor, conveys and warrants to the **City of El Dorado Land Bank**, located in El Dorado, Kansas, Grantee, all its right, title and interest in and to the described real estate on the attached Exhibit A situated in the County of Butler, State of Kansas.

SUBJECT TO: Easements, mortgages, and restrictions of record, if any.

IN WITNESS WHEREOF, Grantor has set its hand on the day and year first above written.

CITY OF EL DORADO, KANSAS

Bill Young, Mayor

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2021, by **Bill Young**, Mayor of the **City of El Dorado, Kansas**.

Notary Public

My Appointment Expires: _____

Mail Tax Statements To:
City of El Dorado Land Bank
220 E. 1st Ave.
El Dorado, KS 67042

EXHIBIT A

TO: City Commission
FROM: Jason Patty
SUBJ: Approval of a Professional Services Agreement with TREKK Design Group for the purposes of providing sanitary sewer flow monitoring at a not-to-exceed cost of \$69,000.
DATE: July 26, 2021

Background:

The City of El Dorado's current sanitary sewer collection system serves a population of roughly 13,000, which includes everything from heavy industrial to single-family homes. Most of our collection system has not increased carrying capacity in the last 40 years. Inflow and Infiltration causes significant issues within our collection system. During wet weather events flow into our waste water treatment facility will increase 4 times. We need to understand and plan for projects that address I&I along with system growth.

The City of El Dorado is currently marketing land for industrial growth, as we work with prospects we need to have the ability to understand conceptual alignments and cost of sanitary sewer infrastructure to serve our growth area.

To that end, in coordination with Garver the City has received a bid from TREKK Design Group, LLC to conduct flow monitoring of our sanitary sewer system.

Project Schedule:

Completion of the 60-day flow monitoring 8/11/2021 - 10/10/2021 with optional 30 day extension.

Strategic Plan:

Infrastructure - *The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

- Adopt and implement a **multi-year Capital Improvement Plan** that provides for the replacement of existing public infrastructure while also providing a mechanism for growth opportunities.
- Continuously **evaluate public facilities** to ensure that such facilities receive proper investment for maintenance, and facilitate the planning of new or renovation of such facilities when needed to maintain service delivery.
- Develop a long-term finance plan to prudently manage and pay off debt obligations associated with **water storage capacity** at El Dorado Lake.

Economic Development – *The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*

- Facilitate the **proactive recruitment of industrial development opportunities** that leverage El Dorado's physical and intangible assets.
- Market El Dorado's **industrial and business parks** as prime sites for development opportunities.

Attachments:

Scope, Fee schedule, and contract

Policy Issue:

The Commission must authorize the City Manager to sign the contract.

Alternatives:

Reduce the number of monitoring locations

Fiscal Impact:

A Not to exceed fee of \$69,000 to be paid out of reserves in the Sewer Fund.

Staff Recommendation:

Commissioner _____ authorizes the City Manager to execute the contract with TREKK Design Group, LLC to conduct flow monitoring of our sanitary sewer system.

Commissioner _____ seconded the motion.

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PROFESSIONAL SERVICES AGREEMENT

City of El Dorado, KS Temporary Flow Monitoring 2021

THIS PROFESSIONAL SERVICES AGREEMENT (hereinafter the "Agreement") made as of this 26th day of July, 2021, by and between City of El Dorado, KS, a second-class Municipal Corporation (hereinafter the "City"), and **TREKK DESIGN GROUP, LLC** (hereinafter the "Consultant").

WHEREAS, the City is in need of professional assistance in a technical field to perform temporary flow monitoring more fully described on Exhibit A attached hereto (hereinafter the "Project");

WHEREAS, the Consultant represents that it has sufficient experience and qualified personnel to perform, and the City desires the Consultant to perform, the professional services more fully described on Exhibit A attached hereto; and

WHEREAS, the City has determined, based upon information provided by the Consultant that Consultant is qualified to provide the professional services described herein.

NOW, THEREFORE, the City and the Consultant, in consideration of their mutual covenants herein, agree in respect to the performance of professional services by the Consultant and the payment for those services by the City as set forth below.

ARTICLE I

Scope of Services

The Consultant shall provide for the City professional services listed in attached Exhibit A, "Scope of Services."

It is the desire of the parties to keep changes in the Scope of Services at a minimum, but the parties recognize that such changes may become necessary and agree that the City may initiate deletions, modification or changes to the Services by advising the Consultant in writing of the change believed to be necessary. As soon thereafter as practicable, Consultant shall prepare a cost estimate of the change and shall inform the City of the adjustment in the compensation due Consultant under Article II applicable to such requested change. City shall then advise Consultant in writing of its approval or disapproval of the change. If City approves the change, a written contract amendment shall be executed by both parties and Consultant shall perform the services as changed and the adjustment in Consultant's compensation and/or the completion date set forth in the executed contract amendment shall become effective.

ARTICLE II

Compensation

The City shall the pay the Consultant for services performed as outlined in Article I as set forth below:

10 temporary flow monitoring locations for 60 days.....\$47,400.00
Optional 30 day extension.....\$21,600.00

ARTICLE III

Schedule

The Consultant agrees to complete the services outlined in Article I within a time frame as lined out in Exhibit B. In absence of written directions to the contrary, receipt of the executed Agreement shall be the Consultant's Notice to Proceed. The contract time includes reasonable review time by the City, and any other applicable governmental agencies.

Solely at the discretion of the City, an extension in time may be granted to the Consultant for delays determined by the City as unavoidable. Consultant may request extension of time stating fully the reasons for such request. Extensions for unavoidable delays shall be made in accordance with Article VI, Section 5.3 herein.

ARTICLE IV

City's Responsibilities

City shall perform the following in a timely manner so as not to unreasonably delay the services of the Consultant:

1. Provide design objectives and constraints, capacity and performance requirements, and budgetary limitations for the Project;
2. Furnish reports, plans and surveys in its possession that pertain to the Project. Except for reports and surveys prepared specifically for this Project, the Consultant shall have an obligation to independently verify the information contained in reports, plans, surveys and maps, which are furnished by the City. City shall notify Consultant of any known material errors or omissions in the information provided;
3. Arrange for access to enter upon public and private property as required for Consultant to perform services under this Agreement;
4. Furnish design and construction standards;
5. Examine all studies, reports, sketches, drawings, specification, proposals, and other documents presented by Consultant, obtain advice of attorney, insurance counselor and other consultant as City deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of Consultant;
6. Sign and submit permits required by other local, state, and federal agencies;
7. Attend design review meetings, pre-bid and pre-construction conferences, and construction meetings;
8. Negotiate and pay for rights of way and easements necessary to complete the Project;
9. Advertise the Project for construction bids, distribute bidding documents, and receive and open construction bids; and

10. Identify, in writing, a primary point of contact through whom all communications to the Consultant shall be issued.

ARTICLE V

Consultant's Responsibilities

In addition to the basic services identified in Article I "Scope of Services" the Consultant shall do the following:

1. Comply with local, state and federal rules, regulations and laws pertaining to this Agreement that are applicable at the time the Consultant designs the Project, regardless of whether such requirements are specifically referred to in this Agreement. Consultant shall protect and indemnify the City and its officers and agents against any claims or liability to the extent caused by any violation of the same;
2. Submit interim drafts and coordinate and attend draft review meetings as needed to meet Project requirements and City's design standards, and prepare final plans and specifications as required in Article II, "Compensation;"
3. Immediately upon expiration or termination of the Agreement, return to the City all of the studies, maps, and other data furnished to the Consultant by the City pursuant to this Agreement;
4. To the greatest extent permitted by law, indemnify and hold harmless the City, its elected officials, officers, employees, , from damages, losses and expenses, including reasonable attorneys' fees, to the extent resulting from the performance of Consultant's services, but only to the extent the damage, loss, or expense is caused by the negligent or intentional act, error or omission of the Consultant, its sub consultants, anyone employed or retained by any of them, or anyone for whose acts any of them may be liable
5. Maintain throughout the duration of this Agreement insurance in the following minimum amounts:

(a) Workers' Compensation and Employers' Liability

Worker's Compensation	Statutory
Employers' Liability	\$1,000,000 each employee
	\$1,000,000 each accident
	\$1,000,000 policy limit

(b) Comprehensive Automobile Liability

Bodily Injury	\$1,000,000 each person
	\$1,000,000 each accident
Property Damage	\$1,000,000 each occurrence

(c) Comprehensive General Liability

Bodily Injury	\$2,000,000 each person
	\$2,000,000 each accident
Property Damage	\$2,000,000 each occurrence

(d) Professional Liability Insurance

\$2,000,000 per claim
\$2,000,000 annual aggregate

Consultant shall provide City with certification thereof upon request. All general liability and automobile liability insurance shall be written on an occurrence basis unless otherwise agreed by the City in writing. All insurance carriers must be licensed to do business in the State of Kansas; carry a Best's policyholder rating of "A" or better and/or that is acceptable to the City. Consultant shall provide City with a certificate of insurance showing such coverage and naming the City as an additional insured. In the event such insurance coverage is canceled, the City shall be notified immediately;

6. employ persons qualified to efficiently perform the obligations and duties of the Consultant under this Agreement. If the City shall so direct, the Consultant shall remove from the Project any engineer, architect, surveyor, appraiser or other person employed by the Consultant in connection with the work;
7. furnish right-of-way and easement descriptions for negotiations, eminent domain proceedings, and maps and sketches as required by City; and
8. notify the City in writing in accordance with Article I of any changes in services, fees or schedules.

ARTICLE VI

Miscellaneous

1. Controlling law. This Agreement is to be governed by the laws of the State of Kansas.
2. Assignment. None of the obligations of the Consultant under this Agreement shall be assigned without the approval in writing of the City.
3. Binding on Successors. This Agreement is binding upon and fully enforceable against the successors and assigns of the Consultant, whether or not consented to by the City.
4. Reuse of Information. Consultant shall retain ownership of information, including reports, surveys, designs, presentation graphics and creative products, furnished under this Agreement. Provided, however, City's right of reuse shall be unlimited in frequency and quantity and may be for completion of the Project, an extension of the Project by parties other than the Consultant, or for uses unrelated to the Project. When information is subject to third party royalties or license agreements, City shall pay such royalties and license fees associated with the reuse of the documents. City's reuse of the information without verification or adaptation by the Consultant shall be at the City's sole risk without liability or legal exposure to the Consultant. No additional compensation shall be due the Consultant for City's reuse of the information.
5. Termination for Default.

5.1 Default:

If the Consultant refuses or fails to perform any of the provisions of this Agreement with such diligence as will ensure its completion within the time specified in this Agreement, or any extension thereof, or commits any other substantial breach of this Agreement, the City may notify the Consultant in writing of the delay or nonperformance and if not cured in ten days or any longer time specified in writing by the City, the City may terminate the Consultant's

rights to proceed with the Agreement or such part of the Agreement as to which there has been delay or a failure to properly perform.

5.2 Compensation:

The City shall pay the Consultant the costs and expenses and reasonable profit for services performed by the Consultant prior to receipt of the notice of termination; however, the City may withhold from amounts due the Consultant such sums as the City deems to be necessary to protect the City against loss caused by the Consultant because of the default.

5.3 Excuse for Nonperformance or Delayed Performance:

Except with respect to defaults of subcontractors, the Consultant shall not be in default by reason of any failure in performance of this Agreement in accordance with its terms if the Consultant has notified the City within 30 days after the cause of the delay and the failure arises out of causes such as: acts of God; acts of the public enemy; acts of the City or any other governmental entity in its sovereign or contractual capacity; fires; floods; epidemics; quarantine restrictions; strikes or other labor disputes. If the failure to perform is caused by the failure of a subcontractor to perform or to make progress, and if such failure arises out of the causes set forth above, the Consultant shall not be deemed to be in default, unless the services to be furnished by the subcontractor were reasonably obtainable from other sources in sufficient time to permit the Consultant to meet the terms of the Agreement. Upon request of the Consultant, the City shall ascertain the facts and extent of such failure, and, if the City determines that any failure to perform was occasioned by any one or more of the excusable causes, and that, but for the excusable cause, the Consultant's progress and performance would have met the terms of the Agreement, the time for completion of the Agreement shall be revised accordingly, subject to the rights of the City under the clause entitled "Termination for Convenience."

5.4 Erroneous Termination for Default:

If, after notice of termination of the Consultant's right to proceed under the provisions of this Section, it is determined for any reason that the Consultant was not in default under the provisions of this Section, or that the delay was excusable under the provision of Subsection 5.3, and both the City and the Consultant agree, the rights and obligations of the parties shall be the same as if the notice of termination had not been issued. Otherwise, the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to the Section entitled "Termination for Convenience."

6. Termination for Convenience.

6.1 Termination:

The City may, when the interests of the City so require, terminate this Agreement in whole or in part, for the convenience of the City. The City shall give written notice of the termination to the Consultant specifying the part of the Agreement terminated and when termination becomes effective.

6.2 Consultant's Obligations:

The Consultant shall incur no further obligations in connection with the terminated services and on the date set in the notice of termination the Consultant will stop work to the extent specified.

6.3 Compensation:

The City shall pay the Consultant the following amounts:

- (a) All costs and expenses incurred by the Consultant for work accepted by the City prior to the Consultant's receipt of the notice of termination, plus a reasonable profit for said work.
- (b) All costs and expenses incurred by the Consultant for work not yet accepted by the City but performed by the Consultant prior to receipt of the notice of termination, plus a reasonable profit for said work.
- (c) Anticipatory profit for work and service not performed by the Consultant shall not be allowed or paid under any circumstances.

7. Disputes.

7.1 The City and Consultant agree that disputes relative to the Project or this Agreement should first be addressed by negotiations between the parties. If direct negotiations fail to resolve the dispute, the party initiating the claim that is the basis of the dispute shall be free to take such steps as it deems necessary to protect its interests; provided, however, that notwithstanding any such dispute, the Consultant shall proceed with its services under this Agreement as though no dispute exists; and provided further, that no arbitration proceedings shall be initiated by Consultant without the prior written consent of the City.

8. Representations.

The Consultant states that:

8.1 The price submitted and the costs comprising same are independently arrived at without collusion.

8.2 The Consultant affirms it has not made or agreed to make any valuable gift whether in the form of service, loan, thing, or promise to any person, or any of the person's immediate family, having the duty to recommend, the right to vote upon, or any other direct influence on the selection of consultants to provide services to the City within two (2) years preceding the execution of this Agreement.

8.3 The Consultant represents that it has not retained and will not retain a person to solicit or secure a City contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

9. Equal Employment Opportunity.

During the performance of this Agreement, the Consultant agrees as follows:

9.1 The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, sex, disability, age, national origin, or ancestry. The

Consultant will ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, color, sex, disability, age, national origin, or ancestry. Such action shall include, but not be limited, to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

9.2 The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, disability, age, national origin, or ancestry, and shall include the phrase "equal opportunity employer" or similar phrase approved by Kansas Commission on Human Rights.

9.3 The Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement.

9.4 The Consultant shall assure that it and all subcontractors will comply with this Section 9.

9.5 If the Consultant shall fail, refuse or neglect to comply with the terms of these contractual conditions, such failure shall be deemed a total breach of the Agreement and such Agreement may be terminated, canceled or suspended, in whole or in part, and the Consultant may be declared ineligible for any further City contract for a period of up to one year. Provided, that if an Agreement is terminated, canceled or suspended for failure to comply with this Section, the Consultant shall have no claims for damages against the City on account of such termination, cancellation or suspension or declaration of ineligibility.

9.6 The Consultant shall assure that it is in compliance with and shall maintain sufficient records to document that, under all aspects of this Agreement, it has acted in a manner which is in full compliance with all applicable sections of the Equal Employment section of this Agreement and the following, as applicable: Title VI of the Civil Rights Act of 1964 (as amended) (42 USCS § 2000d et seq.); Title VII of the Civil Rights Act of 1964 (42 USCS §§ 2000e et seq.); Title VIII of the Civil Rights Act of 1968 (42 USCS § 3601 et seq.); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101, and amendments thereto). Such records shall at all times remain open to inspection by an individual designated by the City for such purpose.

9.7 The Consultant, in carrying out this Agreement, shall also comply with all other applicable existing federal, state and local laws relative to equal opportunity and nondiscrimination, all of which are incorporated by reference and made part of this Agreement.

10. Independent Contractor.

It is agreed that Consultant is an independent contractor to the City and shall not be considered an employee. Consultant shall be responsible for and pay all taxes and withholdings required by law upon the compensation paid under this Agreement, and shall indemnify and hold harmless the City from liability in connection therewith.

11. Notice.

Any formal notice required or permitted under this Agreement shall be deemed sufficiently given if said notice is personally delivered or sent by First Class mail, postage prepaid, to the party to whom said notice is to be given. Notices delivered in person shall be deemed to be served effective as of the date the notice is delivered. Notices sent by First Class mail shall be deemed to be served seventy-two (72) hours after the date said notice is postmarked to the addressee, postage prepaid.

Until changed by written notice given by one party to the other, notice to the Consultant shall be made at the address set forth following the Consultant's signature block. Notice to the City shall be made as follows:

City of El Dorado, KS
Attn: Scott Rickard
220 East First
El Dorado, KS 67042
Phone: (316) 321-9100 ext. 151

Other correspondences may be sent to:
TREKK Design Group, LLC
Attn: Tim Mathes
1411 E 104th St
Kansas City, MO 64131
Phone: (816) 835-9680
Fax: (816) 874-4675

12. Phraseology.
In this Agreement, the singular includes the plural, the plural includes the singular and any gender includes the other gender.
13. Descriptive Headings.
The descriptive headings of the provisions of this Agreement are formulated and used for convenience only and shall not be deemed to affect the meaning and construction of any such provision.
14. Amendments.
This Agreement may not be amended unless such amendment is in writing and signed by both parties hereto.
15. Invalidity.
In the event that any provision in this Agreement shall be adjudicated invalid under applicable laws, such invalid provision shall automatically be considered reformed and amended so as to conform to all applicable legal requirements, or, if such invalidity cannot be cured by reformation or amendment, the same shall be considered stricken and deleted, but in neither such event or events shall the validity or enforceability of the remaining valid portions hereof be affected thereby.
16. Waiver.
The failure of either party to insist upon the strict performance of any of the terms or conditions of this Agreement or to exercise any option, right or remedy herein contained, should not be construed as a waiver or relinquishment for the future of such term, provision, option, right or

remedy, but the same shall continue and remain in full force and effect. No waiver by either party of any term or provision hereof shall be deemed to have been made unless expressed in writing and signed by the waiving party.

17. Merger.

This Agreement and the documents incorporated by reference constitute the entire agreement between the parties with respect to the professional services set forth herein. There are no verbal understandings, agreements, representations or warranties between the parties which are not expressly set forth herein. This Agreement supersedes all prior agreements and understandings between the parties, both written and oral.

18. Verbal Statements Not Binding.

It is understood and agreed that the written terms and provisions of this Agreement shall supersede all verbal statements of any and every official and/or other representative of the City, and such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any way whatsoever, the written Agreement.

19. Survivorship.

Notwithstanding the termination of this Agreement, Consultant's obligations with respect to indemnification (Article V, Section 4) and insurance (Article V, Section 5), and any other terms and conditions which by their nature should survive termination, shall survive the termination of this Agreement.

ARTICLE VII

Exhibits

The following Exhibits are attached to and made a part of this Agreement:

- Exhibit A. "Scope of Services"
- Exhibit B. "Project Schedule"
- Exhibit C. "Affidavit of Work Authorization"

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement the day and year first above written.

CITY OF El Dorado, Kansas

By: _____

Name: _____

Title: _____

Attest:

TREKK Design Group, LLC

By: _____

Kimberly Robinett
Managing Member
1411 E 104th Street
Kansas City, MO 64131

Exhibit A
TREKK Design Group
Scope of Work

PROJECT NAME: Garver – City of El Dorado, KS Temporary Flow Monitoring 2021

Overview

The project includes temporary sanitary sewer flow monitoring at ten (10) locations for 60 days with an optional 30 day extension. The flow monitoring locations are located throughout the City of El Dorado. The data collected with the temporary flow monitoring will be used to support El Dorado's planning efforts for the sanitary sewer collection system.

PROJECT TASKS

Task 1 - Project Management & Administration

1.1 - Project Administration

Provide project management and administration activities associated with proper scheduling, review, budget control, invoice preparation, and coordination with Garver and the City of El Dorado.

Task 2 – Flow Monitoring and Reporting

2.1 – Flow Meter Installation:

Flow monitoring locations will be provided by Garver and located in the City of El Dorado. TREKK shall calibrate and install ten (10) flow meters and associated hardware for the project. The flow meters can be set to record level and velocity reading on either 15- or 5-minute intervals. The flow monitor installation and calibration shall be verified by TREKK by conducting site visits one week after installation. Site visits shall include the upload and interrogation of all flow data, meter calibration (as needed), velocity profiling, battery replacement, sensor cleaning, and other diagnostic checks.

2.2 - Flow Meter Maintenance:

The flow monitors shall be maintained by TREKK by conducting site visits on a bi-weekly basis (every two weeks). Maintenance visits shall include the upload and interrogation of all flow data, meter calibration (as needed), velocity profiling, battery replacement, sensor cleaning, and other diagnostic checks.

Flow monitors shall remain in place for a minimum of a 60 day continuous period. TREKK will remove the meters unless it is recommended and approved by Garver and the City of El Dorado to keep them in place for the optional 30 day extension.

2.3 – Flow Data Processing

During and following completion of the flow monitoring, TREKK will process the gathered data and develop tabular and graphical summaries. The impact of silt and debris will be evaluated and any necessary data adjustments will be made at this time. Hydrographs, level and velocity graphs and scatterplots will be created for each site.

2.4 – Data Delivery

TREKK shall provide raw and final flow and rainfall data in electronic format (excel spreadsheets similar to the example in the Garver request for quote). Site assessment forms will also be delivered for each site.

Exhibit B

Schedule

TREKK shall perform the services and deliver the related Documents according to the following schedule:

- Install flow meters (8/4/2021 / thru 8/11/2021)
 - End of 60 day monitoring period (week of 10/10/21)
 - Provide final data (11/10/2021)
- Note: Dates will be adjusted if the optional 30 day extension is needed.

EXHIBIT C

AFFIDAVIT OF WORK AUTHORIZATION

Comes now TREKK employee Kimberly Robinett as Managing Member first being duly sworn, on my oath, affirm TREKK Design Group, LLC is enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to El Dorado Flow Monitoring for the duration of the contract, if awarded in accordance with RSMo Section 285.530(2). I also affirm that TREKK Design Group, LLC does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services related to El Dorado Flow Monitoring for the duration of the contract, if awarded.

Attached hereto is documentation affirming enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

In affirmation thereof, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

Signature

Printed Name:

Title: Managing Member

Company: TREKK Design Group, LLC

Date: _____

Subscribed and sworn to before me this ____ day of _____, 2021. I am commissioned as a notary public within the County of _____, State of Missouri, and my commission expires on _____.

Signature of Notary

Date: _____

TO: City Commission
FROM: Scott Rickard
SUBJ: Authorization to proceed with preliminary engineering of public infrastructure for the Deer Run Addition.
DATE: July 30, 2021

Background:

Deer Run Addition will require the extension of water mains to serve the development. It is anticipated that Public Utilities will fund the cost associated with the project through reserves. In addition, the property owner of Deer Run Addition have presented petitions for sanitary sewer extension and paving extensions. The infrastructure improvements will open 13 additional lots up for residential development.

Project Schedule:

It is anticipated that construction will begin on these projects in 2022.

Strategic Plan:

***III. Infrastructure** - The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

b. Evaluate funding options for ***continued investment in critical public infrastructure***.

***IV. Economic Development** – The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*

f. Collaborate with area developers and builders to facilitate the development of ***housing opportunities*** that meet the needs of the community.

Attachments:

Petition, Estimates, Improvement District Maps, Resolutions

Policy Issue:

The City Commission must determine the advisability and authorize the making of the improvements.

Alternatives:

N/A

Fiscal Impact:

The total cost of the water project is \$239,480.33. The costs assessed to the improvement district will be \$0.00 and city-at-large costs will be \$239,480.33. The total cost will be paid out of the water fund.

The total cost of the sewer project is \$132,756.00. The costs assessed to the improvement district will be \$132,756.00 and city-at-large costs will be \$0.00. The total cost of the paving project is \$424,329.17. The costs assessed to the improvement district will be \$348,049.48 and city-at-large costs will be \$76,279.70. The total costs of both projects will be paid out of the bond and interest fund. The improvement district will be able to pay off the debt over a twenty-year period.

Trade-offs:

The decision of a governing body to provide public improvements often requires nearby property owners to equally be assessed a portion of the improvements. In such instances, this requires balancing community benefits with potentially negative impacts on the assessed property owners.

Staff Recommendation:

Accept the petitions and authorize the project.

Commission Actions:

Commissioner _____ moved that Resolution No. _____ a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Sanitary Sewer Improvements/Deer Run Addition), and authorize the City Manager to sign and authorize documents required of the improvement.

Commissioner _____ seconded the motion.

and

Commissioner _____ moved that Resolution No. _____ a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Paving Improvements-Deer Run Addition), and authorize the City Manager to sign and authorize documents required of the improvement.

Commissioner _____ seconded the motion.

and

Commissioner _____ moved that Resolution No. _____ a resolution of the City of El Dorado, Kansas, authorizing improvements to the City public water supply system; and providing for the payment of the costs thereof.

Commissioner _____ seconded the motion.

[Return to Agenda](#)

[Next Item](#)

**PETITION
(PAVING IMPROVEMNTS – DEER RUN ADDITION)**

TO: The Mayor and City Commission (the "Governing Body")
El Dorado, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment for the hereinafter described proposed improvement of the City of El Dorado, Kansas (the "City"), do hereby request that said improvement be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the "Act").

(a) The improvement proposed to be made is as follows (the "Improvements"):

Paving Improvements, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$424,329.18; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvements.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

Lots 1 – 13 Block 1 Deer Run Addition

to the City of El Dorado, Butler County, Kansas;

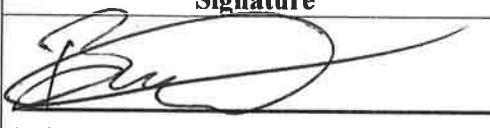
(d) The method of assessment is: equally per parcel (13 parcels).

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: approximately \$348,049.48 (or 82%) of the final project costs to be assessed against the Improvement District and approximately \$76,279.70 (or 18%) of the final project costs to be paid by the City-at-large.

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

Signature	Dated	Property Owned Within Proposed Improvement District
 Brian Lagaly Properties, LLC		Lots 1 – 13, Block 1, Deer Run Addition to the City of El Dorado, Kansas, Butler County

Bryan

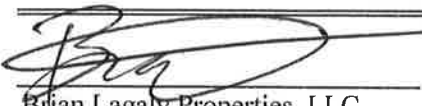
THIS PETITION was filed in my office on _____; and was examined, considered
 and found sufficient by the Governing Body on _____.

 City Clerk

City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost

7/1/2021

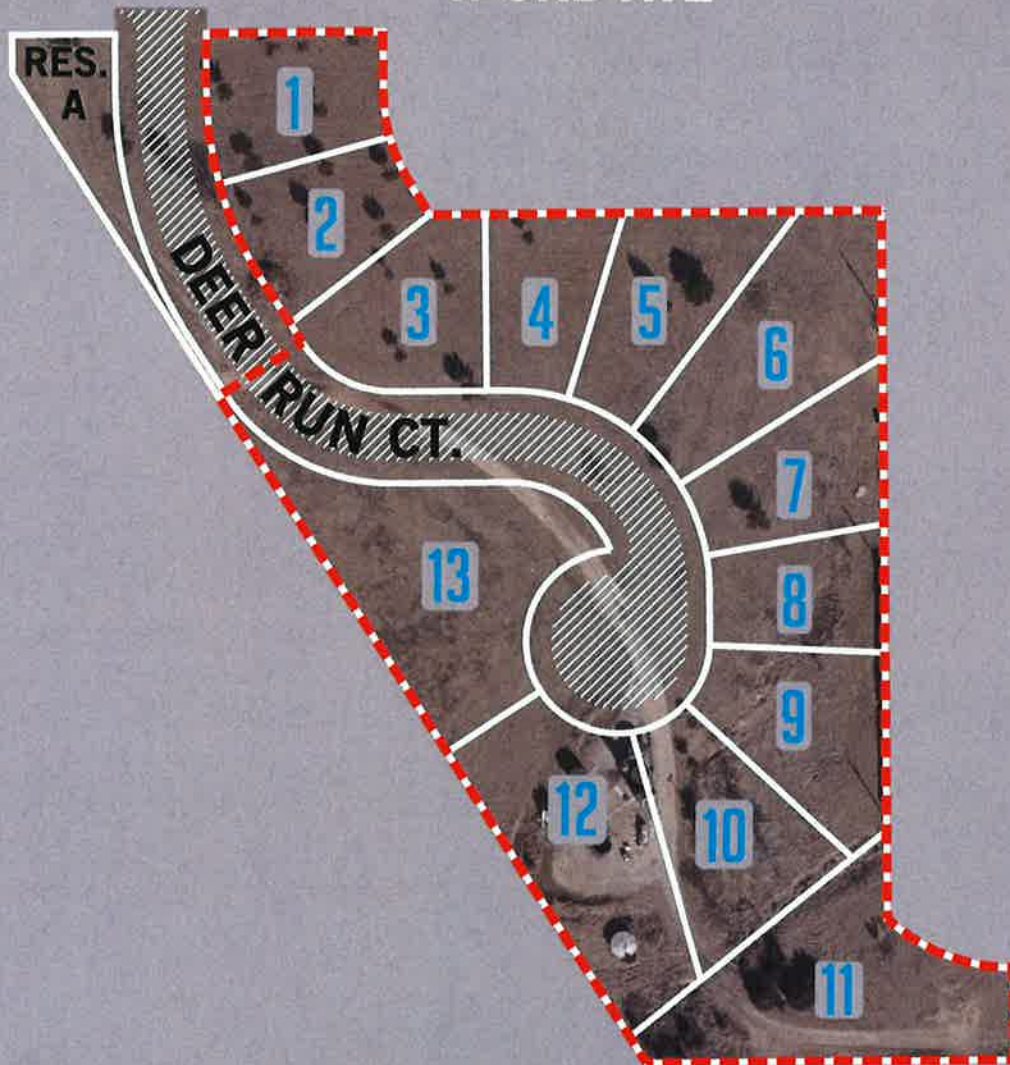
Paving Deer Run Ct. (Deer Run Addition)

OWNER OF RECORD	PROP. NO.	PROPERTY DESCRIPTION	UNIT	ASSESSMENT
 Brian Lagaly Properties, LLC Bryan	1	Lot 1, Block 1 of Deer Run Addition	1	\$26,773.04
	2	Lot 2, Block 1 of Deer Run Addition	1	\$26,773.04
	3	Lot 3, Block 1 of Deer Run Addition	1	\$26,773.04
	4	Lot 4, Block 1 of Deer Run Addition	1	\$26,773.04
	5	Lot 5, Block 1 of Deer Run Addition	1	\$26,773.04
	6	Lot 6, Block 1 of Deer Run Addition	1	\$26,773.04
	7	Lot 7, Block 1 of Deer Run Addition	1	\$26,773.04
	8	Lot 8, Block 1 of Deer Run Addition	1	\$26,773.04
	9	Lot 9, Block 1 of Deer Run Addition	1	\$26,773.04
	10	Lot 10, Block 1 of Deer Run Addition	1	\$26,773.04
	11	Lot 11, Block 1 of Deer Run Addition	1	\$26,773.04
	12	Lot 12, Block 1 of Deer Run Addition	1	\$26,773.04
	13	Lot 13, Block 1 of Deer Run Addition	1	\$26,773.04
Total				\$348,049.48

W 3RD AVE

NORTHERN ST

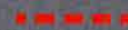
BOYER RD



IMPROVEMENT DISTRICT

Project 590 - Paving
Deer Run Addition

Improvement Dist.



Property #



Property Lines



2021

City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost

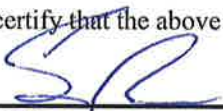
7/1/2021

Paving Deer Run Ct. (Deer Run Add.)

Item No.	Description	Unit	No. of Units	Unit Cost	Total Cost
1	Common Excavation	C.Y.	18000	\$ 5.50	\$ 99,000.00
2	Compacted Fill	C.Y.	18000	\$ 2.50	\$ 45,000.00
3	6 1/2" Reinforced Rock Base	S.Y.	2910	\$ 9.00	\$ 26,190.00
4	2'-6" Curb & Gutter	L.F.	1415	\$ 11.00	\$ 15,565.00
5	BM-2 (10%rap) Asph. Conc. Pvm. Base	TONS	560.76	\$ 80.00	\$ 44,860.80
6	BM-2 Asph. Conc. Pvm. Surface	TONS	288.86	\$ 85.00	\$ 24,553.10
7	Mobilization	L.S.	1	\$ 10,000.00	\$ 10,000.00
8	Site Restoration	L.S.	1	\$ 10,000.00	\$ 10,000.00
9	Erosion Control	L.S.	1	\$ 1,500.00	\$ 1,500.00
10	Rip Rap	SY	20	\$ 70.00	\$ 1,400.00
11	Storm Water Pipe	L.F.	96	\$ 90.00	\$ 8,640.00

Construction Sub Total	\$	286,708.90
Contingency 15%	\$	43,006.34
Design Engineering	\$	34,405.07
Temp Financing	\$	22,936.71
Construction Engineering/ Admin	\$	37,272.16
TOTAL	\$	424,329.17
CAL	\$	76,279.70
BD	\$	348,049.48

I hereby certify that the above estimate is correct to the best of my knowledge.



Scott Rickard
Engineering Department

PETITION
(SANITARY SEWER IMPROVEMENTS – DEER RUN ADDITION)

TO: The Mayor and City Commission (the “Governing Body”)
El Dorado, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment for the hereinafter described proposed improvement of the City of El Dorado, Kansas (the “City”), do hereby request that said improvement be made in the manner provided by K.S.A. 12-6a01 *et seq.* (the “Act”).

(a) The improvement proposed to be made is as follows (the “Improvements”):

Sanitary Sewer Improvements, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$132,756.00; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvements.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lots 1 – 13 Block 1 Deer Run Addition

to the City of El Dorado, Butler County, Kansas;

(d) The method of assessment is: equally per parcel (13 parcels).

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

Signature	Dated	Property Owned Within Proposed Improvement District
 Brian Lagaly Properties, LLC		Lots 1 – 13, Block 1, Deer Run Addition to the City of El Dorado, Kansas, Butler County

Bryan

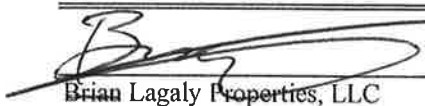
THIS PETITION was filed in my office on _____; and was examined, considered
 and found sufficient by the Governing Body on _____.

 City Clerk

City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost

7/1/2021

Sanitary Sewer Deer Run Addition

OWNER OF RECORD	PROP. NO.	PROPERTY DESCRIPTION	UNIT	ASSESSMENT
 Brian Lagaly Properties, LLC <i>Bryan</i>	1	Lot 1, Block 1 of Deer Run Addition	1	\$10,212.00
	2	Lot 2, Block 1 of Deer Run Addition	1	\$10,212.00
	3	Lot 3, Block 1 of Deer Run Addition	1	\$10,212.00
	4	Lot 4, Block 1 of Deer Run Addition	1	\$10,212.00
	5	Lot 5, Block 1 of Deer Run Addition	1	\$10,212.00
	6	Lot 6, Block 1 of Deer Run Addition	1	\$10,212.00
	7	Lot 7, Block 1 of Deer Run Addition	1	\$10,212.00
	8	Lot 8, Block 1 of Deer Run Addition	1	\$10,212.00
	9	Lot 9, Block 1 of Deer Run Addition	1	\$10,212.00
	10	Lot 10, Block 1 of Deer Run Addition	1	\$10,212.00
	11	Lot 11, Block 1 of Deer Run Addition	1	\$10,212.00
	12	Lot 12, Block 1 of Deer Run Addition	1	\$10,212.00
	13	Lot 13, Block 1 of Deer Run Addition	1	\$10,212.00
Total				\$132,756.00

W 3RD AVE

NORTHERN ST

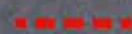
BOYER RD



IMPROVEMENT DISTRICT

Project 591 - Sanitary Sewer
Deer Run Addition

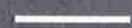
Improvement Dist.



Property #

1

Property Lines



2021

City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost 100% Improvement District

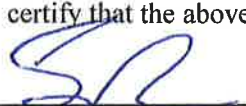
3/26/2021

Sanitary Sewer to Serve Lots 1-13 Block 1 Deer Run Addition

Item No.	Description	Unit	No. of Units	Unit Cost	Total Cost
1	Standard Manhole	Ea.	5	\$ 4,500.00	\$ 22,500.00
2	8" PVC Sanitary Sewer Pipe	L.F.	400	\$ 80.00	\$ 32,000.00
3	Flowable Fill	L.F.	75	\$ 80.00	\$ 6,000.00
4	Connect to Existing Manhole	Ea.	2	\$ 1,800.00	\$ 3,600.00
5	Site Clearing and Restoration	L.S.	1	\$ 20,000.00	\$ 20,000.00
6	Erosion Control	L.S.	1	\$ 1,000.00	\$ 1,000.00

Construction Sub Total	\$	85,100.00
Contingency 15%	\$	12,765.00
Design Engineering	\$	17,020.00
Temp Financing	\$	6,808.00
Construction Engineering/ Admin	\$	11,063.00
TOTAL	\$	132,756.00

I hereby certify that the above estimate is correct to the best of my knowledge.



Scott Rickard
Engineering Department

CITY OF EL DORADO, KANSAS
ENGINEER'S ESTIMATE OF COST FOR PETITION
TOTAL PROJECT COSTS
Project #

7/1/2021

Improvement: Waterlines to Serve Deer Run Addition

CONSTRUCTION QUANTITIES

ITEM NO.	DESCRIPTION	UNITS	NO. OF UNITS	UNIT COST	TOTAL COST
1	6" HDPE Waterline	L.F.	980.0	\$ 85.00	\$ 83,300.00
2	Fire Hydrant Assembly	EA.	2.0	\$ 5,500.00	\$ 11,000.00
3	Inline Valve Assembly	Ea.	4.0	\$ 1,500.00	\$ 6,000.00
4	Tee Connection	EA.	1.0	\$ 2,500.00	\$ 2,500.00
5	Mobilization	L.S.	1.0	\$ 8,500.00	\$ 8,500.00
6	Site Restoration	L.S.	1.0	\$ 3,500.00	\$ 3,500.00
7	Erosion Control	L.S.	1.0	\$ 2,500.00	\$ 2,500.00

* As-Bid 12" Waterline Repair Boyer Rd. L.S. 1 \$ 59,000.00 \$ 59,001.00

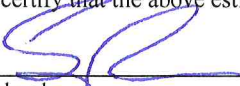
CONSTRUCTION SUBTOTAL \$176,301.00

ADMINISTRATION ITEMS

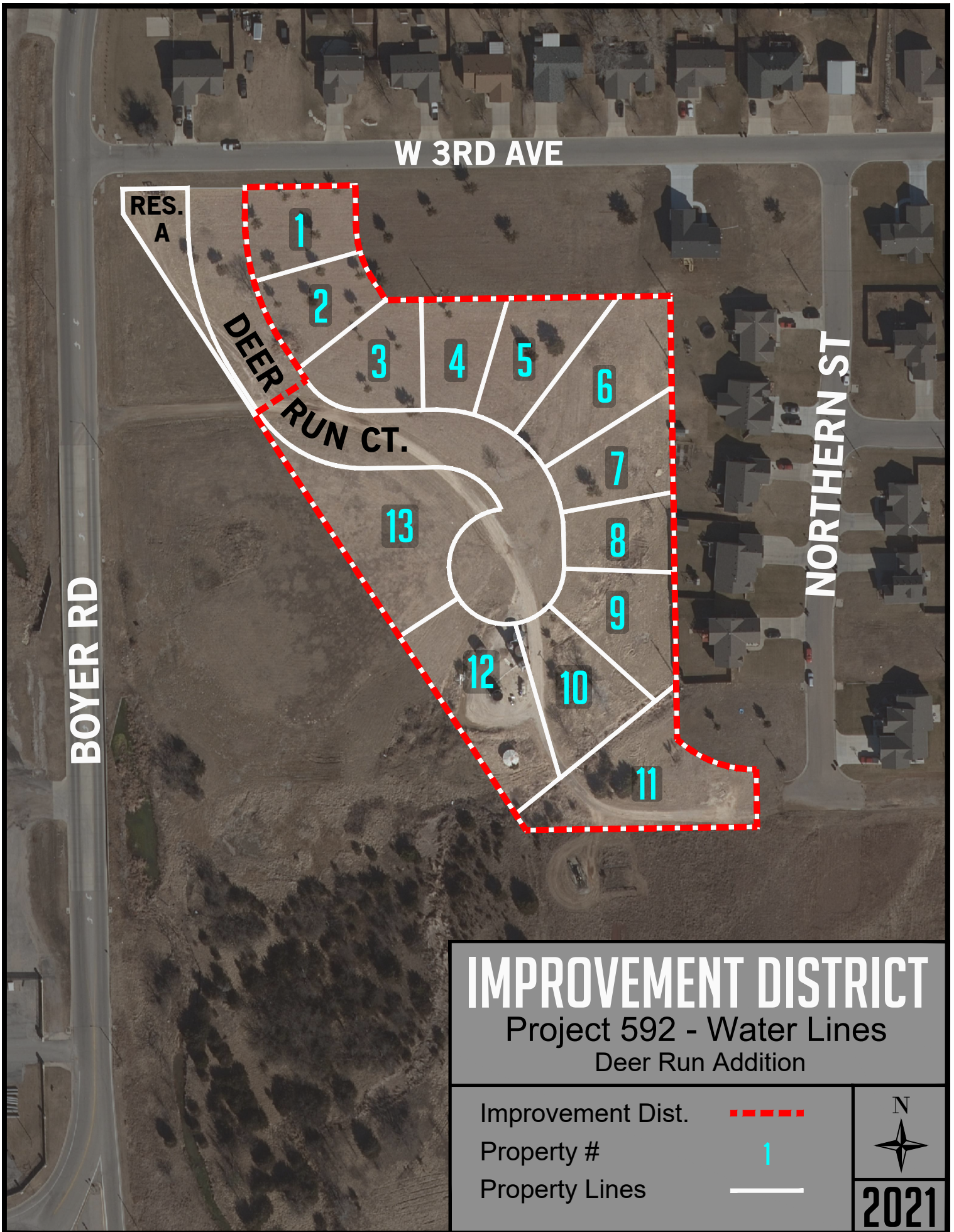
MISC.	\$ 5,000.00
CONTINGENCIES	\$ 35,260.20
ENGINEERING / ADMIN	\$ 22,919.13

PROJECT TOTAL \$239,480.33

I hereby certify that the above estimate is correct to the best of my knowledge.



Scott Rickard
Engineering Department



**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON AUGUST 2, 2021**

The governing body met in regular session at the usual meeting place in the City, at 6:30 P.M., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/DEER RUN ADDITION/PROJECT NO. 590).

Thereupon, Commissioner _____ moved that said Resolution be adopted. The motion was seconded by Commissioner _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

City Clerk

NOTE: To be recorded with the Register of Deeds of Butler County, Kansas

(Published in the *Butler County Times-Gazette* on August 14, 2021)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/DEER RUN ADDITION/PROJECT NO. 590).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of El Dorado, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City-at-large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 *et seq.* (the “Act”).

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the “Improvements”):

Paving improvements to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$424,329.18, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

DEER RUN ADDITION
Lots 1 through 13, Block 1;
to the City of El Dorado, Butler County, Kansas.

- (d) The method of assessment is: equally per lot (13 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

- (e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: \$348,049.48 (or 82%) to be assessed against the Improvement District and \$76,279.70 (or 18%) to be paid by the City-at-large.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Butler County, Kansas.

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ADOPTED by the governing body of the City on August 2, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on August 2, 2021, as the same appears of record in my office.

DATED: August 2, 2021.

By: _____

Name: Tabitha Sharp

Title: City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON AUGUST 2, 2021**

The governing body met in regular session at the usual meeting place in the City, at 6:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/DEER RUN ADDITION/PROJECT 591).

Thereupon, Commissioner _____ moved that said Resolution be adopted. The motion was seconded by Commissioner _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

City Clerk

NOTE: To be recorded with the Register of Deeds of Butler County, Kansas

(Published in the *Butler County Times-Gazette* on August 14, 2021)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/DEER RUN ADDITION/PROJECT 591).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of El Dorado, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City-at-large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 *et seq.* (the “Act”).

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the “Improvements”):

Sanitary Sewer Improvements, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$132,756, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

DEER RUN ADDITION
Lots 1 through 13, Block 1;
to the City of El Dorado, Butler County, Kansas.

- (d) The method of assessment is: equally per lot (13 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

- (e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Butler County, Kansas.

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ADOPTED by the governing body of the City on August 2, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on August 2, 2021, as the same appears of record in my office.

DATED: August 2, 2021.

By: _____

Name: Tabitha Sharp

Title: City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON AUGUST 2, 2021**

The governing body met in regular session at the usual meeting place in the City, at 6:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE CITY OF EL DORADO, KANSAS, AUTHORIZING
IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM; AND
PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.**

Thereupon, Commissioner _____ moved that said Resolution be adopted. The motion was seconded by Commissioner _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF EL DORADO, KANSAS, AUTHORIZING
IMPROVEMENTS TO THE CITY PUBLIC WATER SUPPLY SYSTEM; AND
PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.**

WHEREAS, K.S.A. 65-163d through 65-163u, as amended (the “Act”), authorizes any municipality to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof; and

WHEREAS, the City of El Dorado, Kansas (the “City”) is a municipality within the terms of the Act and operates a public water supply system, as said term is defined in the Act (the “System”); and

WHEREAS, the governing body of the City hereby finds and determines that it is necessary and advisable to improve the System and to provide for the payment of the costs thereof by the issuance of general obligation bonds.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the System be improved by the installation of water lines and the replacement of existing water distribution lines and appurtenances thereto (the “Project”).

Section 2. Project Financing. The estimated costs of the Project, including construction, engineering fees, acquisition of right-of-way and easements, contingencies and administrative expenses is \$239,480.33. The costs of the Project, interest on interim financing and associated financing costs, shall be payable from the proceeds of general obligation bonds of the City issued under authority of the Act (the “Bonds”).

Section 3. Reimbursement. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

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ADOPTED AND APPROVED by the governing body of the City of El Dorado, Kansas, on August 2, 2021.

(Seal)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution No. _____ of the City of El Dorado, Kansas adopted by the governing body on August 2, 2021 as the same appears of record in my office.

DATED: August 2, 2021.

Clerk