

**AGENDA**  
**CITY COMMISSION MEETING**  
**Tuesday, March 18, 2014**  
**1:00 P.M.**

- I. **Note: Pre-meeting at 11:00 a.m. – 11:45 a.m., located in the large meeting room at the City Administrative Center to review the 2014-2015 goals for the City. Administrative staff will be present and the pre-meeting is open to the public.**
- II. **REGULAR MEETING CALLED TO ORDER AND CITY CLERK ANNOUNCING QUORUM PRESENT.**
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG AND INVOCATION.**
- IV. **APPROVAL OF THE MINUTES OF THE LAST REGULAR MEETING, WHICH IF NO CORRECTIONS ARE OFFERED, SHALL STAND APPROVED.**
- V. **PUBLIC COMMENT    Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**
- VI. **CONSIDERATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.**
  - A. Mr. Daryl Hamlett, President of the Tumbleweed Festival, Inc., requests Governing Body consideration for the use of the west green at Lee Richardson Zoo on August 22, 23, and 24, 2014 for the 23<sup>rd</sup> annual Tumbleweed Festival. The request includes set-up August 18 – 23 and teardown August 25 – 26. The request also includes allowing volunteers to drive in gates at no charge, and closing the drive in gates during the festival to maintain safe walking areas.
  - B. Mr. Wes Chambers, American Warrior Construction, the general contractor for the Pioneer Road Estates development, requests Governing Body consideration to extend the deadline for the City's Residential Housing Incentive Program from the current April 23, 2014 completion deadline for 60 days.
  - C. Mr. Mark Miller, the property owner at 503 E. Kansas Avenue, requests Governing Body consideration for a parking waiver asking for three (3) on-street spaces to be counted toward the strip center's required off-street parking requirement or to consider the Check Into Cash business as a retail establishment which would require three (3) spaces instead of a Professional Office which requires six (6) spaces.
- VII. **REPORT OF THE CITY MANAGER.**
  - A. Public Works Sam Curran has provided information for Governing Body review concerning the 2014 Spring Clean-up Program to be undertaken March 31 – April 11, 2014.
  - B. The City has received an annual royalty check in the amount of \$4,296.72 from Service Line Warranties of America.
  - C. Finance Director Melinda Hitz has provided correspondence on the Development & Disposition Agreement regarding sales tax increment financing between the City of Garden City, Kansas and Home Depot U.S.A., Inc. (Home Depot).

D. Staff has provided several items of information for Governing Body review including the following: from Director of Aviation Powell the monthly enplanement report, from Community Development Director Kentner the monthly building report and code enforcement report, from Finance Director Hitz the sales tax report and the monthly financials, from Public Works Director Curran the monthly City Project Updates and the City Link ridership report, from Police Chief Hawkins the monthly activity report, and from Zoo Director Sexson the monthly report.

E. Meetings of note:

- ✓ March 15, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.
- ✓ March 22-25, 2014 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ March 28, 2014 – Come & Go Retirement Reception for Zoo Director Kathy Sexson from 3:00 p.m. – 5:00 p.m. in the Finnup Center for Conservation Education
- ✓ April 2-4, 2014 – Administrative Assistants of Kansas Cities – Spring Conference at the City Administration Building
- ✓ April 19, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.
- ✓ April 23, 2014 – Earth Day Celebration “Party for the Planet” at Lee Richardson Zoo from 9:00 a.m. – 2:00 p.m.
- ✓ May 17, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.

## **VIII. CONSIDERATION OF APPROPRIATION ORDINANCE.**

A. Appropriation Ordinance No. 2360-2014A.

## **IX. CONSIDERATION OF ORDINANCES AND RESOLUTIONS.**

A. Bond Counsel Mary Carson has provided a Resolution authorizing the 2014 Schulman Crossing Phase 1 TIF Bond sale for April 15, 2014. Financial Advisor Chuck Bouilly has provided the Financial Advisory Services Agreement with George K. Baum & Co. for Governing Body consideration and approval.

1. Resolution No. \_\_\_\_\_-2014, a resolution of the City of Garden City, Kansas, authorizing and providing for the public sale of the City’s General Obligation Bonds, Series A, 2014, in the approximate principal amount of \$10,750,000.
2. Financial Advisory Services Agreement with George K. Baum & Co.

## **X. OLD BUSINESS.**

A. Governing Body consideration of an amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City, Kansas for the leased premises known as Napolis – Flight Deck Restaurant.

**XI. NEW BUSINESS.**

- A. Reynaldo Mesa, on behalf of Amro Samy and K & S LLC, owner of the Clarion Inn and Sleep Inn, has requested vacation of Kansas Plaza on the south and east sides of the property to accommodate parking lot expansion at the Clarion Inn.
- B. Governing Body consideration and approval of cost sharing (50/50) the cost of \$20,600.00 associated with the necessary outside engineering for the Towns Riverview water main extension project.
- C. Governing Body consideration and authorization to enter into an electrical engineering “General Services Agreement” with SEGA, Inc.

D. Advisory Board Recommendations:

- 1. Police Citizens Advisory Board – 1 appointment

E. **Consent Agenda for approval consideration:** (The items listed under this “consent agenda” are normally considered in a single motion and represent items of routine or prior authorization. Any member of the Governing Body may remove an item prior to the vote on the consent agenda for individual consideration.)

- 1. KDOT has transmitted Supplemental Agreement No. 2 to Agreement No. 128-13 for Governing Body consideration and approval relating to the Schulman Crossing road improvements.
- 2. Governing Body consideration and rejection of bids received March 13, 2014 for the Finnup Park Walking Trail Phase 2.
- 3. Governing Body consideration and approval of bids received at 2:00 p.m. on March 13, 2014 for the renovation project at the Windsor Hotel. The request includes authorization for the Mayor and City Clerk to execute the contracts.
- 4. Licenses:

**(2014 Renewal)**

- a) BG Construction.....Class B General

**XII. CITY COMMISSION REPORTS.**

A. Commissioner Cessna

B. Commissioner Dale

C. Commissioner Doll

D. Mayor Fankhauser

E. Commissioner Law

**XIII. ADJOURN.**

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City  
March 4, 2014

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 p.m. at the City Administrative Center on Tuesday, February 18, 2014 with all members present. Commissioner Law opened the meeting with the Pledge of Allegiance to the Flag and Invocation.

David Litton, Check-N-Go was unable to attend the meeting to discuss with the Governing Body the Itinerant Merchant license.

Representative John Doll was present and gave an update on recent legislative issues.

Mayor Fankhauser moved to approve the request from Deann Gillen, Executive Director, Beef Empire Days to waive the daily fee and the deposit for the carnival (May 16 – May 25, 2014). Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Commissioner Dale moved to approve the requests from Angelica Castillo Chappel, Garden City Community Mexican Fiesta Association, pursuant to Code Section 6-35, to sell beer and other cereal malt beverages under a temporary CMB license on public property at Stevens Park on Saturday, September 13, 2014, an annual parade on Main Street beginning at 10:00 a.m., use of Stevens Park from 8:00 a.m. – 11:00 p.m., temporary closure of Heroes Way, the use of electricity at Stevens Park, a temporary waive to the noise ordinance and use of the restrooms, concession stand and extra picnic tables with the requirement to have twelve (12) portable toilets. Mayor Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Nay |

Commissioner Law moved to approve the requests from Jimmy Deal, on behalf of Leave a Legacy Foundation for the temporary closure of public vehicle access to Lee Richardson Zoo on Saturday, October 4, 2014 from 8:00 a.m. – 10:30 a.m., a barricade to be placed at the 4th Street entrance to the zoo, a waiver of the fees associated with hanging of banners and signs, assistance from Garden City Police Department and an extension of the sign waiver ordinance to allow signs to be placed at St. Catherine Hospital through November 4, 2014. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Governing Body instructed staff to prepare a resolution for a future meeting to refinance the City's Water Supply Revenue Bond, Series 2005 (Wheatland Electric Cooperative, Inc. Project) based on the request from Wheatland Electric Cooperative, Inc.

Monica Turrentine, Finney County Humane Society, presented their request for waiver of the Itinerant Merchant License for a spay and neuter clinic they are sponsoring. Commissioner Cessna moved to approve a waiver of the Itinerant Merchant License fee for Spay Today Mobile Outreach to operate a spay and neuter clinic at 901 W. Mary Street on March 5 – March 9, 2014. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

The City received the January 2014 franchise payment in the amount of \$5,946.31 from AT&T.

The City received correspondence from Cox Communication regarding channel line-up changes.

Meetings of note:

- ✓ March 4, 2014 – Special Election for the renewal/extension of a county wide ¼ cent sales tax.
- ✓ March 13, 2014 – Garden City Area Chamber of Commerce Annual Banquet at GCCC.
- ✓ March 15, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.
- ✓ March 22-25, 2014 – Western Kansas Congressional Reception in Washington, D.C.
- ✓ April 19, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.
- ✓ April 23, 2014 – Earth Day Celebration “Party for the Planet” at Lee Richardson Zoo from 9:00 a.m. – 2:00 p.m.
- ✓ May 17, 2014 – Legislative Coffee in Classroom B at St. Catherine Hospital at 10:00 a.m.

Appropriation Ordinance No. 2359-2014A, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$3,305,230.81,” was read and considered section by section. Commissioner Law moved to approve and pass Appropriation Ordinance No. 2359-2014A. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Resolution No. 2574 - 2014, “A RESOLUTION AUTHORIZING THE REMOVAL OF MOTOR VEHICLE NUISANCES FROM CERTAIN PROPERTIES IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-63 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (1906 Vinzant Street – White Ford Mustang and 509 N. 10th Street – Red Ford T-Bird),” was read and considered section by section. Mayor Fankhauser moved to approve Resolution No. 2574-2014. Commissioner Law seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Resolution No. 2575 - 2014, “A RESOLUTION AUTHORIZING THE REMOVAL OF NUISANCE CONDITIONS FROM THE PROPERTY LISTED BELOW IN THE CITY OF GARDEN CITY, KANSAS, PURSUANT TO SECTION 38-139 OF THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS, (202 N. 10TH Street),” was read and considered section by section. Commissioner Doll moved to approve Resolution No. 2575-2014. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Advisory Board Recommendations:

Governing Body requested staff and the Airport Advisory Board work with Sherif Dullovi to get copies of the businesses financial records and present the request for an amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City, Kansas for the leased premises known as Napoli’s – Flight Deck Restaurant at a future Commission meeting.

Commissioner Cessna moved to approve the distribution of 2014 grant funds as recommended by the Arts Grant Committee.

| Organization                | Amount Requested | - | Amount Recommended |
|-----------------------------|------------------|---|--------------------|
| American Fusion Project     | \$2,500          |   | 2500               |
| Friends of Garden City Arts | \$7,000          |   | 2000               |
| Garden City Arts            | \$9,000          |   | 1250               |
| Downtown Vision             | \$3,500          |   | 0                  |
| Sandhill Arts               | \$5,000          |   | 2000               |
| SWKS Live on Stage          | \$2,500          |   | 2000               |
| STEPS                       | \$5,000          |   | 2000               |
| Tumbleweed                  | \$3,000          |   | 2500               |
| <b>Total</b>                | <b>\$37,500</b>  |   | <b>14250</b>       |

Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Abstained  | Yea |

Commissoiner Cessna moved to approve and appoint Jacob Bradshaw and Helen Batchelder to the Police Citizens Advisory Board for 3-year board appointments from March 2014 – December 2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Commissioner Law moved to approve the following:

1. KDOT provided the State and City Agreement, No. 41-14, for the FY2015 KLINK Project on Kansas Avenue from 200 feet east of Center Street to Anderson Street. The Governing Body authorized the Mayor and City Clerk to execute the agreement, and the request to KDOT to combine the FY 2014 and 2015 projects for letting in 2015.
2. Governing Body considered and accepted bids received on February 27, 2014 for one (1) ¾ Ton 2WD Chassis Only and two (2) 4WD Half Ton pickups.
3. Quit Claim Deed from Arlene Williams transferring Spaces 1 & 2, Lot 127, Zone F of Valley View Cemetery to Sharon Jarmer.
4. Permission for Gabriela Ramirez to reserve Space 1, Lot 64, Zone J of Valley View Cemetery for the consideration of \$50.00 for the period of one year.
5. Licenses:

**(2014 New)**

- a) Carniceria Garcia..... Cereal Malt Beverage
- b) Carniceria Garcia..... Cereal Malt Beverage
- c) Advanced Air..... Class D-M Mechanical
- d) Southwestern Electrical Co., Inc. ....Class D-E Electrical
- e) Wichita Electric Co., Inc. ....Class D-E Electrical
- f) Falcon Fire Sprinkler, LLC.. ....Class E-F Sprinkler and Protection

**(2014 Renewal)**

- g) Mid-Plains Construction..... Class B General
- h) Morgan Brothers Construction, Inc ..... Class B General
- i) Nemecheck Construction..... Class B General
- j) Waltz Construction..... Class B General
- k) Robert Wirth ..... Class B General
- l) Black Hills/Kansas Gas Utility Co. ....Class D-E Electrical
- m) Freedom Electric, Inc. ....Class D-E Electrical
- n) Gallegos A/C .....Class D-E Electrical
- o) J. Geier Electric .....Class D-E Electrical

- p) Roger W. Unruh .....Class D-E Electrical
- q) Stiltner Electric, Inc. ....Class D-E Electrical
- r) Black Hills/Kansas Gas Utility Co. .... Class D-M Mechanical
- s) Gallegos A/C .....Class D-P Plumbing w/ Gas
- t) J&J Heating & Air .....Class D-P Plumbing w/ Gas
- u) E&L Lawn Care .....Class E-SOC Specialized Other

Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

|        |      |      |            |     |
|--------|------|------|------------|-----|
| Cessna | Dale | Doll | Fankhauser | Law |
| Yea    | Yea  | Yea  | Yea        | Yea |

Mayor Fankhauser adjourned the meeting since there was no further business before the Governing Body.

\_\_\_\_\_  
Dan Fankhauser, Mayor

ATTEST:

\_\_\_\_\_  
Celyn N. Hurtado, City Clerk

**City Commission Reports**

Commissioner Law congratulated the Garden City High School Buffalos on the repeat win of the 6A State Wrestling championship.

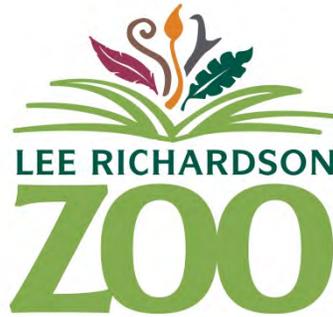
Commissioner Cessna congratulated the GCHS wrestling team for their 6A State Championship. Commissioner Cessna thanked Representative Doll for giving the Legislative update. Commissioner Cessna thanked the Arts Committee for their work on the distribution of the 2014 funds. Commissioner Cessna commented that all the advisory boards do a lot of the legwork for the Commissioners and that makes their job easier. Commissioner Cessna reminded everyone to go vote.

Commissioner Dale congratulated the GCHS 6A State Wrestling Champions and asked that they come back to a future meeting. Commissioner Dale thanked Representative Doll for his briefing and his accessibility. Commissioner Dale thanked City Manager Allen and staff for their work on the Goal Setting Retreat and stated there was a lot of material to go over.

Commissioner Doll thanked the Arts Grant Committee and stated it's not an easy task to distribute the funds. Commissioner Doll thanked the Finney County Humane Society for putting on the spay and neuter program. Commissioner Doll thanked Representative Doll for his update. Commissioner Doll reminded everyone to go vote.

Mayor Fankhauser thanked Commissioner Cessna for filling in for him during his absence. Mayor Fankhauser thanked City employees for the flowers he received after his recent surgery. Mayor Fankhauser reminded everyone to go vote.

# Petitions



312 Finnup Drive • Garden City, KS 67846-0499

## MEMORANDUM

March 11, 2014

**To:** Governing Body

**Cc:** Matt Allen, City Manager

**From:** Kristi Newland, Deputy Director

**Ref:** Tumbleweed Festival

**Issue:** Tumbleweed Festival, Inc. has requested that the zoo be closed to vehicle traffic by 5:00 pm on Friday, August 22 in addition to Saturday and Sunday for the event, and that volunteers and vendors be able to enter the zoo at no charge.

**Background:** Historically, the zoo has been closed to vehicle traffic Saturday and Sunday of the festival. Recently they have added a Friday evening concert and the zoo has maintained regular hours that day in spite of the new event.

**Options:**

1. Approve their request and close the zoo to vehicle traffic on Friday at 4:00 pm.
2. Deny the request and continue vehicle access for regular hours of 8:00 am – 6:00 pm.

**Recommendation:** Zoo staff and the Zoo Advisory Board recommend that the zoo close to vehicle traffic at 4:00 Friday and all day Saturday and Sunday, August 22-24. The 4:00 closure will give vehicles time to get through the zoo before the concert begins at approximately 5:30 or 6:00.

Zoo staff will continue to work with Tumbleweed Festival coordinators to facilitate the event while maintaining zoo safety and an optimal zoo experience for visitors.

**Fiscal Notes:** The zoo normally anticipates an income of approximately \$400 from vehicle fees over an August weekend. The fee of \$750 per day to close the zoo to vehicles is waived by the Zoo Advisory Board in lieu of use of the Tumbleweed Festival tents for zoo functions.



January 16, 2014

Matt Allen, City Manager

City of Garden City  
301 N. 8<sup>th</sup>  
Garden City, Ks 67846

Dear Matt,

I am writing to you on behalf of the Tumbleweed Festival board of directors, to request use of the green on the west end of the Lee Richardson Zoo. Our request to you and the city commissioners is to hold our event on August 22, 23 and 24, 2014. We are also requesting permission to set up beginning Monday August 18 through August 22 and tear down August 25 and 26. No special needs are required on setup or tear down except that our volunteer helpers are able to drive in during those dates without charge. During the festival we would request that the drive in gates be closed to the general public so that we can maintain safe walking areas for our Tumbleweed guests.

It doesn't seem possible that our festival is celebrating its 23rd year of producing family friendly entertainment for our city and other regional friends. We would appreciate you sharing with your staff and the commissioners, our gratitude for great people who are helpful and supportive of our event. What a pleasure it is to work with you and I think it safe to say that without the city of Garden City the Tumbleweed festival would not be a success. We will be again working with the Zoo, Police, road and solid waste departments.

Thank you again for all you have done in the past twenty two years for the Tumbleweed Festival and thanks in advance for what we anticipate will be another great partnership in making our community a better place to call home. If you have any questions, please call me anytime.

Working together,

A handwritten signature in black ink, appearing to read "Daryl Hamlett", followed by a long horizontal line extending to the right.

Daryl Hamlett, President  
Tumbleweed Festival Inc

**American Warrior Construction  
2125 Buffalo Heights Dr.  
Garden City, KS 67846**

March 12, 2014

Matt Allen  
City Manager  
City of Garden City  
301 N. 8<sup>th</sup> St.  
Garden City, KS 67846

Dear Mr. Allen:

I'd like to thank you and your staff for the support you have given to American Warrior Construction regarding the development of Pioneer Road Estates. Mr. Steve Cottrell and Mr. Kaleb Kentner along with Mr. Sam Henderson and others within their departments, have been very helpful in ensuring a smooth and successful process. To date, nine (9) out of the thirteen (13) duplexes have been leased and six (6) out of the seventeen (17) houses have been sold with three (3) of the houses on pending contracts.

Overall the project has been a great success however, building this size of a development in a specific period of time has been challenging. The biggest factor has been the winter weather and time from time we've had to shut down construction due to the number of snow days that we've had to deal with. It's not only hampered our progress but it's also has hampered the ability for our vendors to receive and deliver materials in timely fashion thus pushing back our timeframe for completion.

As result of these weather related delays and as a participant with the City's Residential Incentive Program, we will not meet our deadline of April 23<sup>rd</sup> which will jeopardize the \$3000 dollar per unit incentive with regard to the houses. Obviously not meeting the deadline is a grave concern to us as financially the incentive is essential to our success. As the General Contractor for American Warrior Construction, I'm requesting a 60-day extension from the deadline that has been established so that we may fully complete the development as planned. The additional time would be greatly appreciated and it is vital in order to obtain the desired outcomes for all involved.

Mr. Allen It is our hope the City will grant our request, as we continue to move forward in meeting the community's ever-pressing need for housing. I thank you for your time and consideration and I look forward to meeting with you soon to discuss this very important matter.

Sincerely,



Wes Chambers  
General Contractor  
American Warrior Construction  
PH: 620.521.2995

Cc: Mayor Dan Fankhauser & Governing Body  
Kaleb Kentner  
Amro Samy



# Memo

To: City Commission  
 From: Kaleb Kentner  
 CC: File  
 Date: Feb 3, 2014  
 Re: GC2014-03: Parking Waiver at 503 E. Kansas Ave.

**ISSUE:** The applicant has requested a waiver from the parking regulations at 503 E. Kansas Ave.

**BACKGROUND:** The strip center located at 503 E. Kansas Ave. has 25 parking spaces. The landlord would like to fill the 3000 square feet of vacant space at the strip center. Currently, there are not enough off-street parking spaces on site to allow a retail use to occupy the vacant space unless an agreement is reached with a neighboring property owner to meet the need.

The applicant has decided to pursue a parking agreement with Duane Rupp, the owner of Rupp's Tires at 407 E. Kansas Ave. Rupp's Tires is within two hundred (200) feet of the strip center and has fifteen (15) parking spaces but is only required to maintain four (4) spaces. A parking agreement between the two would meet the requirements of the Regulations so long as both businesses have their required spaces.

The applicant informed Staff that he would be requesting a waiver in addition to pursuing the parking agreement with Mr. Rupp. The waiver request includes asking for three (3) on-street spaces to be counted toward the strip center's required off-street parking requirement or to consider the Check into Cash business as a retail establishment which would require three (3) spaces instead of a Professional Office which requires six (6) spaces.

Parking requirements for strip centers are calculated individually by use. The uses currently at the strip center have the following parking requirements:

|  |  |                  |
|--|--|------------------|
| Jimmy John's                           | 32 Seats (1 spot/3 seats)  | 11 Spots         |
| Check into Cash                        | 1200 sqft (1 spot/200 sqft up to 1000 sq ft then 1 spot/400 sqft thereafter) | 6 Spots          |
| Our Spot Barber Shop                   | 1 spot/ 200 sqft   | 5 Spots          |
| Spots Required for existing businesses |  | 22 + 1 ADA space |

The additional 3000 square foot retail space would add eight (8) additional required spaces and one (1) ADA space, bringing the total to 32 required spaces. The facility has 25, leaving a deficit of seven (7) parking spaces. The applicant would like to pursue a parking agreement with Mr. Rupp for four (4) spaces and obtain this waiver for the additional three (3) spaces required.

**ALTERNATIVES:** The Commission may:

1. Approve the waiver.
2. Approve the waiver with changes.
3. Not approve the waiver.

**RECOMMENDATION:** Staff is unable to recommend approval of the wavier.

**PLANNING COMMISSION RECOMMENDATION:** Deny the waiver\*

Present- 7  
 Yea- 5  
 Nay- 2

\* Attached you will find an excerpt from the Planning Commission minutes regarding this case.

COMMUNITY  
 DEVELOPMENT  
 DEPARTMENT  
 SERVING  
 GARDEN CITY

HOLCOMB  
 AND  
 FINNEY COUNTY  
 620-276-1170

INSPECTIONS  
 620-276-1120  
[inspection@garden-city.org](mailto:inspection@garden-city.org)

CODE COMPLIANCE  
 620-276-1120  
[code@garden-city.org](mailto:code@garden-city.org)

PLANNING AND  
 ZONING  
 620-276-1170  
[planning@garden-city.org](mailto:planning@garden-city.org)

CITY ADMINISTRATIVE  
 CENTER  
 301 N. 8<sup>TH</sup>  
 P.O. Box 998  
 GARDEN CITY, KS  
 67846-0998  
 620.276.1170  
 FAX 620.276.1173  
[www.garden-city.org](http://www.garden-city.org)



COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY  
620-276-1170

**INSPECTIONS**

620-276-1120

[inspection@garden-city.org](mailto:inspection@garden-city.org)

**CODE COMPLIANCE**

620-276-1120

[code@garden-city.org](mailto:code@garden-city.org)

**PLANNING AND  
ZONING**

620-276-1170

[planning@garden-city.org](mailto:planning@garden-city.org)

**CITY ADMINISTRATIVE**

CENTER

301 N. 8<sup>TH</sup>

P.O. Box 998

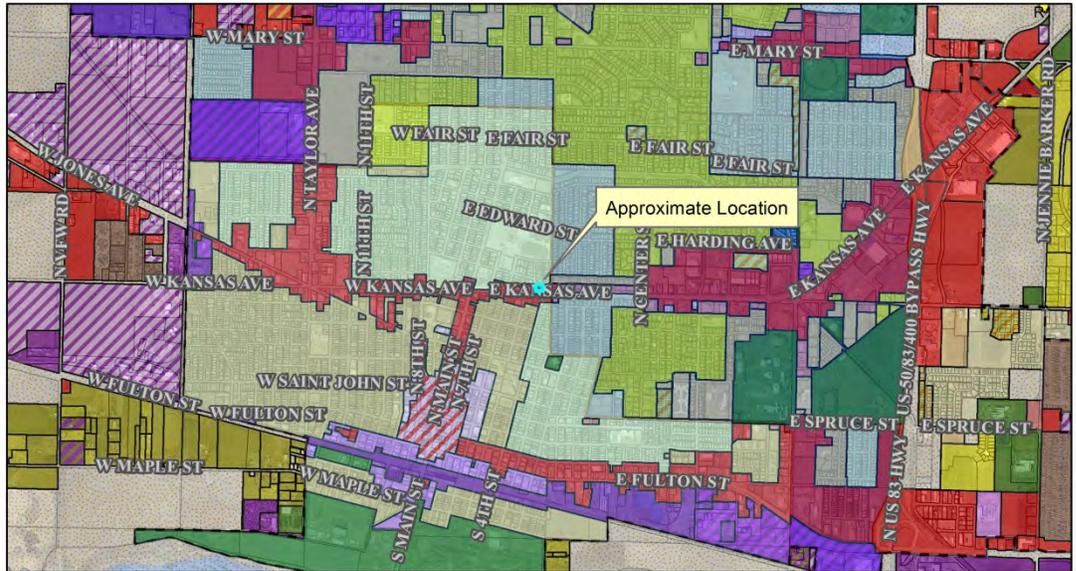
GARDEN CITY, KS

67846-0998

620.276.1170

FAX 620.276.1173

[www.garden-city.org](http://www.garden-city.org)



Case Number: GC2014-03  
Applicant: Mark Miller  
Address: 503 E. Kansas Ave  
Request: Waiver from parking regulations





COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY

620-276-1170

**INSPECTIONS**

620-276-1120

[inspection@garden-city.org](mailto:inspection@garden-city.org)

**CODE COMPLIANCE**

620-276-1120

[code@garden-city.org](mailto:code@garden-city.org)

**PLANNING AND  
ZONING**

620-276-1170

[planning@garden-city.org](mailto:planning@garden-city.org)



CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
GARDEN CITY, KS  
67846-0998  
620.276.1170  
FAX 620.276.1173  
[www.garden-city.org](http://www.garden-city.org)



COMMUNITY  
DEVELOPMENT  
DEPARTMENT  
SERVING  
GARDEN CITY  
HOLCOMB  
AND  
FINNEY COUNTY  
620-276-1170

INSPECTIONS  
620-276-1120  
[inspection@garden-city.org](mailto:inspection@garden-city.org)

CODE COMPLIANCE  
620-276-1120  
[code@garden-city.org](mailto:code@garden-city.org)

PLANNING AND  
ZONING  
620-276-1170  
[planning@garden-city.org](mailto:planning@garden-city.org)

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. BOX 998  
GARDEN CITY, KS  
67846-0998  
620.276.1170  
FAX 620.276.1173  
[www.garden-city.org](http://www.garden-city.org)

*\*These minutes are draft only. They have not been approved by the Planning Commission.*

March 13, 2014

**GC2014-03: Parking waiver, 503 E. Kansas, Sierra Property Solutions, LLC.**

*Staff Davidson reads staff report.*

*Secretary Kentner explains case.*

*Chairman Rishel- Where would the on-street parking be?*

*Secretary Kentner- Along Fifth Street. They are legally allowed to park there but it doesn't count toward their required spots. One issue with granting parking waivers is these businesses sometimes change use. At times, there will be rough days for parking; especially paydays.*

*Jennifer- I'm interested in renting the 3,000sqft space that he has available. We do have an agreement with Rupp's for four parking spaces which leaves us three spaces short of meeting regulations. I've spoken with the owners of Check N Go and they said that at any given time, they don't have more than a couple cars. I know that can change. The initial problem with this is that Mark Miller lives in California and when Jimmy Johns moved in there, he wasn't aware that it was going to cause an issue with the parking later on for the other unit. He worked with the City on this but it was never brought to his attention.*

*Secretary Kentner- He is aware of the parking issue and has been for a few years since the Dollar Warehouse and Mr. Goodcents were there. Any restaurant use is going to use a substantial amount of parking. It doesn't necessarily knock it out of use but it means they have to get a letter from a property owner within 200ft to use some of their spots. They have an agreement for four and all they need is three more to meet regulations.*

*Member Laubach- Do they have room for three more spots? When I drove by, I was trying to visualize how accessible that would actually be.*

*Member Weber- They need three more plus the four, so seven?*

*Secretary Kentner- Yes. He has the ability to give them 10 spaces and still have enough for his business.*

*Member Laubach- So they would have to walk over a big hump to get there?*

*Member Weber- It's just across the street.*

*Secretary Kentner- There is landscaping along the road and most of the people parking there would probably be employees.*

*Member Laubach- So what you're saying is there is parking available if they can get it from Rupp?*

*Secretary Kentner- Right. The other issue is that it's close to residential and most of the time, those residences don't like people parking in front of their houses. Hence the reason we have parking regulations.*

*Chairman Rishel- Is there any reason why Mr. Rupp wouldn't give you the other three spots?*

*Jennifer- Mr. Miller is paying him for those spots. Think about the cost of that over time. That's why he'd like to get the parking waiver.*

*Member Lopez- So if I understand it correctly, he's not in favor of acquiring the additional spots from Rupp?*

*Jennifer- No, he'd like to get the waiver. He hasn't been the owner of that property for that long, Kaleb, so he was not aware of the parking situation. When I called and told him about it, he was shocked.*

*Chairman Rishel- What type of sales are you going to be doing?*

*Jennifer- We are looking at doing a cigarette outlet and a liquor store. We only have maybe four or five customers throughout the day and the barber shop and Check N Go both close at 6:00pm.*

*Member Lopez- That kind of business is in-and-out but if we give them a waiver and another business comes in, then what?*

*Secretary Kentner- The numbers could go up or down depending on the use. If another restaurant goes in there, it could blow their numbers. Their number of spots is based on the square footage of retail space. That's where the number seven came from. They are seven spots shy of what they need.*

*Member Weber- But at some point, if the retail moved out and another restaurant moved in, the waiver would be void.*

*Secretary Kentner- The issue with a waiver is if you allow it for one, you open up the door for any retail business to ask for a waiver from parking. Parking is usually a hot topic because asphalt is expensive to put in and maintain. We just want you to be aware of all the things that could potentially happen.*

*Jennifer- This is an individual situation. Mr. Miller wasn't aware of the parking issue and we have gotten permission from Rupp for some spots. We just need an additional three. We aren't trying to get a waiver to take the easy way out.*



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*Secretary Kentner-* The issue as far as zoning goes is that it's not a conditional use. We would get into legal issues.

*Chairman Rishel-* The problem I see with doing waivers in these situations is that we set precedence and if we do it for one business, we have to do it for all.

*Member Laubach-* The sad part is that you had Dollar Warehouse taking up most of those spaces and you probably had just as many people or more coming in as you do now. I agree with you that it will set precedence.

*Chairman Rishel-* Were there any comments on this?

*Secretary Kentner-* We had a couple calls with questions. Jimmy Johns called to see what it was they were requesting but their issue will be with the landlord because they are leasing it based on them having a certain number of spaces.

*Member Howard-* I agree that most people that visit those businesses are going to be in and out and the employees will probably park on the street or across the street. I'm not crazy about issuing waivers and opening a can of worms.

*Member Weber-* Our role is just to recommend. It still goes to the City Commission and they make the final decision.

*Secretary Kentner-* Yes.

*Member Laubach-* I know the building has been split but I don't know that it would generate any more traffic than before when it was the Dollar Warehouse. I don't have a problem with this particular situation. I guess part of our job is when we get waiver requests, we can turn them down if we see fit.

*Member Lopez-* My concern is that we will be opening up a can of worms. I've seen this particular strip of buildings change several times over the years and what is being proposed today may not be there in the future.

*Member Howard-* There are several restaurants around town where the majority of the parking is on the street or in another parking lot.

*Member Lopez-* I would think there might be a concern for Presto in the future.

*Member Law-* I do not totally understand this. They already have an agreement with Rupp for four spaces?

*Secretary Kentner-* Yes, and they need three more to meet the requirements.

*Member Weber-* And if they got three more, they wouldn't need a waiver.

*Secretary Kentner-* Right.

*Member Gigot-* So they are going to park on the street?

*Secretary Kentner-* They are requesting to use the street to cover the extra spots. It's either yes, no, or go to Rupp's and get more spots.

*Member Lopez-* I don't think there are three spaces there unless you bleed into the residential neighborhood.

*Secretary Kentner-* Actually there's not. There are maybe two spots.

*Member Weber-* Even with a new house, it's a requirement to have a driveway with a setback and parking that isn't on the street.

*Member Lopez-* Another thing is that the applicant does have the availability of three more spots.

**MEMBER LOPEZ MAKES MOTION TO DENY THE WAIVER.**

**MEMBER WEBER SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

|       |             |       |        |     |       |         |        |             |
|-------|-------------|-------|--------|-----|-------|---------|--------|-------------|
| Weber | Lucas       | Gigot | Howard | Law | Lopez | Laubach | Rishel | Sheets      |
| Yea   | Not Present | Nay   | Nay    | Yea | Yea   | Yea     | Yea    | Not Present |

Motion passed.

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# Report of the City Manager

# City of Garden City Public Works

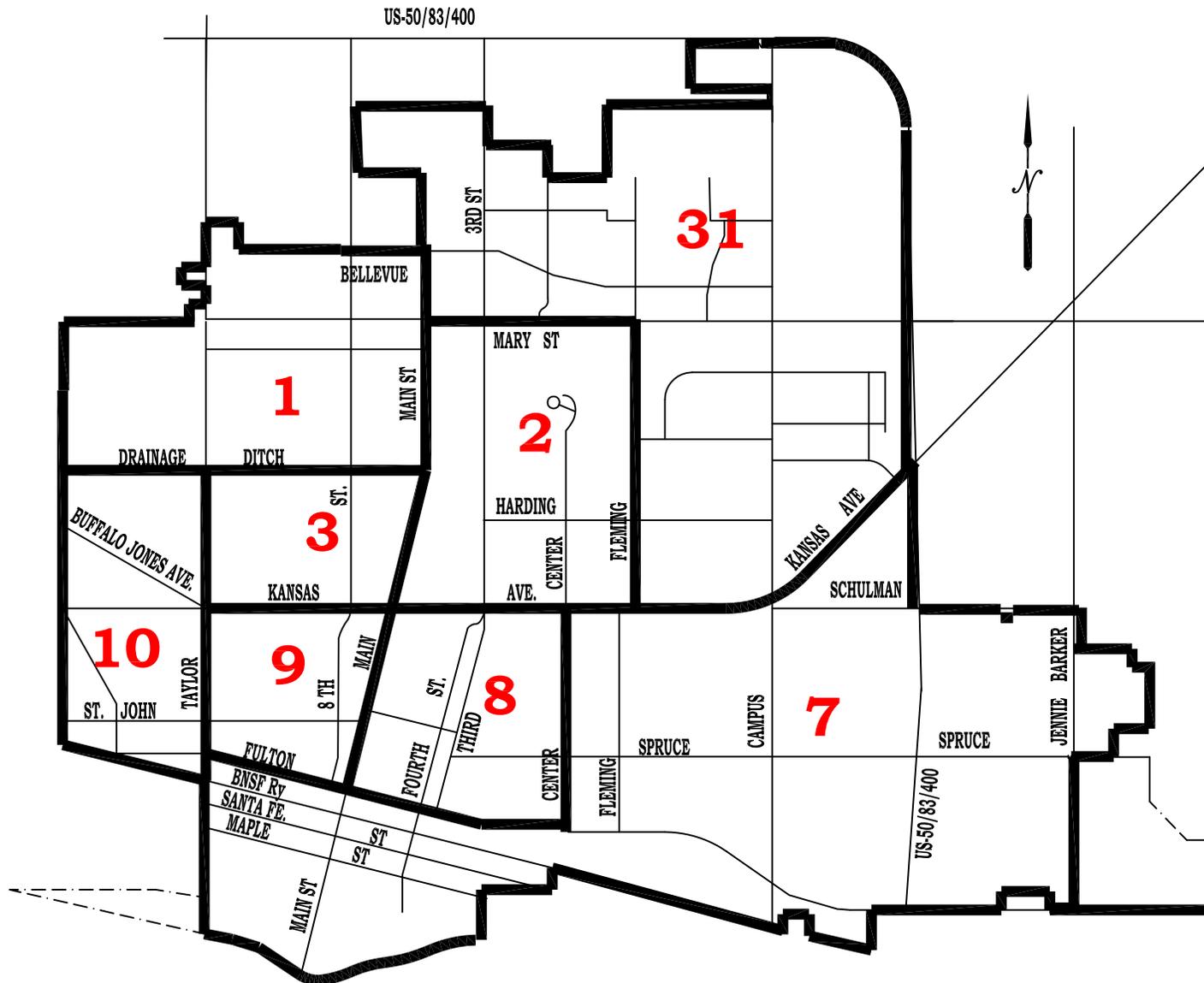
## 2014 Spring Clean-Up March 31 – April 11, 2014

### RULES:

1. Clean-up is for Residential Areas **ONLY**. (No Commercial).
2. **ALL ITEMS** to be picked up must be placed by the street curb, NO alley pick-ups.
3. **Please do not put your debris on the water meters.**
4. Because of landfill regulations, we ask homeowners to separate tree trimmings into one pile, old furniture and boxes into another, and old appliances into another.
5. **IMPORTANT! - We are unable to pick up Refrigerators or Air Conditioners** unless arrangements are made with the Street Department. The Street Department is not responsible for having the units decharged of all **Refrigerants**. A copy of the certification must be attached to each unit before collection.
6. We can pick up tree trimmings as long as they are no longer than **8 feet** in length.
7. **One truckload of tree branches/brush per home.**
8. Grass clippings and leaves are not permitted.
9. Liquid paints and petroleum products (oil, roofing tar, crack sealer, gas, diesel and etc) are not permitted.
10. Vehicle motors or batteries are not permitted.
11. Shingles or roofing materials are not permitted.
12. Building demolition debris is not permitted.
13. The cost of **all Tires and Rim Removal** will be charged back to the address the City crews collect them from.
14. Any waste created by a contractor for tree trimming, home remodeling, appliances, and etc. will not be accepted. The contractor is responsible for the removal service.

For those individuals who have been missed, please call 276-1270 before Friday, April 4<sup>th</sup> or Thursday, April 10<sup>th</sup>, to make arrangements to have your trash collected.

This is a great opportunity to clean up old furniture and junk in the alleys. The City of Garden City encourages all residents to take pride in the appearance of Garden City by participating in the 2014 Spring Clean-Up Program.



**GARDEN CITY**  
**PUBLIC WORKS DEPARTMENT**  
**2014 SPRING CLEAN UP**  
**March 31 - April 11**  
**FOR MORE INFO**  
**CALL 276-1270**  
 CLEAN UP BOUNDARY LINE 



**COPY**

January 24, 2014

Mike Muirhead  
Public Works Director  
City of Garden City-KS  
PO Box 998  
Garden City, KS 67846

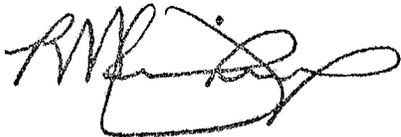
Dear Mike Muirhead,

Under the administration of Utility Service Partners, Inc., the National League of Cities Service Line Warranty Program had another successful year. There was a great response to our services from your residents.

Please find the enclosed annual royalty check payment for your 10% calculated remuneration for the year of 2013, totaling \$4,296.72. If you would like to view a detailed account of your remuneration, please contact Blake Stogner, Program Manager, at [bstogner@utilitysp.net](mailto:bstogner@utilitysp.net).

As always, we appreciate your business and look forward to serving your residents in 2014.

Sincerely,



Brad Carmichael,

Vice President, Business Development

# Royalty Report

**COPY**

| Partner Name    | End Month / Year | Payments Received  | Royalty Percent | Royalty Amt       |
|-----------------|------------------|--------------------|-----------------|-------------------|
| Garden City, KS | Mar / 2013       | \$281.00           | 10%             | \$28.10           |
|                 | Apr / 2013       | \$1,123.50         | 10%             | \$112.35          |
|                 | May / 2013       | \$10,614.64        | 10%             | \$1,061.46        |
|                 | Jun / 2013       | \$7,468.19         | 10%             | \$746.82          |
|                 | Jul / 2013       | \$5,394.59         | 10%             | \$539.46          |
|                 | Aug / 2013       | \$2,354.70         | 10%             | \$235.47          |
|                 | Sep / 2013       | \$1,596.59         | 10%             | \$159.66          |
|                 | Oct / 2013       | \$6,136.83         | 10%             | \$613.68          |
|                 | Nov / 2013       | \$4,420.58         | 10%             | \$442.06          |
|                 | Dec / 2013       | \$3,576.61         | 10%             | \$357.66          |
|                 | <b>Total</b>     | <b>\$42,967.23</b> |                 | <b>\$4,296.72</b> |



March 13, 2014

CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

Rebecca Hunden  
HOME DEPOT U.S.A., INC.  
2455 Paces Ferry Road, NW  
Atlanta, Georgia 30339-4024

Re: Development and Disposition Agreement  
Regarding Sales Tax Increment  
City of Garden City, Kansas and  
Home Depot U.S.A., Inc.

Dear Ms. Hunden:

I am Finance Director for the City of Garden City, Kansas (City). Enclosed with this correspondence is the final sales tax increment check in the amount of \$59,595.01 from the City to Home Depot U.S.A., Inc. (Home Depot), pursuant to a Development and Disposition Agreement Regarding Sales Tax Increment between the City and Home Depot, dated December 13, 2002 (Agreement). Specifically, pursuant to Section 11 of the Agreement, the City was to pay sales tax increments to Home Depot until the lesser of \$1,500,000 or the actual cost of eligible improvements had been reimbursed to Home Depot. The records of the City now reflect that the amount of \$1,500,000 has been reimbursed to Home Depot, thereby relieving the City from making any future sales tax increment payments to Home Depot.

If you have a different interpretation of the obligation of the City, or believe any additional document needs to be executed by the parties, please let me know.

Very truly yours,

A handwritten signature in blue ink that reads "Melinda Hitz".

Melinda A. Hitz, CPA, CGMA  
Director of Finance

MAH:pbb  
Enclosure  
pc: Matthew C. Allen, City Manager  
Randall D. Grisell, City Attorney  
W:\CITY\MISCELLANEOUS\HomeDepot.ltr(SalesTax).docx

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

CITY ADMINISTRATIVE  
CENTER

301 N. 8<sup>TH</sup>

P.O. Box 998

GARDEN CITY, KS

67846-0998

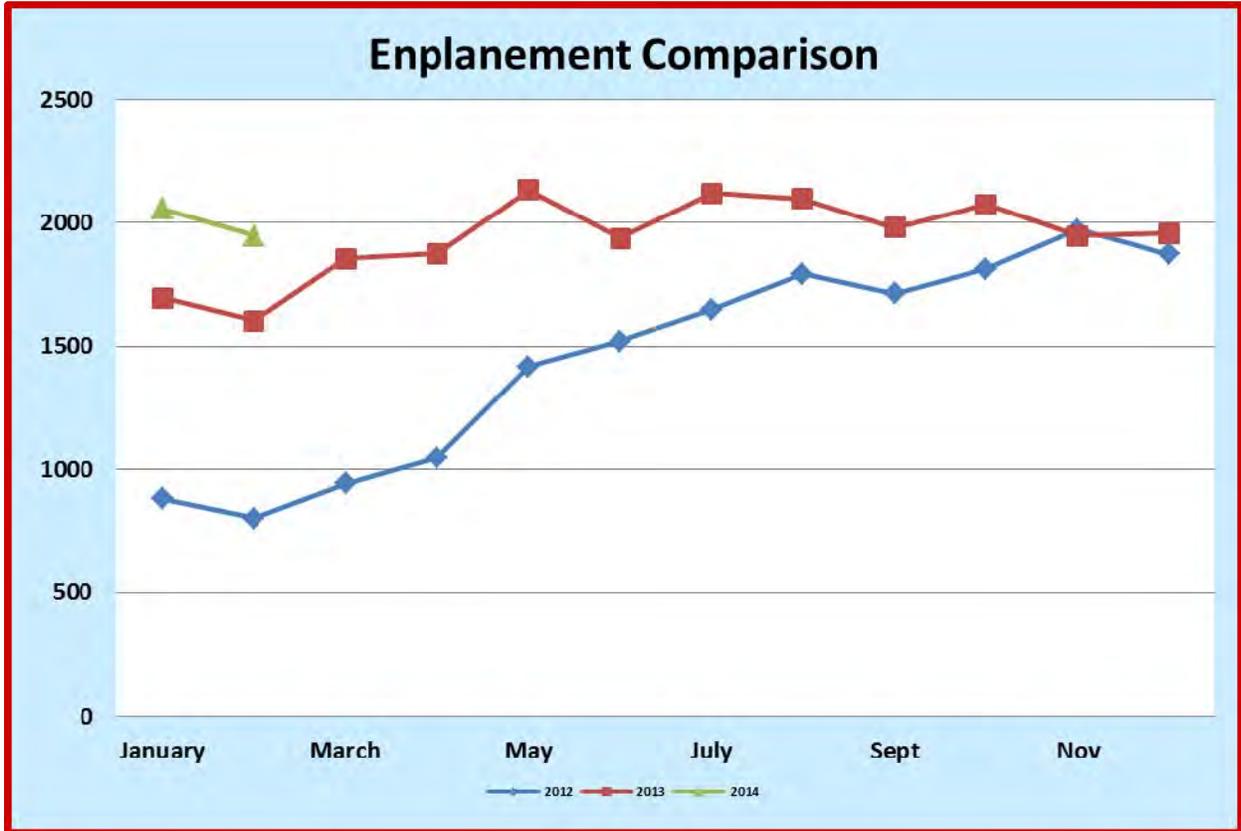
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FAX 620.276.1169

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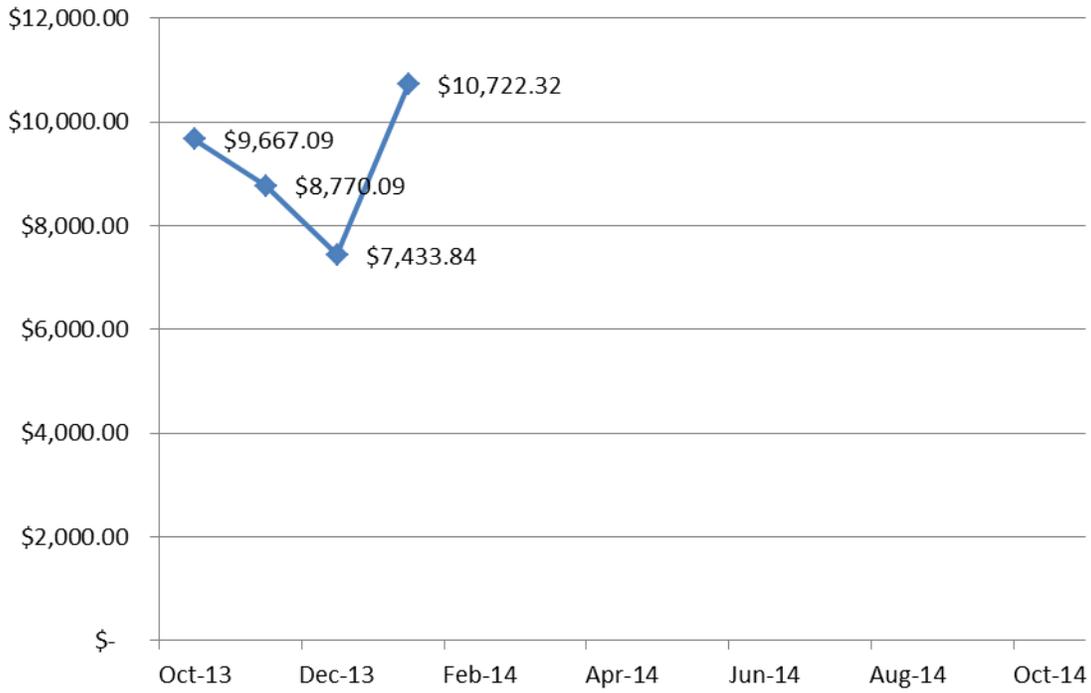
# Staff Reports

**GARDEN CITY REGIONAL AIRPORT  
MONTHLY REPORTS**

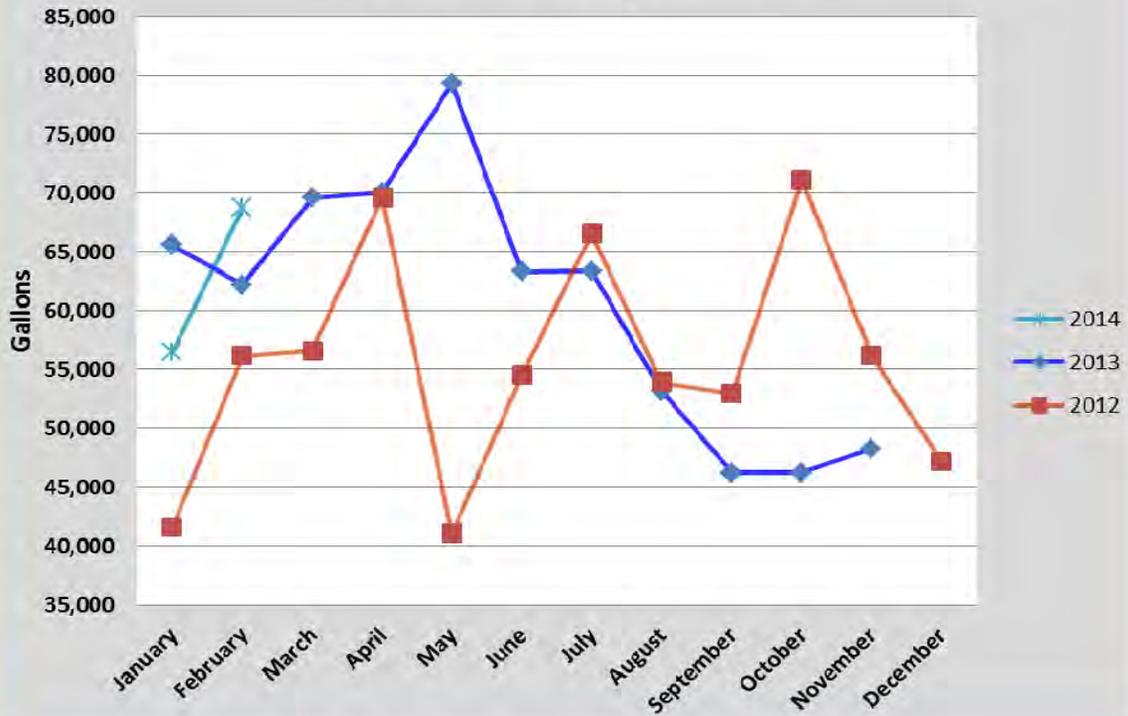


| Total Enplanements |                |            |             |
|--------------------|----------------|------------|-------------|
| 2014               | American Eagle | Republic   | Total       |
| Jan                | 2058           | 63         | 2121        |
| Feb                | 1946           | 75         | 2021        |
| March              |                |            | 0           |
| April              |                |            | 0           |
| May                |                |            | 0           |
| June               |                |            | 0           |
| July               |                |            | 0           |
| Aug                |                |            | 0           |
| Sept               |                |            | 0           |
| Oct                |                |            | 0           |
| Nov                |                |            | 0           |
| Dec                |                |            | 0           |
| <b>TOTAL</b>       | <b>4004</b>    | <b>138</b> | <b>4142</b> |

### Passenger Facility Charge (PFC)



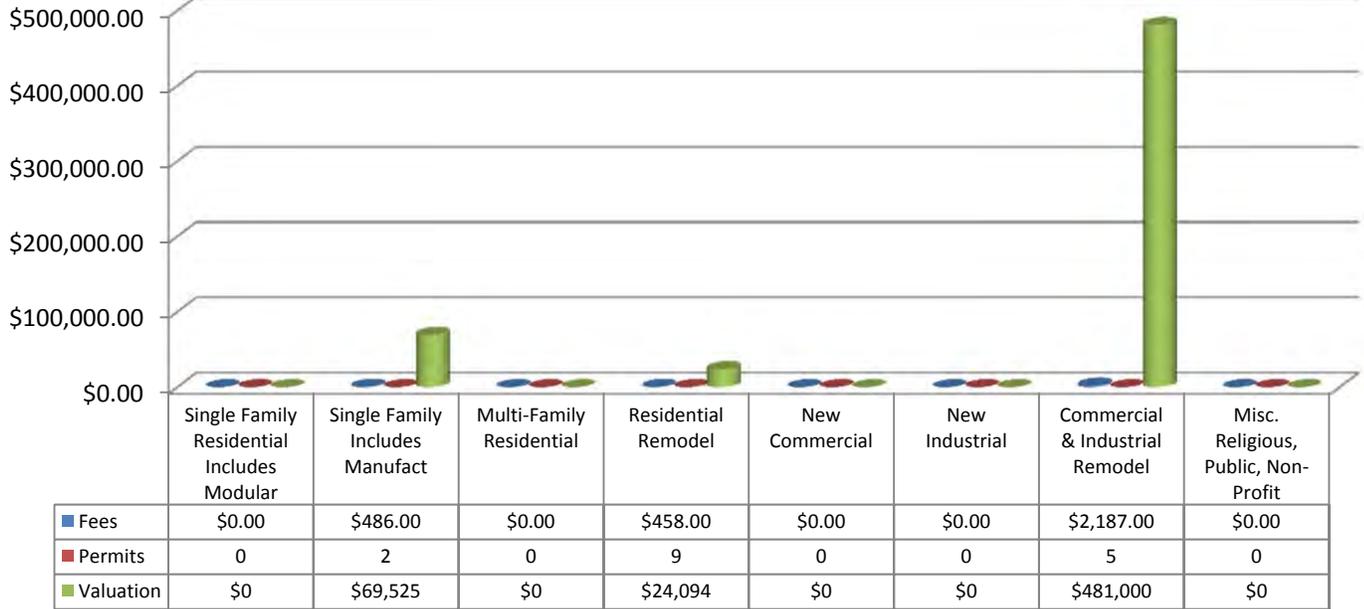
### Fuel Sale Comparison



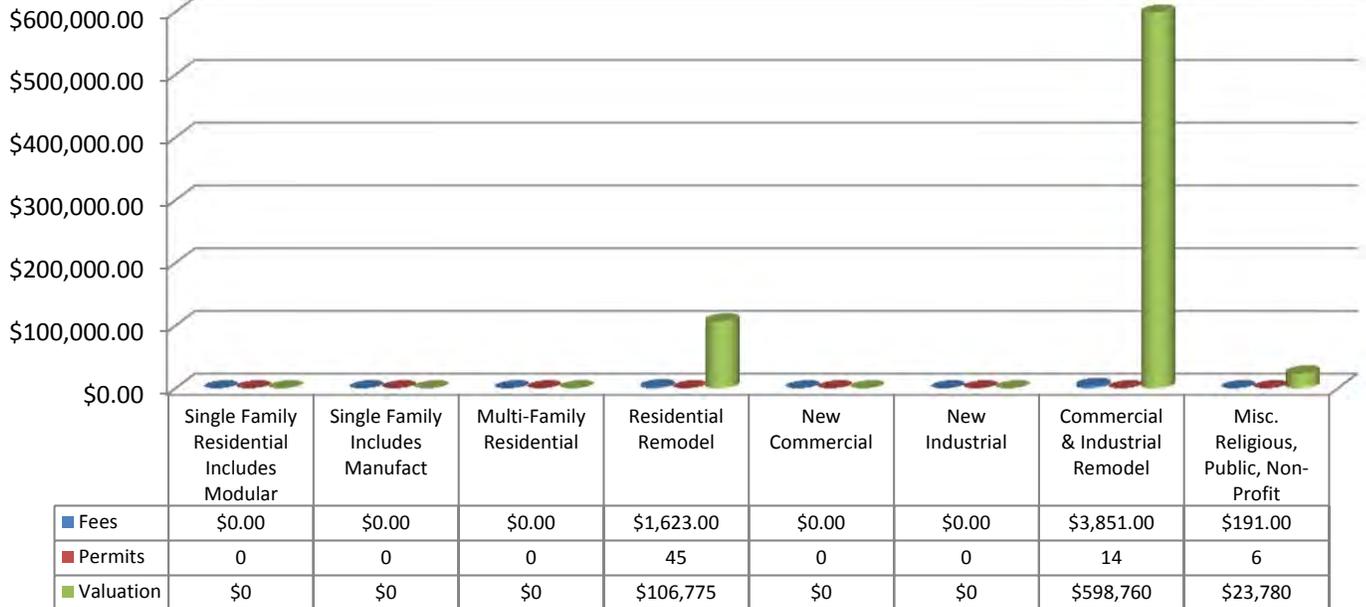


# Planning & Community Development Building Report February 2014





| Permit Type     | Address                   | Structure                       | Project Description   |
|-----------------|---------------------------|---------------------------------|---|
| BUILDING PERMIT | 2698 FINNEY SCOTT Road    | Commercial/Industrial Remodel   | ADD 3 LTE ANTENNAS TO EXISTING AT&T TOWER   |
| BUILDING PERMIT | 1600 South OLD HWY 83     | Commercial/Industrial Remodel   | ADD ADDITIONAL LTE ANTENNAS TO EXISTING TOWER & INSTALL FIBER LINES FROM GROUND TO ANTENNAS |
| BUILDING PERMIT | 3105 North IBP            | Commercial/Industrial Remodel   | R/R 330 SQ RUBBER BALLASTED ROOF  |
| BUILDING PERMIT | 3164 North VFW            | Commercial/Industrial Remodel   | INSTALL 3LTE ANTENNAS WITH POWER CABLES FROM GROUND CABINETS                                |
| ELECTRICAL      | 4645 COMMERCE             | Commercial/Industrial Remodel   | R/R MAIN DISCONNECT   |
| BUILDING PERMIT | 3750 C & S                | Residential Remodel             | 6FT IRON FENCE  |
| BUILDING PERMIT | 340 South FARMLAND RD #25 | Residential Remodel             | INSTALL 1999 16x80 CAPP MOBILE HOME   |
| BUILDING PERMIT | 1920 North Anderson Road  | Residential Remodel             | 6FT WOOD FENCE  |
| GAS             | 225 East SIX MILE         | Residential Remodel             | NEW GAS LINE-CONVERT PROPANE TO NATURAL GAS   |
| GAS             | 502 North VFW             | Residential Remodel             | GAS LINE PRESSURE TEST FOR CONVERSION FROM PROPANE TO NATURAL GAS                           |
| GAS             | 2601 West MARY            | Residential Remodel             | GAS PRESSURE TEST SERVICE LINE  |
| PLUMBING        | 900 SAGE HILL             | Residential Remodel             | WATER HEATER  |
| PLUMBING        | 1350 NORTH SHORE          | Residential Remodel             | INSTALL 40 GALLON PROPANE WATER HEATER  |
| PLUMBING        | 915 YUCCA                 | Residential Remodel             | R/R WATER HEATER  |
| UTILITY         | 915 YUCCA                 | Residential Remodel             | R/R WATER HEATER  |
| BUILDING PERMIT | 901 West MAPLE            | SF Manufactured (HUD Standards) | 2014 28X48 SKYLINE RDMH   |
| BUILDING PERMIT | 340 South FARMLAND RD #56 | SF Manufactured (HUD Standards) | 1998 14x70 SABR MOBILE HOME   |



| Permit Type     | Address                   | Structure                     | Project Description                                       |
|-----------------|---------------------------|-------------------------------|---|
| BUILDING PERMIT | 503 East KANSAS           | Commercial/Industrial Remodel | SEPERATING FIRE WALL                                      |
| BUILDING PERMIT | 511 West KANSAS           | Commercial/Industrial Remodel | NEW PARKING LOT   |
| BUILDING PERMIT | 1111 East SPRUCE          | Commercial/Industrial Remodel | BUILDING ADDITION   |
| BUILDING PERMIT | 1810 BUFFALO JONES        | Commercial/Industrial Remodel | 6FT CHAINLINK FENCE                                       |
| CURB CUT        | 123 ANDERSON              | Commercial/Industrial Remodel | DRIVEWAY,SIDEWALK & APPROACH                              |
| DEMO PERMIT     | 2505 FLEMING              | Commercial/Industrial Remodel | PARTIAL INTERIOR DEMO                                     |
| ELECTRICAL      | 407 North EIGHTH          | Commercial/Industrial Remodel | INSTALL NEW BREAKER PANEL AND 2 DOUBLE DUPLEX OUTLETS     |
| ELECTRICAL      | 1109 COLLEGE              | Commercial/Industrial Remodel | REPLACE PRIMARY SERVICE ENTRANCE SWITCH GEAR              |
| MECHANICAL      | 508 COLLEGE               | Commercial/Industrial Remodel | INSTALLING ROOFTOP HEATING & A/C UNIT                     |
| PLUMBING        | 2502 East HWY 50          | Commercial/Industrial Remodel | INSTALL 30 GALLON ELECTRIC WATER HEATER                   |
| SIGN PERMIT     | 1010 STONE CREEK          | Commercial/Industrial Remodel | 1 POLE,2 CHANNEL LETTER & 3 WALL SIGNS-OLD CHICAGO        |
| SIGN PERMIT     | 1903 FULTON               | Commercial/Industrial Remodel | POLE SIGN- LEWIS MOTORS                                   |
| SIGN PERMIT     | 3510 East KANSAS Avenue   | Commercial/Industrial Remodel | 2 CHANNEL LETTER,1 POLE & 1 MONUMENT                      |
| SIGN PERMIT     | 1110 JC Street            | Commercial/Industrial Remodel | WALL SIGN-SAINT FRANCIS COMMUNITY SERVICES                |
| UTILITY         | 2412-B East Kansas Avenue | Commercial/Industrial Remodel | METER,DEPOSIT,CONNECT FEES- BEST WESTERN POLE SIGN        |
| UTILITY         | 3512 East KANSAS Avenue   | Commercial/Industrial Remodel | METER,DEPOSIT,CONNECT FEE-TEMP SERVICE                    |
| BUILDING PERMIT | 1719 TEXAS                | Misc                          | BATHROOM REMODEL  |
| ELECTRICAL      | 312 South FIFTH           | Misc                          | NEW 200 AMP PEDESTAL & PANEL UPGRADE FROM 50 TO 100 AMP   |
| GAS             | 345 South JENNIE BARKER   | Misc                          | REPAIR PROPANE LINE & PRESSURE TEST                       |
| PLUMBING        | 1002 GILLESPIE            | Misc                          | INSTALL 40 GALLON WATER HEATER                            |
| PLUMBING        | 801 CAMPUS                | Misc                          | INSTALL 40 GALLON POWER VENT WATER HEATER                 |
| PLUMBING        | 2900 North MAIN           | Misc                          | MOVE DRAIN LINES AND CAP WATER LINES FOR BATHROOM REMODEL |
| BUILDING PERMIT | 1825 CHEROKEE             | Residential Remodel           | 12X30 PATIO COVER-RENEWAL OF B12-86                       |

|                 |                             |                     |  |
|-----------------|-----------------------------|---------------------|--|
| BUILDING PERMIT | 950 North JENNIE BARKER-#50 | Residential Remodel | 28X52 1997 CHAMPION MOBILE HOME                                |
| BUILDING PERMIT | 411 North FIFTH             | Residential Remodel | 12x16 WOOD SHED  |
| BUILDING PERMIT | 606 SARAH                   | Residential Remodel | REPAIR SEWER DAMAGE FROM CITY SEWER BACK-UP IN WILSON ADDITION |
| BUILDING PERMIT | 530 JENNA Lane              | Residential Remodel | FINISH 2 BASEMENT BEDROOMS                                     |
| BUILDING PERMIT | 1006 THERON                 | Residential Remodel | KITCHEN REMODEL  |
| BUILDING PERMIT | 1709 JANICE                 | Residential Remodel | INSTALL 1 30X48 BASEMENT EGRESS WINDOW                         |
| BUILDING PERMIT | 1906 A                      | Residential Remodel | 8FT & 3FT WOOD FENCE-RENEWAL OF B12-44                         |
| CURB CUT        | 701 INGE                    | Residential Remodel | DRIVEWAY & APPROACH  |
| DEMO PERMIT     | 1105 North NINTH            | Residential Remodel | INTERIOR DEMOLITION-FIRE DAMAGE                                |
| ELECTRICAL      | 1910 C                      | Residential Remodel | REPLACE EXTERIOR BREAKER PANEL                                 |
| ELECTRICAL      | 1212 ST JOHN                | Residential Remodel | REWORK SERVICE   |
| ELECTRICAL      | 209 North SECOND            | Residential Remodel | REPLACE SERVICE RISER  |
| ELECTRICAL      | 903 North EIGHTH            | Residential Remodel | REWORK 100 AMP SERVICE   |
| ELECTRICAL      | 1110 North TWELFTH          | Residential Remodel | UPGRADE 60 AMP SERVICE TO 100 AMP                              |
| ELECTRICAL      | 413 DAVIS                   | Residential Remodel | REWORK ELECTRICAL SERVICE                                      |
| EXCAVATION      | 1713 ANDERSON               | Residential Remodel | REPAIR SEWER LINE IN ALLEY                                     |
| EXCAVATION      | 305 North TENTH             | Residential Remodel | REPLACE SEWER LINE   |
| GAS             | 208 South TWELFTH           | Residential Remodel | REPAIR GAS LEAK  |
| MECHANICAL      | 1007 CENTER                 | Residential Remodel | C/O FURNACE  |
| MECHANICAL      | 411 WASHINGTON              | Residential Remodel | C/O FURNACE  |
| MECHANICAL      | 2820 TERRACE-#16            | Residential Remodel | INSTALL NEW WALL HEATER  |
| PLUMBING        | 606 North SEVENTH           | Residential Remodel | REPLACE WATER SERVICE  |
| PLUMBING        | 907 North TWELFTH           | Residential Remodel | WATER HEATER   |
| PLUMBING        | 1713 ANDERSON               | Residential Remodel | REPAIR SEWER LINE IN ALLEY                                     |
| PLUMBING        | 1622 CONKLING               | Residential Remodel | INSTALL 40 GALLON WATER HEATER                                 |
| PLUMBING        | 1508 North TWELFTH          | Residential Remodel | INSTALL 40 GALLON WATER HEATER                                 |
| PLUMBING        | 1901 OXFORD                 | Residential Remodel | WATER HEATER   |
| PLUMBING        | 1617 North ELEVENTH         | Residential Remodel | REPLACE SEWER LINE FROM HOUSE TO PROPERTY LINE                 |
| PLUMBING        | 619 North ELEVENTH          | Residential Remodel | WATER HEATER   |
| PLUMBING        | 305 North TENTH             | Residential Remodel | REPLACE SEWER LINE   |
| PLUMBING        | 605 BRIAR HILL              | Residential Remodel | INSTALL 50 GALLON WATER HEATER                                 |
| PLUMBING        | 1515 PIONEER                | Residential Remodel | INSTALL WATER HEATER   |
| PLUMBING        | 701 INGE                    | Residential Remodel | REPLACE SEWER LINE   |
| PLUMBING        | 512 West PROSPECT           | Residential Remodel | WATER HEATER   |
| PLUMBING        | 605 BRIAR HILL              | Residential Remodel | INSTALL 50 GALLON WATER HEATER                                 |
| PLUMBING        | 1617 CRESTWAY               | Residential Remodel | INSTALL WATER HEATER   |
| PLUMBING        | 1203 East CHESTNUT          | Residential Remodel | REPLACE WATER SERVICE  |



# City of Holcomb



| Permit Type     | Address     | Structure                     | Project Description     |
|-----------------|-------------|-------------------------------|-------------------------|
| BUILDING PERMIT | 207 JEREMY  | Commercial/Industrial Remodel | 12x8 SHED               |
| PLUMBING        | 311 PRAIRIE | Residential Remodel           | REPLACE 40 WATER HEATER |



## GARDEN CITY CODE ENFORCEMENT REPORT

**CASE TOTAL 138 AS OF 02/28/14**

| Jurisdiction | File#     | Address             | Category           | Description   | OpenDate  | CloseDate | PW Clean Up | Resolution | Vehicle Resolution |
|--------------|-----------|---------------------|--------------------|---|-----------|-----------|-------------|------------|--------------------|
| Garden City  | 14-000001 | 505 North EIGHTH    | Unlawful Deposits  | Unlawful deposit mattress next to dumpster  | 1/2/2014  | 1/15/2014 |             |            |                    |
| Garden City  | 14-000002 | 209 ST JOHN         | Unlawful Deposits  | Mattress next to dumpster   | 1/2/2014  |           |             |            |                    |
| Garden City  | 14-000003 | 1604 BUFFALO JONES  | Sign               | emb sign violation  | 1/2/2014  | 2/26/2014 |             |            |                    |
| Garden City  | 14-000010 | 403 West FAIR       | Vehicles           | Silver mini van with out license plate  | 1/3/2014  | 1/16/2014 |             |            |                    |
| Garden City  | 14-000012 | 605 LABRADOR        | Rental Inspection  | RENTAL INSPECTION   | 1/3/2014  |           |             |            |                    |
| Garden City  | 14-000013 | 210 North TENTH     | Environmental Yard | environmental yard wood trash and car parts   | 1/3/2014  |           |             |            |                    |
| Garden City  | 14-000014 | 2608 East KANSAS    |                    | CMB INSPECTION- COMFORT INN   | 1/3/2014  | 1/6/2014  |             |            |                    |
| Garden City  | 14-000015 | 210 North TENTH     | Vehicles           | two vehicles on property  | 1/3/2014  |           |             |            |                    |
| Garden City  | 14-000018 | 313 North TENTH     | Vehicles           | green Honda civic 4 door  | 1/6/2014  | 1/30/2014 |             |            |                    |
| Garden City  | 14-000019 | 407 West CHESTNUT   | Vehicles           | green truck with out plates   | 1/6/2014  | 1/6/2014  |             |            |                    |
| Garden City  | 14-000020 | 509 North TENTH     | Vehicles           | red ford 2 door   | 1/6/2014  |           |             |            | 2/21/2014          |
| Garden City  | 14-000022 | 516 North TENTH     | Vehicles           | brown van   | 1/6/2014  | 2/6/2014  |             |            |                    |
| Garden City  | 14-000031 | 210 CONKLING        | Vehicles           | white and blue van in back yard   | 1/6/2014  |           |             |            |                    |
| Garden City  | 14-000032 | 1708 ST JOHN        | Vehicles           | grey ford van expired tags  | 1/6/2014  |           |             |            |                    |
| Garden City  | 14-000033 | 217 INGE            | Unlawful Deposits  | unlawful deposit chair and mattress   | 1/7/2014  | 1/14/2014 |             |            |                    |
| Garden City  | 14-000034 | 2005 North MAIN     | Vehicles           | red ford truck  | 1/7/2014  | 1/23/2014 |             |            |                    |
| Garden City  | 14-000036 | 811 J C             | Vehicles           | white SUV with out plates   | 1/7/2014  | 2/13/2014 |             |            |                    |
| Garden City  | 14-000037 | 610 GARDEN CITY     | Vehicles           | red truck without tags  | 1/7/2014  | 2/18/2014 |             |            |                    |
| Garden City  | 14-000038 | 610 GARDEN CITY     | Environmental Yard | Environmental yard washers refrigerator and other furniture and appliances in back yard | 1/7/2014  | 2/18/2014 |             |            |                    |
| Garden City  | 14-000045 | 517 EUGENE          | Vehicles           | white 4 door car expired tags   | 1/7/2014  | 1/22/2014 |             |            |                    |
| Garden City  | 14-000046 | 503 EUGENE          | Unlawful Deposits  | unlawful deposit mattress in alley next to dumpster                                     | 1/7/2014  | 1/22/2014 |             |            |                    |
| Garden City  | 14-000047 | 1906 VINZANT        | Vehicles           | 2 trucks with expired tags on 1906 1 white mustang on 1908                              | 1/7/2014  |           |             |            | 2/24/2014          |
| Garden City  | 14-000048 | 1712 KELLO          | Vehicles           | grey jeep   | 1/8/2014  |           |             |            | 2/4/2014           |
| Garden City  | 14-000049 | 1712 KELLO          | Unlawful Deposits  | unlawful deposit black couch  | 1/8/2014  | 2/4/2014  |             |            |                    |
| Garden City  | 14-000050 | 308 North FIFTH     | Vehicles           | white 4 door car and van both with expired tags   | 1/8/2014  |           |             |            |                    |
| Garden City  | 14-000056 | 2118 C              | Commercial Truck   | truck in residential  | 1/8/2014  | 2/14/2014 |             |            |                    |
| Garden City  | 14-000057 | 1913 B              | Vehicles           | red car blue truck and blue SUV   | 1/8/2014  |           |             |            |                    |
| Garden City  | 14-000058 | 1912 C              | Vehicles           | red truck   | 1/8/2014  |           |             |            | 2/7/2014           |
| Garden City  | 14-000064 | 110 West FAIR       | Vehicles           | white ford ranger pick-up inoperable vehicle  | 1/9/2014  | 1/24/2014 |             |            |                    |
| Garden City  | 14-000065 | 2302 North SEVENTH  | Vehicles           | blue truck without plates   | 1/9/2014  | 2/11/2014 |             |            |                    |
| Garden City  | 14-000067 | 2208 North SIXTH    | Vehicles           | Chevrolet truck does not have plates  | 1/9/2014  | 1/27/2014 |             |            |                    |
| Garden City  | 14-000069 | 1614 North ELEVENTH | Unlawful Deposits  | unlawful deposit mattress next to dumpster  | 1/10/2014 | 2/11/2014 |             |            |                    |
| Garden City  | 14-000070 | 1705 PARKWOOD       | Unlawful Deposits  | boxes of carpet in alley  | 1/10/2014 |           | 1/30/2014   |            |                    |
| Garden City  | 14-000072 | 1007 conkling       | Unlawful Deposits  | unlawful deposit mattress   | 1/10/2014 | 1/29/2014 |             |            |                    |
| Garden City  | 14-000074 | 2202 CRESTWAY-#28   |                    | RENTAL INSPECTION   | 1/10/2014 | 1/17/2014 |             |            |                    |
| Garden City  | 14-000075 | 701 East EDWARDS    | Vehicles           | red 4 door car  | 1/10/2014 | 2/7/2014  |             |            |                    |
| Garden City  | 14-000076 | 901 North TAYLOR    | Vehicles           | green Honda civic   | 1/10/2014 | 1/29/2014 |             |            |                    |
| Garden City  | 14-000077 | 401 North FOURTH    | Vehicles           | 4 cars on property with out tags  | 1/13/2014 |           |             |            |                    |
| Garden City  | 14-000078 | 509 SUMMIT          | Vehicles           | old White car in back yard.   | 1/13/2014 | 3/10/2014 |             |            |                    |

|             |           |  |                    |  |           |           |           |          |
|-------------|-----------|--|--------------------|--|-----------|-----------|-----------|----------|
| Garden City | 14-000079 | 519 summit                               | Vehicles           | silver mustang GT douse not have plates  | 1/13/2014 | 2/5/2014  |           |          |
| Garden City | 14-000081 | 1811 COMMANCHE                           | Vehicles           | red 4 door car between 1811 and 1815   | 1/13/2014 | 1/31/2014 |           |          |
| Garden City | 14-000086 | 2823 CLIFF                               | Unlawful Deposits  | Mattress in alley row talk to all near by houses and nobody claimed it           | 1/14/2014 |           | 1/14/2014 |          |
| Garden City | 14-000088 | 2707,2709,2710,2711, 2712 CHAINEY Street | Unlawful Deposits  | 3 mattresses,2 couches and 1 chair in alley right-of-way                         | 1/14/2014 | 2/12/2014 |           |          |
| Garden City | 14-000093 | 1308 A                                   | Unlawful Deposits  | unlawful deposit green chair in ROW  | 1/15/2014 | 1/27/2014 |           |          |
| Garden City | 14-000094 | 1207 WALKER                              | Vehicles           | Vehicles without plates or expired tags  | 1/15/2014 | 2/27/2014 |           |          |
| Garden City | 14-000095 | 1601 VINZANT                             | Environmental Yard | environmental yard mattresses in yard and trash need to go back and get pictures | 1/15/2014 | 2/13/2014 |           |          |
| Garden City | 14-000103 | 202 East HAMLIN                          | Unlawful Deposits  | mattresses next to dumpster  | 1/15/2014 | 1/30/2014 |           |          |
| Garden City | 14-000104 | 2003 CENTER                              | Vehicles           | ford mini-van with expired tags  | 1/15/2014 | 2/6/2014  |           |          |
| Garden City | 14-000108 | 306 North THIRTEENTH                     | Vehicles           | white van without plates   | 1/16/2014 | 2/11/2014 |           |          |
| Garden City | 14-000109 | 1816 KELLO                               | Vehicles           | black car on the street without any plates                                       | 1/16/2014 | 1/28/2014 |           |          |
| Garden City | 14-000114 | 211 SPENCER                              | Unlawful Deposits  | UNLAWFUL DEPOSIT- MATTRESS & TIRES IN STREET ROW                                 | 1/17/2014 | 2/27/2014 |           |          |
| Garden City | 14-000115 | 1312 West FULTON                         | Vehicles           | INOPERABLE/UNTAGGED VEHICLES-WHITE DODGE NEON & SILVER LINCOLN TOWN CAR          | 1/17/2014 | 2/12/2014 |           |          |
| Garden City | 14-000116 | 211 SPENCER                              |                    | INOPERABLE/UNTAGGED VEHICLES-  | 1/17/2014 | 2/27/2014 |           |          |
| Garden City | 14-000117 | 211 SPENCER                              |                    | ENVIRONMENTAL YARD-  | 1/17/2014 | 2/27/2014 |           |          |
| Garden City | 14-000118 | 1505 West FULTON                         |                    | ENVIRONMENTAL YARD   | 1/17/2014 |           | 2/5/2014  |          |
| Garden City | 14-000119 | 1312 FULTON                              |                    | INOPERABLE/UNTAGGED VEHICLES-  | 1/17/2014 | 1/30/2014 |           |          |
| Garden City | 14-000121 | 2105 COMMANCHE                           |                    | PARKING UNDER PATIO COVER  | 1/17/2014 | 2/3/2014  |           |          |
| Garden City | 14-000123 | 1505 West FULTON                         | Vehicles           | Motor vehicle nuisance   | 1/17/2014 |           |           | 2/5/2014 |
| Garden City | 14-000125 | 2301 North SEVENTH                       | Rental Inspection  | RENTAL INSPECTION-1005 BANCROFT  | 1/21/2014 | 1/27/2014 |           |          |
| Garden City | 14-000126 | 1621 North TAYLOR                        |                    | CMB INSPECTION-DJ FOOL MOON SALOON   | 1/21/2014 | 1/22/2014 |           |          |
| Garden City | 14-000128 | 1806 A                                   | Environmental Yard | ENVIRONMENTAL YARD-CONSTRUCTION DEBRIS & MISC. JUNK IN REAR YARD                 | 1/21/2014 |           |           |          |
| Garden City | 14-000145 | 507 BANCROFT                             | Vehicles           | red Lincoln with out plates  | 1/22/2014 | 3/10/2014 |           |          |
| Garden City | 14-000146 | 604 North THIRD                          | Vehicles           | INOPERABLE/UNTAGGED VEHICLES-RED BUICK CAR                                       | 1/22/2014 |           |           |          |
| Garden City | 14-000147 | 603 North SECOND                         | Vehicles           | INOPERABLE/UNTAGGED VEHICLES-  | 1/22/2014 |           |           |          |
| Garden City | 14-000148 | 602 North THIRD                          | Unlawful Deposits  | UNLAWFUL DEPOSIT- MATTRESS NEXT TO DUMPSTER                                      | 1/22/2014 | 2/7/2014  |           |          |
| Garden City | 14-000161 | 2102 B                                   | Unlawful Deposits  | unlawful deposit in front yard   | 1/23/2014 | 2/19/2014 |           |          |
| Garden City | 14-000163 | 901 North TAYLOR                         | Unlawful Deposits  | unlawful deposit black couch in front yard                                       | 1/24/2014 | 1/29/2014 |           |          |
| Garden City | 14-000180 | 1708 (1710) C                            | Vehicles           | INOPERABLE/UNTAGGED VEHICLE- BLUE CHEVY TRUCK                                    | 1/27/2014 | 1/29/2014 |           |          |
| Garden City | 14-000186 | 704 MEADOWVIEW                           | Unlawful Deposits  | unlawful deposit dishwasher next to dumpster in alley                            | 1/28/2014 | 2/4/2014  |           |          |
| Garden City | 14-000194 | 1313 HATTIE                              | Unlawful Deposits  | unlawful deposit tv and a computer monitor                                       | 1/29/2014 | 2/10/2014 |           |          |
| Garden City | 14-000195 | 1603 North ELEVENTH                      | Environmental Yard | environmental yard refrigerator in front yard                                    | 1/29/2014 | 2/10/2014 |           |          |
| Garden City | 14-000196 | 1102 SUMMIT                              | Vehicles           | 1 blue 4 door car and 1 black SUV both don't have any license plates             | 1/29/2014 |           |           |          |
| Garden City | 14-000198 | 1209 WALLACE                             | Unlawful Deposits  | tree branches in back yard next to sidewalk                                      | 1/29/2014 | 2/10/2014 |           |          |
| Garden City | 14-000199 | 2522 HWY 83                              | Sign               | sign violation 3 signs on property 2 of them where attached to utility poles     | 1/29/2014 | 2/24/2014 |           |          |
| Garden City | 14-000209 | 1906 A                                   | Work w/o Permit    | WORKING W/O A PERMIT-ROOFING   | 1/30/2014 | 2/7/2014  |           |          |
| Garden City | 14-000216 | 1215 West CAMPBELL                       | Unlawful Deposits  | UNLAWFUL DEPOSITS-MATTRESS IN ALLEY ROW  | 1/31/2014 | 2/14/2014 |           |          |
| Garden City | 14-000217 | 1215 West CAMPBELL                       | Vehicles           | INOPERABLE/UNTAGGED VEHICLE-VAN  | 1/31/2014 |           |           |          |
| Garden City | 14-000218 | 1906 North MAIN                          | Environmental Yard | ENVIRONMENTAL YARD- SCRAP METAL, OLD FURNITURE & MISC. AUTO PARTS                | 1/31/2014 |           |           |          |

|             |           |                     |                       |  |           |           |           |  |  |
|-------------|-----------|---------------------|-----------------------|--|-----------|-----------|-----------|--|--|
| Garden City | 14-000219 | 1509 ST JOHN        | Vehicles              | INOPERABLE/UNTAGGED VEHICLE-RED CAR                                      | 1/31/2014 |           |           |  |  |
| Garden City | 14-000221 | 305 East SANTA FE   | Vehicles              | INOPERABLE/UNTAGGED VEHICLE-RED TRUCK                                    | 1/31/2014 | 2/14/2014 |           |  |  |
| Garden City | 14-000223 | 1115 SAFFORD        | Vehicles              | INOPERABLE/UNTAGGED VEHICLE-WHITE CAR                                    | 1/31/2014 |           |           |  |  |
| Garden City | 14-000224 | 614 West OLIVE      | Vehicles              | INOPERABLE/UNTAGGED VEHICLE-GREEN SUV                                    | 1/31/2014 | 3/10/2014 |           |  |  |
| Garden City | 14-000236 | 1002 North SEVENTH  | Vehicles              | tan car blocking the sidewalk and does not have license plate            | 1/31/2014 | 2/27/2014 |           |  |  |
| Garden City | 14-000237 | 2506 B              | Commercial Truck      | semi truck in residential area   | 1/31/2014 | 2/20/2014 |           |  |  |
| Garden City | 14-000238 | 2409 North MAIN     | Vehicles              | red SUV with no plate  | 1/31/2014 |           |           |  |  |
| Garden City | 14-000239 | 1001 North MAIN     | Vehicles              | white car  | 2/3/2014  | 2/18/2014 |           |  |  |
| Garden City | 14-000240 | 1823 COMMANCHE      | Vehicles              | silver car with expired temp tag   | 1/31/2014 | 2/25/2014 |           |  |  |
| Garden City | 14-000243 | 212 South FIRST     | Vehicles              | red van with expired tags  | 2/3/2014  | 2/18/2014 |           |  |  |
| Garden City | 14-000244 | 903 North EIGHTH    | Red Tag               | RED TAG- BENT MAST NEEDS TO BE REPAIRED/REPLACED                         | 2/3/2014  | 2/19/2014 |           |  |  |
| Garden City | 14-000245 | 901 HAROLD AVE      | Environmental Yard    | ENVIRONMENTAL YARD- MISC. TRASH  | 2/3/2014  |           |           |  |  |
| Garden City | 14-000249 | 901 HAROLD AVE      | Vehicles              | inoperable/ untagged vehicles on property                                | 2/3/2014  |           |           |  |  |
| Garden City | 14-000251 | 601 North TWELFTH   | Vehicles              | green truck parked on street without expired tags                        | 2/3/2014  |           |           |  |  |
| Garden City | 14-000253 | 1308 B              | Vehicles              | two inoperable vehicles  | 2/3/2014  |           |           |  |  |
| Garden City | 14-000254 | 1702 North SEVENTH  | Unlawful Deposits     | unlawful deposit red chair in alley way                                  | 2/3/2014  | 2/27/2014 |           |  |  |
| Garden City | 14-000259 | 910 CENTER          | Vehicles              | white car with expired tags  | 2/4/2014  |           |           |  |  |
| Garden City | 14-000260 | 304 North FIRST     | Vehicles              | gold 4 door car and red truck with expired tags                          | 2/4/2014  |           |           |  |  |
| Garden City | 14-000262 | 2501 FLEMING        | Environmental Yard    | ENVIRONMENTAL YARD-  | 2/4/2014  | 2/25/2014 |           |  |  |
| Garden City | 14-000266 | 106 STEVENS Avenue  | Unlawful Deposits     | UNLAWFUL DEPOSITS-TIRES IN STREET ROW                                    | 2/5/2014  | 2/13/2014 |           |  |  |
| Garden City | 14-000267 | 801 PARK            | Unlawful Deposits     | trash on dumpster and in alley way.                                      | 2/5/2014  |           |           |  |  |
| Garden City | 14-000285 | 1001 GILLESPIE      | Non-Conforming Use    | VEHICLES PARKING ON AN UNIMPROVED SURFACE                                | 2/10/2014 |           |           |  |  |
| Garden City | 14-000290 | 605 LABRADOR-#114   | Rental Inspection     | RENTAL INSPECTION  | 2/11/2014 | 2/12/2014 |           |  |  |
| Garden City | 14-000294 | 802 West FAIR       | Non-Conforming Use    | semi in residential  | 2/12/2014 | 2/20/2014 |           |  |  |
| Garden City | 14-000296 | 606 LONG            | Unlawful Deposits     | unlawful deposit Chair next to dumpster                                  | 2/13/2014 | 2/25/2014 |           |  |  |
| Garden City | 14-000297 | 606 LONG            | Vehicles              | 2 cars with expired tags   | 2/13/2014 | 2/26/2014 |           |  |  |
| Garden City | 14-000298 | 305 West MARY       | Vehicles              | inoperable/untagged vehicle  | 2/13/2014 |           |           |  |  |
| Garden City | 14-000299 | 312 West MARY       | Unlawful Deposits     | unlawful deposit mattress behind dumpster                                | 2/13/2014 |           |           |  |  |
| Garden City | 14-000300 | 312 West MARY       | Vehicles              | inoperable/untagged vehicles   | 2/13/2014 |           |           |  |  |
| Garden City | 14-000301 | 926 North NINTH     | Vehicles              | car without plates   | 2/13/2014 | 2/25/2014 |           |  |  |
| Garden City | 14-000311 | 615 North EIGHTH    | Unlawful Deposits     | unlawful deposit next to dumpster in alley                               | 2/14/2014 | 3/10/2014 |           |  |  |
| Garden City | 14-000313 | 615 North EIGHTH    | Vehicles              | untagged/inoperable vehicles   | 2/14/2014 |           |           |  |  |
| Garden City | 14-000316 | 2015 BELMONT        | Unlawful Deposits     | Unlawful deposit next to fence Old carpet and Cabinets in the alley way. | 2/18/2014 |           |           |  |  |
| Garden City | 14-000317 | 601 JENNY           | Vehicles              | untagged/uncicensed vehicles   | 2/18/2014 |           |           |  |  |
| Garden City | 14-000318 | 1009 North ELEVENTH | Unlawful Deposits     | Unlawful Deposit chair next to dumpster                                  | 2/18/2014 | 2/24/2014 |           |  |  |
| Garden City | 14-000320 | 607 East MAPLE      | Unlawful Deposits     | Unlawful deposit in the alley couches and mattresses next to the fence   | 2/18/2014 | 2/25/2014 | 2/18/2014 |  |  |
| Garden City | 14-000322 | 1902 CENTER         | Unlawful Deposits     | UNLAWFUL DEPOSITS-MATTRESS IN ALLEY ROW                                  | 2/18/2014 | 3/10/2014 |           |  |  |
| Garden City | 14-000332 | 163 CAMPUS          | Dilapidated Structure | DILAPITADED STRUCTURE-LIGHT POLE KNOCKED OVER                            | 2/18/2014 | 2/27/2014 |           |  |  |
| Garden City | 14-000333 | 1505 East KANSAS    |                       | DILAPIDATED STRUCTURE-LIGHT POLE BENT OVER                               | 2/18/2014 |           |           |  |  |
| Garden City | 14-000334 | 1203 OLD MANOR      | Unlawful Deposits     | ENVIRONMENTAL YARD-LAWN MOWERS, SCRAP METAL, JUNK IN FRONT YARD          | 2/21/2014 |           |           |  |  |

|             |           |                       |                        |  |           |           |  |  |  |
|-------------|-----------|-----------------------|------------------------|--|-----------|-----------|--|--|--|
| Garden City | 14-000337 | 314 North TWELFTH     | Environmental Yard     | ENVIRONMENTAL YARD-JUNK IN REAR YARD   | 2/18/2014 |           |  |  |  |
| Garden City | 14-000339 | 4101 East HWY 50-#130 | Red Tag                | RED TAG-FIRE DAMAGE  | 2/19/2014 |           |  |  |  |
| Garden City | 14-000342 | 2116 North EIGHTH     | Unlawful Deposits      | Unlawful deposit 3 mattresses in alley   | 2/20/2014 |           |  |  |  |
| Garden City | 14-000344 | 508 North THIRD       | Dead or Diseased Trees | DEAD/DISEASED TREES  | 2/20/2014 |           |  |  |  |
| Garden City | 14-000345 | 1203 East CHESTNUT    | Unlawful Deposits      | unlawful deposit tree branches next to curb  | 2/20/2014 |           |  |  |  |
| Garden City | 14-000350 | 2509 C                |                        | DEAD/DISEASED TREE   | 2/20/2014 | 2/24/2014 |  |  |  |
| Garden City | 14-000352 | 704 East HAMLIN       | Dilapidated Structure  | DILAPIDATED STRUCTURE- SHED BLOWN OVER FENCE IN ALLEY ROW                          | 2/20/2014 |           |  |  |  |
| Garden City | 14-000357 | 1117 North FIFTH      | Vehicles               | INOPERABLE/UNTAGGED VEHICLE-ALMOND COLORED INFINITY CAR WITH FLAT TIRE IN DRIVEWAY | 2/21/2014 |           |  |  |  |
| Garden City | 14-000358 | 1201 North THIRD      |                        | INOPERABLE/UNTAGGED VEHICLE-BLACK SUV IN REAR YARD                                 | 2/21/2014 |           |  |  |  |
| Garden City | 14-000360 | 511 West CAMPBELL     | Vehicles               | motor vehicle nuisance Gold 4 door sedan   | 2/24/2014 |           |  |  |  |
| Garden City | 14-000364 | 209 North THIRTEENTH  | Environmental Yard     | ENVIRONMENTAL YARD-LAWNMOWERS, SCRAP METAL, MISC. FURNITURE & TIRES                | 2/24/2014 |           |  |  |  |
| Garden City | 14-000365 | 209 North THIRTEENTH  | Vehicles               | INOPERABLE/UNTAGGED VEHICLE-SIVLER GRAND PRIX                                      | 2/24/2014 |           |  |  |  |
| Garden City | 14-000372 | 514 INGE              | Vehicles               | wrecked mini van   | 2/25/2014 |           |  |  |  |
| Garden City | 14-000373 | 705 North TAYLOR      | Vehicles               | red van park in back yard  | 2/25/2014 |           |  |  |  |
| Garden City | 14-000374 | 707 North TAYLOR      | Vehicles               | blue car in rear yard with no plates   | 2/25/2014 |           |  |  |  |
| Garden City | 14-000375 | 301 North TWELFTH     | Vehicles               | grey 2 door car  | 2/25/2014 |           |  |  |  |
| Garden City | 14-000383 | 512 CONKLING          | Unlawful Deposits      | unlawful deposit couch by dumpster   | 2/26/2014 |           |  |  |  |
| Garden City | 14-000384 | 512 CONKLING          | Unlawful Deposits      | unlawful deposit   | 2/27/2014 |           |  |  |  |
| Garden City | 14-000385 | 211 South SEVENTH     | Vehicles               | INOPEABLE/UNTAGGED VEHICLE-  | 2/27/2014 |           |  |  |  |
| Garden City | 14-000390 | 301 East MAPLE        | Unlawful Deposits      | Environmental yard Garbage car parts scrape mental                                 | 2/27/2014 |           |  |  |  |

**CITY OF GARDEN CITY, KANSAS**  
**ANALYSIS OF COUNTY-WIDE SALES TAX RECEIPTS**

| MONTH<br>RECEIVED | 1999             | 2000             | 2001             | 2002             | 2003             | 2004             | 2005             | 2006             | 2007             | 2008             | 2009             | 2010             | 2011             | 2012             | 2013             | 2014           |
|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|----------------|
| JANUARY           | 98,895           | 82,749           | 119,104          | 99,080           | 87,049           | 90,999           | 89,620           | 90,890           | 96,504           | 112,365          | 136,559          | 194,148          | 172,402          | 201,675          | 215,987          | 207,262        |
| FEBRUARY          | 102,071          | 135,771          | 115,633          | 119,867          | 107,746          | 112,817          | 106,162          | 108,918          | 117,464          | 120,392          | 112,708          | 168,090          | 206,332          | 201,136          | 213,048          | 244,277        |
| MARCH             | 57,317           | 111,517          | 94,385           | 89,945           | 83,994           | 93,138           | 83,528           | 84,800           | 91,096           | 111,384          | 127,434          | 176,275          | 176,089          | 187,616          | 198,757          |                |
| APRIL             | 123,837          | 110,045          | 92,941           | 86,892           | 88,516           | 82,176           | 88,156           | 88,367           | 97,920           | 97,076           | 105,529          | 136,058          | 140,393          | 176,191          | 179,735          |                |
| MAY               | 97,870           | 111,720          | 98,017           | 94,809           | 97,270           | 92,019           | 96,607           | 100,809          | 103,484          | 113,955          | 102,518          | 173,875          | 182,165          | 217,621          | 215,823          |                |
| JUNE              | 82,439           | 99,148           | 93,362           | 101,379          | 98,922           | 86,040           | 82,884           | 99,561           | 98,793           | 107,235          | 110,225          | 174,577          | 192,468          | 197,406          | 205,745          |                |
| JULY              | 110,519          | 111,647          | 91,208           | 99,915           | 97,573           | 91,205           | 88,888           | 95,381           | 109,492          | 130,863          | 126,193          | 163,203          | 175,188          | 199,698          | 238,623          |                |
| AUGUST            | 103,623          | 113,844          | 98,717           | 96,327           | 91,715           | 97,295           | 101,836          | 104,308          | 99,317           | 123,221          | 103,580          | 180,595          | 178,778          | 209,006          | 213,331          |                |
| SEPTEMBER         | 99,996           | 84,773           | 99,232           | 88,585           | 102,820          | 94,038           | 87,159           | 93,570           | 106,941          | 133,521          | 111,381          | 174,612          | 178,054          | 180,008          | 232,303          |                |
| OCTOBER           | * 107,914        | 129,697          | 106,658          | 102,705          | 97,918           | 90,696           | 105,259          | 101,146          | 112,166          | 117,796          | 108,343          | 174,202          | 189,062          | 203,819          | 218,503          |                |
| NOVEMBER          | 82,861           | 103,094          | 97,348           | 82,869           | 78,619           | 89,706           | 95,946           | 94,231           | 107,500          | 117,428          | 111,973          | 153,378          | 174,342          | 208,611          | 184,384          |                |
| DECEMBER          | 75,058           | 97,466           | 89,406           | 101,296          | 96,993           | 94,616           | 88,792           | 94,570           | 109,693          | 114,846          | 160,409          | 161,622          | 196,711          | 182,159          | 236,524          |                |
| TOTAL RECEIPTS    | <u>1,142,399</u> | <u>1,291,473</u> | <u>1,196,011</u> | <u>1,163,668</u> | <u>1,129,136</u> | <u>1,114,745</u> | <u>1,114,837</u> | <u>1,156,551</u> | <u>1,250,370</u> | <u>1,400,082</u> | <u>1,416,852</u> | <u>2,030,635</u> | <u>2,161,984</u> | <u>2,364,946</u> | <u>2,552,763</u> | <u>451,539</u> |
| PERCENTAGE CHANGE | 2.13%            | 13.05%           | -7.39%           | -2.70%           | -2.97%           | -1.27%           | "FLAT"           | 3.74%            | 8.11%            | 11.97%           | 1.20%            | 43.32%           | 6.47%            | 9.39%            | 7.94%            |                |

\*REFLECTS HERE & THEREAFTER THE NET AMOUNT OF COUNTY-WIDE SALES TAX.  
CITY REIMBURSES TO COUNTY THE DEDICATED 1/4 CENT FOR FAIRGROUNDS PROJECT.

(1) REFLECTS HERE & THERE AFTER INCREASE IN COUNTY TAX FROM .75¢ TO 1¢

CITY OF GARDEN CITY, KANSAS

ANALYSIS OF CITY SALES TAX RECEIPTS

| MONTH RECEIVED    | 1999             | 2000             | 2001             | 2002             | 2003             | 2004             | 2005             | 2006             | 2007             | 2008             | 2009             | 2010             | 2011             | 2012             | 2013             | 2014             |
|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| JANUARY           | 383,636          | 310,710          | 390,595          | 379,780          | 309,257          | 357,335          | 335,673          | 351,457          | 351,627          | 409,255          | 529,129          | 415,161          | 432,278          | 483,869          | 508,705          | 480,712          |
| FEBRUARY          | 360,909          | 447,336          | 389,764          | 444,123          | 419,884          | 434,310          | 423,853          | 416,061          | 444,506          | 465,707          | 415,062          | 416,555          | 509,745          | 497,844          | 514,511          | 575,307          |
| MARCH             | 191,835          | 371,146          | 344,152          | 321,705          | 304,720          | 346,371          | 316,320          | 317,599          | 338,956          | 418,336          | 461,822          | 432,675          | 426,585          | 438,777          | 468,745          |                  |
| APRIL             | 467,188          | 364,979          | 334,588          | 303,909          | 313,029          | 317,571          | 318,835          | 321,431          | 358,967          | 361,119          | 388,668          | 328,743          | 328,309          | 409,253          | 411,491          |                  |
| MAY               | 343,692          | 377,482          | 356,202          | 340,131          | 354,013          | 345,880          | 351,143          | 372,027          | 382,562          | 426,812          | 362,989          | 430,701          | 442,882          | 502,577          | 481,623          |                  |
| JUNE              | 284,831          | 344,293          | 341,573          | 336,435          | 356,920          | 340,240          | 319,314          | 364,552          | 363,536          | 398,458          | 413,934          | 423,173          | 471,595          | 457,884          | 469,940          |                  |
| JULY              | 382,217          | 361,811          | 331,627          | 359,143          | 329,005          | 338,923          | 330,628          | 350,754          | 394,947          | 456,516          | 469,538          | 402,144          | 431,189          | 453,965          | 554,262          |                  |
| AUGUST            | 365,112          | 369,837          | 350,737          | 342,529          | 322,875          | 376,955          | 371,521          | 377,510          | 372,473          | 456,809          | 373,995          | 433,641          | 420,914          | 490,394          | 504,212          |                  |
| SEPTEMBER         | 364,871          | 304,050          | 363,139          | 324,385          | 366,794          | 362,024          | 323,475          | 341,558          | 388,244          | 463,398          | 421,706          | 415,115          | 433,117          | 424,160          | 529,341          |                  |
| OCTOBER           | 362,872          | 449,981          | 382,926          | 368,395          | 357,624          | 341,725          | 369,193          | 365,725          | 408,881          | 446,179          | 411,421          | 425,392          | 450,833          | 468,586          | 501,467          |                  |
| NOVEMBER          | 319,267          | 332,271          | 355,951          | 296,743          | 287,373          | 339,384          | 337,133          | 351,892          | 352,723          | 435,767          | 402,883          | 390,433          | 412,877          | 474,976          | 422,213          |                  |
| DECEMBER          | 270,677          | 327,755          | 323,048          | 381,904          | 364,126          | 338,971          | 338,058          | 356,317          | 396,872          | 432,701          | 461,792          | 412,973          | 481,207          | 424,131          | 501,046          |                  |
| TOTAL RECEIPTS    | <u>4,097,107</u> | <u>4,361,650</u> | <u>4,264,300</u> | <u>4,199,181</u> | <u>4,085,619</u> | <u>4,239,689</u> | <u>4,135,146</u> | <u>4,286,883</u> | <u>4,554,294</u> | <u>5,171,057</u> | <u>5,112,939</u> | <u>4,926,706</u> | <u>5,241,531</u> | <u>5,526,416</u> | <u>5,867,556</u> | <u>1,056,019</u> |
| PERCENTAGE CHANGE | 0.17%            | 6.46%            | -2.23%           | -1.53%           | -2.70%           | 3.77%            | -2.47%           | 3.67%            | 6.24%            | 13.54%           | -1.12%           | -3.64%           | 6.39%            | 5.44%            | 6.17%            |                  |



**City of Garden City**  
**Monthly Financial Report FY 2014**  
**For the Two Months Ended February 28, 2014**  
 Unaudited--Intended for Management Purposes Only

The following is a summary of the City's financial results for the General Funds and Utility Funds. The subsequent pages provide some narrative, comparison cash balances, line item analysis, and graphic display of revenue trends for the City's General and Utility Funds. This report is intended to assist the City Commission and the City's Administrative team in managing the operational budget. This information is summarized from unaudited financial statements for the monthly period that ended February 28, 2014.

**GENERAL FUND AT A GLANCE**

| Category                    | Revised<br>2014<br>Budget | 2014<br>YTD<br>Actual | 2013<br>YTD<br>Actual |
|-----------------------------|---------------------------|-----------------------|-----------------------|
| Revenues                    | 19,881,462                | 4,776,673             | 4,624,888             |
| Expenditures                | 20,769,757                | 3,661,878             | 3,750,931             |
| <b>Revenues Over(Under)</b> | <b>(888,295)</b>          | <b>1,114,795</b>      | <b>873,958</b>        |

**UTILITY FUND REVENUES AT A GLANCE**

| Category         | Revised<br>2014<br>Budget | 2014<br>YTD<br>Actual | 2013<br>YTD<br>Actual |
|------------------|---------------------------|-----------------------|-----------------------|
| Electric         | 28,445,750                | 4,749,359             | 4,169,250             |
| Solid Waste      | 2,859,500                 | 488,828               | 510,688               |
| Drainage Utility | 205,800                   | 32,890                | 34,526                |
| Water and Sewage | 7,695,500                 | 1,007,786             | 928,004               |
| <b>TOTAL</b>     | <b>39,206,550</b>         | <b>6,278,863</b>      | <b>5,642,469</b>      |

**SELECTED REVENUES AT A GLANCE**

| Category              | Revised<br>2014<br>Budget | 2014<br>YTD<br>Actual | 2013<br>YTD<br>Actual |
|-----------------------|---------------------------|-----------------------|-----------------------|
| City Sales Tax        | 5,600,000                 | 1,056,019             | 1,023,216             |
| County Sales Tax      | 3,350,000                 | 622,683               | 594,852               |
| Franchise Tax         |                           |                       |                       |
| Gas Utility           | 420,000                   | 166,367               | 95,888                |
| Telephone             | 75,000                    | 11,939                | 12,869                |
| CATV                  | 225,000                   | 0                     | 56,931                |
| Building Permits      | 237,250                   | 48,260                | 33,837                |
| Municipal Court Fines | 1,025,000                 | 149,761               | 161,065               |



**City of Garden City  
 Monthly Financial Report FY 2014  
 For the Two Months Ended  
 February 28, 2014**

**General Fund**

General Fund Revenues collected through February were \$4,776,673. The February revenues represent 24.03% of the total revenues expected in the General Fund. Property tax distribution was 58.31% for the first of five payments in 2014.

General Fund Expenses are at 17.63% of the total expenditures expected in the General Fund.

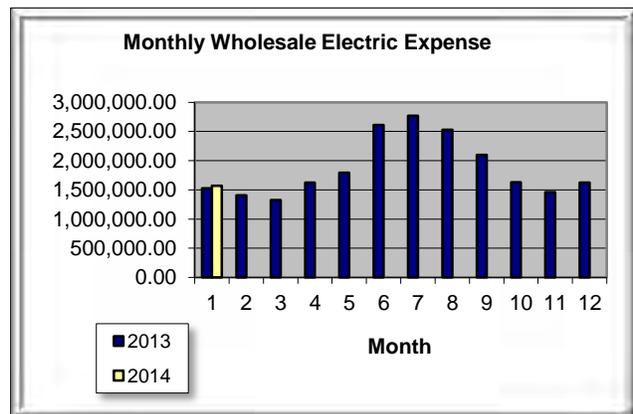
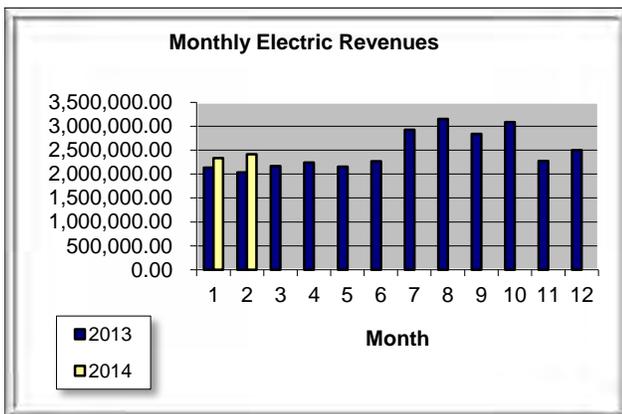
**Selected Revenues**

- City Sales Tax—Ahead by \$32,803 compared to February 2013 year to date collections, 3.21% ahead of 2013 for the two months ended.
- County Sales Tax— Collections for the two months ended are ahead of 2013 by \$27,831 or 4.68%.
- Franchise Tax—Budget estimates for 2014 remain approximately the same as 2013. Franchise fees are slightly higher than 2013 with the exception of telephone.
- Building Permits—Budget estimates for 2014 are based on 2013 revenues. Receipts are higher than this period in 2013.
- Municipal Court Fines—Budget estimates are slightly higher than 2013 budget and collections through February were ahead of 2013.

**Utility Funds**

A summary of Utility Fund revenue performance is outlined below:

- Electric revenues – revised budget at \$28,445,750 for 2014 were \$4,749,359 through two months or 16.70% of budget.

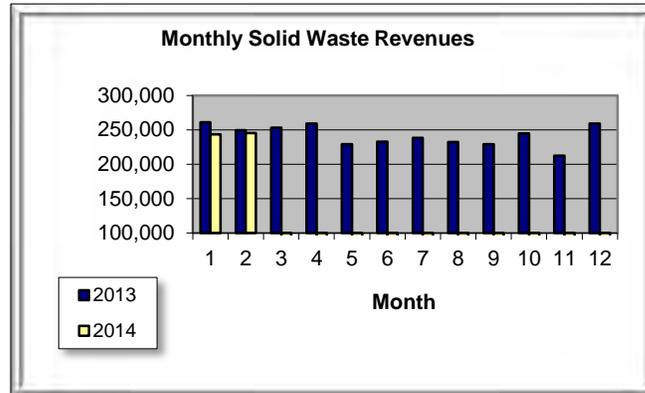


A main expense is Wholesale Electric in the Utility Fund. The 2014 revised budget for wholesale electric is \$19,212,000. The wholesale electric expense for February was not available at this printing.

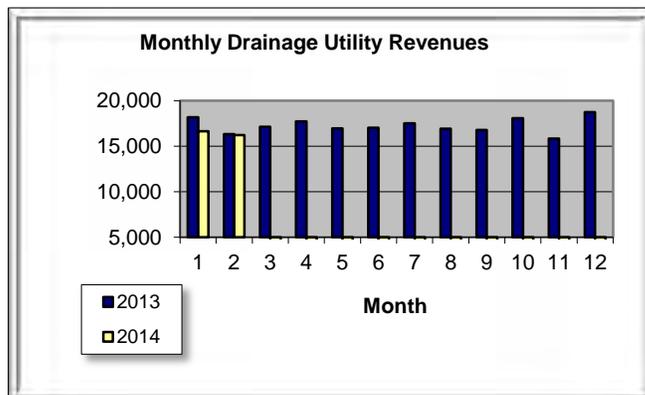


**City of Garden City  
 Monthly Financial Report FY 2014  
 For the Two Months Ended  
 February 28, 2014**

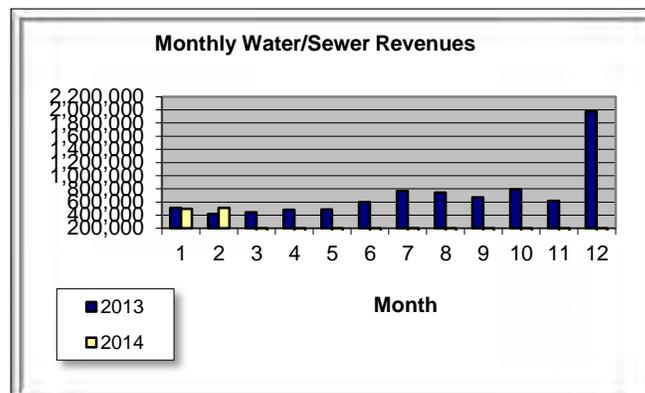
■ Solid Waste revenues – revised budget at \$2,859,500 for 2014 were \$488,828 through two months or 17.09% of budget.



■ Drainage Utility revenues – revised budget at \$205,800 for 2014 were \$32,890 through two months or 15.98%.



■ Water and Sewage revenues - revised budget at \$7,695,500 for 2014 were \$1,007,786 through two months or 13.10% of budget.





CITY OF GARDEN CITY, KANSAS  
 Comparison of Cash Balances with Encumbrances and Composition of Cash  
 For the Two Months Ended February 28, 2014

| Fund                                  | Unencumbered<br>Cash Balance<br>1/1/2014 | Receipts<br>and<br>Transfers | Expenditures<br>and<br>Transfers | Unencumbered<br>Cash Balance<br>2/28/2014 | Add Payables<br>and<br>Encumbrances | Treasurer's<br>Cash<br>2/28/2014 |
|---------------------------------------|--|------------------------------|----------------------------------|---|-------------------------------------|----------------------------------|
| 1 General                             | 4730963.09                               | 4776673.44                   | 3591276.85                       | 5916359.68                                | 70601.60                            | 5986961.28                       |
| <u>Debt Service Fund</u>              |  |                              |                                  |   |                                     |                                  |
| 40 Bond and Interest                  | 394287.06                                | 1038614.22                   | 0.00                             | 1432901.28                                | 0.00                                | 1432901.28                       |
| <u>Special Revenue Funds</u>          |  |                              |                                  |   |                                     |                                  |
| 4 TIF                                 | 0.00                                     | 123460.91                    | 8290.72                          | 115170.19                                 | 0.00                                | 115170.19                        |
| 5 Capital Improvement                 | 690371.20                                | 1089.04                      | -9854.78                         | 701315.02                                 | 12392.00                            | 713707.02                        |
| 6 Community Development Loan          | 14667.06                                 | 625.67                       | 3307.10                          | 11985.63                                  | 0.00                                | 11985.63                         |
| 7 Cemetery Endowment                  | 27023.48                                 | 600.00                       | 1843.52                          | 25779.96                                  | 0.00                                | 25779.96                         |
| 8 Community Trust                     | 1277499.49                               | 369.93                       | 0.00                             | 1277869.42                                | 0.00                                | 1277869.42                       |
| 10 DEA Forfeiture                     | 41720.15                                 | 4166.71                      | 17844.38                         | 28042.48                                  | 0.00                                | 28042.48                         |
| 11 Drug Enforcement                   | 18513.87                                 | 37950.88                     | -960.00                          | 57424.75                                  | 0.00                                | 57424.75                         |
| 15 Enhanced Wireless 911              | 293153.99                                | 28183.67                     | 9035.92                          | 312301.74                                 | 0.00                                | 312301.74                        |
| 18 Finnup Trust                       | 54752.18                                 | 0.00                         | 8325.86                          | 46426.32                                  | 0.00                                | 46426.32                         |
| 25 Recreation                         | 0.00                                     | 513982.52                    | 513982.52                        | 0.00                                      | 0.00                                | 0.00                             |
| 26 Special Improvements               | 86770.07                                 | -16.00                       | 0.00                             | 86754.07                                  | 0.00                                | 86754.07                         |
| 27 Special Liability                  | 155936.04                                | 0.00                         | 0.00                             | 155936.04                                 | 0.00                                | 155936.04                        |
| 29 Special Alcohol Programs           | 41205.59                                 | 0.00                         | 0.00                             | 41205.59                                  | 0.00                                | 41205.59                         |
| 30 Special Recreation and Parks       | 97756.84                                 | 4719.86                      | 1575.00                          | 100901.70                                 | 0.00                                | 100901.70                        |
| 31 FOLRZ Projects                     | 0.00                                     | 0.00                         | 0.00                             | 0.00                                      | 0.00                                | 0.00                             |
| 32 Special Trafficway                 | 971543.57                                | 173940.87                    | 72964.61                         | 1072519.83                                | 0.00                                | 1072519.83                       |
| 50 Community Development Grant        | 0.00                                     | 9701.97                      | 9701.97                          | 0.00                                      | 0.00                                | 0.00                             |
| 52 Economic Development               | 371988.85                                | 358.58                       | 488.61                           | 371858.82                                 | 0.00                                | 371858.82                        |
| 53 Project Development                | 191617.19                                | 58715.33                     | 470.11                           | 249862.41                                 | 0.00                                | 249862.41                        |
| 54 RHID Security Fund                 | 0.00                                     | 0.00                         | 0.00                             | 0.00                                      | 0.00                                | 0.00                             |
| Total Special Revenue                 | 4334519.57                               | 834389.03                    | 628724.82                        | 4540183.78                                | 12392.00                            | 4552575.78                       |
| <u>Capital Projects Funds</u>         |  |                              |                                  |   |                                     |                                  |
| 41 2013-GO Bond Projects              | 976721.17                                | 0.00                         | 225992.96                        | 750728.21                                 | 169014.56                           | 919742.77                        |
| 45 2012-GO Bond Projects              | 772811.11                                | 0.00                         | -64692.32                        | 837503.43                                 | 0.00                                | 837503.43                        |
| 46 2012- Temporary Notes Durango Proj | 2300843.93                               | 0.00                         | 17192.00                         | 2283651.93                                | 0.00                                | 2283651.93                       |
| 48 2013-Temp Notes Series D           | 29170.74                                 | 0.00                         | 22801.97                         | 6368.77                                   | 0.00                                | 6368.77                          |
| 49 2013-Temp Notes Schulman Crossing  | 5618097.65                               | 0.00                         | 1154085.44                       | 4464012.21                                | 0.00                                | 4464012.21                       |
| Total Capital Projects                | 9697644.60                               | 0.00                         | 1355380.05                       | 8342264.55                                | 169014.56                           | 8511279.11                       |
| <u>Enterprise Funds</u>               |  |                              |                                  |   |                                     |                                  |
| Electric Utility:                     |  |                              |                                  |   |                                     |                                  |
| 68 General                            | 3508279.17                               | 4753408.98                   | 2318825.14                       | 5942863.01                                | 52850.40                            | 5995713.41                       |
| 69 Security Deposits                  | 450703.24                                | 40355.00                     | 6797.08                          | 484261.16                                 | 0.00                                | 484261.16                        |
| Total Electric Utility                | 3958982.41                               | 4793763.98                   | 2325622.22                       | 6427124.17                                | 52850.40                            | 6479974.57                       |
| Water and Sewer Utility:              |  |                              |                                  |   |                                     |                                  |
| 80 General                            | 2616964.74                               | 1007786.02                   | 740968.51                        | 2883782.25                                | 0.00                                | 2883782.25                       |
| 81 Wastewater Repair and Replacem     | 285056.03                                | 21629.00                     | 0.00                             | 306685.03                                 | 0.00                                | 306685.03                        |
| 82 Water and Sewage Maintenance F     | 579758.01                                | 25627.73                     | 0.00                             | 605385.74                                 | 0.00                                | 605385.74                        |
| Total Water and Sewer Utility         | 3481778.78                               | 1055042.75                   | 740968.51                        | 3795853.02                                | 0.00                                | 3795853.02                       |
| Airport:                              |  |                              |                                  |   |                                     |                                  |
| 60 General                            | 310665.07                                | 451943.96                    | 102797.69                        | 659811.34                                 | 0.00                                | 659811.34                        |
| 61 Airport Improvement                | 58774.14                                 | 3302.32                      | 3333.34                          | 58743.12                                  | 0.00                                | 58743.12                         |
| Total Airport                         | 369439.21                                | 455246.28                    | 106131.03                        | 718554.46                                 | 0.00                                | 718554.46                        |
| Solid Waste Utility:                  |  |                              |                                  |   |                                     |                                  |
| 75 General                            | 1371930.93                               | 488828.04                    | 308160.30                        | 1552598.67                                | 135165.00                           | 1687763.67                       |
| Recreation Area:                      |  |                              |                                  |   |                                     |                                  |
| 70 General Golf Course                | 70927.93                                 | 27366.45                     | 122476.88                        | -24182.50                                 | 0.00                                | -24182.50                        |
| 71 Golf Course Building               | 15150.15                                 | 122.50                       | -2099.70                         | 17372.35                                  | 0.00                                | 17372.35                         |
| Total Recreation Area                 | 86078.08                                 | 27488.95                     | 120377.18                        | -6810.15                                  | 0.00                                | -6810.15                         |
| Drainage Utility:                     |  |                              |                                  |   |                                     |                                  |
| 79 General                            | 390794.39                                | 32890.25                     | 17356.46                         | 406328.18                                 | 0.00                                | 406328.18                        |
| <u>Internal Service Funds</u>         |  |                              |                                  |   |                                     |                                  |
| 55 Health Insurance                   | 350019.55                                | 557968.04                    | 786772.20                        | 121215.39                                 | 211585.70                           | 332801.09                        |
| 56 Health Insurance Reserve           | 0.00                                     | 0.00                         | 0.00                             | 0.00                                      | 0.00                                | 0.00                             |
| 35 Workers Compensation               | 70497.31                                 | 360540.00                    | 298929.97                        | 132107.34                                 | 0.00                                | 132107.34                        |
| 36 Workers Compensation Reserve       | 502503.37                                | 0.00                         | 0.00                             | 502503.37                                 | 0.00                                | 502503.37                        |
| Total Internal Service                | 923020.23                                | 918508.04                    | 1085702.17                       | 755826.10                                 | 211585.70                           | 967411.80                        |
| Total All Funds                       | 29739438.35                              | 14421444.98                  | 10279699.59                      | 33881183.74                               | 651609.26                           | 34532793.00                      |



City of Garden City  
 Statement of Revenues and Expenditures-General Fund Revenues  
 From 2/1/2014 Through 2/28/2014

**001 - GENERAL FUND**

|               |                               | Curr Month<br>Collections | YTD Collections | Revised Budget | Uncollected Balance |
|---------------|-------------------------------|---------------------------|-----------------|----------------|---------------------|
| <b>Income</b> |                               |                           |                 |                |                     |
| 3022          | CONNECTING LINKS              | 0.00                      | 18,834.55       | 75,000.00      | (56,165.45)         |
| 3023          | CONSUMER USE TAX              | 75,029.41                 | 143,169.48      | 770,000.00     | (626,830.52)        |
| 3028          | LIQUOR CONSUMPTION TAX        | 0.00                      | 0.00            | 80,000.00      | (80,000.00)         |
| 3040          | AD VALOREM TAX                | 0.00                      | 2,078,132.22    | 3,429,783.00   | (1,351,650.78)      |
| 3041          | AD VALOREM BACK TAX           | 0.00                      | 32,738.42       | 190,000.00     | (157,261.58)        |
| 3044          | CITY SALES TAX                | 575,307.02                | 1,056,018.77    | 5,600,000.00   | (4,543,981.23)      |
| 3046          | COUNTY SALES TAX              | 335,347.32                | 622,683.49      | 3,350,000.00   | (2,727,316.51)      |
| 3055          | MOTOR VEHICLE TAX             | 0.00                      | 105,697.24      | 454,664.00     | (348,966.76)        |
| 3056          | RECREATIONAL VEHICLE TAX      | 0.00                      | 611.46          | 3,615.00       | (3,003.54)          |
| 3057          | HEAVY DUTY VEHICLE TAX        | 0.00                      | 2,620.47        | 2,905.00       | (284.53)            |
| 3065          | CATV FRANCHISE                | 0.00                      | 0.00            | 225,000.00     | (225,000.00)        |
| 3066          | GAS UTILITY FRANCHISE         | 56,624.67                 | 166,367.09      | 420,000.00     | (253,632.91)        |
| 3067          | TELEPHONE FRANCHISE           | 5,946.31                  | 11,938.99       | 75,000.00      | (63,061.01)         |
| 3115          | CEMETERY SPACES               | 1,500.00                  | 3,785.00        | 60,000.00      | (56,215.00)         |
| 3301.01       | ANIMAL BOARDING               | 99.99                     | 1,300.85        | 15,000.00      | (13,699.15)         |
| 3301.02       | CAR STORAGE & TOWING          | 1,315.00                  | 4,483.50        | 15,000.00      | (10,516.50)         |
| 3301.05       | FEES-FALSE ALARM              | 2,275.00                  | 2,275.00        | 5,000.00       | (2,725.00)          |
| 3301.07       | FEES-GATE RECEIPTS            | 810.00                    | 1,540.00        | 24,000.00      | (22,460.00)         |
| 3301.08       | FEES-GRAVE OPENINGS           | 3,550.00                  | 11,460.00       | 55,000.00      | (43,540.00)         |
| 3301.09       | FEES-MONUMENT SETTING         | 100.00                    | 100.00          | 3,000.00       | (2,900.00)          |
| 3301.10       | FEES-PLAT FILING              | 20.00                     | 218.00          | 2,500.00       | (2,282.00)          |
| 3301.11       | FEES-REZONING                 | 100.00                    | 300.00          | 2,500.00       | (2,200.00)          |
| 3301.12       | FEES-RURAL FIRE CONTRACTS     | 0.00                      | (3,600.00)      | 200,000.00     | (203,600.00)        |
| 3301.13       | FEES-WAIVER FILING            | 350.00                    | 800.00          | 2,000.00       | (1,200.00)          |
| 3301.16       | FINES-MUNICIPAL COURT         | 75,905.63                 | 149,760.78      | 1,025,000.00   | (875,239.22)        |
| 3301.17       | FEES-STATE JUDGE              | 92.19                     | 188.42          | 2,500.00       | (2,311.58)          |
| 3301.18       | FEES-STATE LAW ENFORCEMENT    | 3,488.22                  | 7,119.77        | 107,500.00     | (100,380.23)        |
| 3301.19       | FEES-REINSTATEMENT            | 1,944.00                  | 2,511.00        | 20,000.00      | (17,489.00)         |
| 3301.20       | FEES-RESTITUTION              | 1,209.27                  | 1,622.16        | 0.00           | 1,622.16            |
| 3301.21       | LEGAL COPIES                  | 221.50                    | 580.25          | 3,000.00       | (2,419.75)          |
| 3301.22       | PROBATION SCREENING           | 10.00                     | 20.00           | 1,000.00       | (980.00)            |
| 3301.23       | FEES-CRIME STOPPER INFRACTION | 1,346.00                  | 2,251.00        | 750.00         | 1,501.00            |
| 3301.24       | FEES-CRIME STOPPER MAJOR      | 159.00                    | 604.00          | 2,000.00       | (1,396.00)          |
| 3350.01       | LICENSE-AMUSEMENT             | 0.00                      | 100.00          | 2,500.00       | (2,400.00)          |
| 3350.02       | LICENSE-ARBORIST              | 0.00                      | 0.00            | 600.00         | (600.00)            |
| 3350.03       | LICENSE-CEREAL MALT BEVERAGE  | 0.00                      | 225.00          | 2,000.00       | (1,775.00)          |
| 3350.04       | LICENSE-CONTRACTOR            | 1,675.00                  | 6,905.00        | 30,600.00      | (23,695.00)         |
| 3350.06       | LICENSE-ELECTRICIAN           | 560.00                    | 1,890.00        | 6,500.00       | (4,610.00)          |
| 3350.08       | LICENSE-ITINERANT MERCHANT    | 0.00                      | 1,800.00        | 18,000.00      | (16,200.00)         |
| 3350.09       | LICENSE-LIQUOR                | 50.00                     | 1,550.00        | 10,000.00      | (8,450.00)          |
| 3350.10       | LICENSE-MECHANICAL            | 0.00                      | 510.00          | 3,000.00       | (2,490.00)          |
| 3350.12       | LICENSE-PAWN SHOP             | 0.00                      | 50.00           | 250.00         | (200.00)            |
| 3350.13       | LICENSE-PLUMBER               | 100.00                    | 910.00          | 4,500.00       | (3,590.00)          |
| 3350.15       | LICENSE-TAXI                  | 0.00                      | 0.00            | 195.00         | (195.00)            |
| 3350.16       | TAGS-DOG & CAT                | 163.45                    | 540.63          | 2,000.00       | (1,459.37)          |
| 3400.01       | PERMITS-BUILDING              | 12,304.00                 | 42,636.10       | 183,000.00     | (140,363.90)        |
| 3400.02       | PERMITS-CURB CUT              | 60.00                     | 90.00           | 250.00         | (160.00)            |



City of Garden City  
Statement of Revenues and Expenditures-General Fund Revenues  
From 2/1/2014 Through 2/28/2014

|              |                                |                     |                     |                      |                        |
|--------------|--------------------------------|---------------------|---------------------|----------------------|------------------------|
| 3400.03      | PERMITS-ELECTRIC               | 536.00              | 948.00              | 8,500.00             | (7,552.00)             |
| 3400.04      | PERMITS-EXCAVATION             | 30.00               | 530.00              | 2,500.00             | (1,970.00)             |
| 3400.05      | PERMITS-GAS                    | 158.00              | 483.00              | 7,000.00             | (6,517.00)             |
| 3400.08      | PERMITS-MECHANICAL             | 299.00              | 485.00              | 11,000.00            | (10,515.00)            |
| 3400.09      | PERMITS-PLUMBING               | 642.00              | 1,296.00            | 15,000.00            | (13,704.00)            |
| 3400.11      | PERMITS-TV & SIGN              | 1,607.00            | 1,792.00            | 10,000.00            | (8,208.00)             |
| 3435         | INTEREST INCOME                | 2,241.26            | 2,330.46            | 40,000.00            | (37,669.54)            |
| 3437         | FINANCE CHARGE INCOME          | 4,530.47            | 7,576.15            | 13,000.00            | (5,423.85)             |
| 3440.02      | RENTAL-CITY FACILITIES         | 3,199.36            | 6,371.09            | 50,000.00            | (43,628.91)            |
| 3440.03      | RENTAL-DEPOT                   | 100.00              | 200.00              | 1,200.00             | (1,000.00)             |
| 3447         | ROYALTIES-GAS WELLS            | 2,401.18            | 4,248.89            | 32,500.00            | (28,251.11)            |
| 3450         | SALE OF PROPERTY-AUCTION       | 0.00                | 0.00                | 20,000.00            | (20,000.00)            |
| 3470.01      | REIMBURSE-ADMINISTRATIVE COSTS | 0.00                | 0.00                | 2,000.00             | (2,000.00)             |
| 3470.02      | REIMBURSE-ENGINEERING          | 0.00                | 0.00                | 3,000.00             | (3,000.00)             |
| 3470.03      | REIMBURSE-FINNUP TRUST         | 0.00                | 0.00                | 100.00               | (100.00)               |
| 3470.04      | REIMBURSE-POLICE SERVICES      | 0.00                | 0.00                | 215,000.00           | (215,000.00)           |
| 3470.07      | UTILITY FUNDS REIMBURSEMENT    | 69,743.20           | 137,862.91          | 2,686,500.00         | (2,548,637.09)         |
| 3470.08      | REIMBURSE-COUNTY               | 87,101.30           | 87,101.30           | 185,000.00           | (97,898.70)            |
| 3470.09      | REIMBURSE-HOLCOMB              | 42,000.00           | 42,000.00           | 40,000.00            | 2,000.00               |
| 3515         | FUEL TAX REFUND                | 0.00                | 0.00                | 1,500.00             | (1,500.00)             |
| 3600.02      | MISCELLANEOUS-CEMETERY         | 100.00              | 100.00              | 0.00                 | 100.00                 |
| 3600.04      | MISCELLANEOUS-INSPECTION       | 0.00                | 0.00                | 2,500.00             | (2,500.00)             |
| 3600.05      | MISCELLANEOUS-PARK & ZOO       | 0.00                | 0.00                | 50.00                | (50.00)                |
| 3600.07      | MISCELLANEOUS-POLICE           | 10.00               | 10.00               | 0.00                 | 10.00                  |
| 3600.08      | MISCELLANEOUS-STREET           | 0.00                | 0.00                | 50,000.00            | (50,000.00)            |
| Total Income |                                | <u>1,372,361.75</u> | <u>4,776,673.44</u> | <u>19,881,462.00</u> | <u>(15,104,788.56)</u> |



City of Garden City  
Statement of Revenues and Expenditures-General Fund Expenses  
From 2/1/2014 Through 2/28/2014

**001 - GENERAL FUND**

|          |                            | Curr Month          |                     |                      |                      |
|----------|----------------------------|---------------------|---------------------|----------------------|----------------------|
|          |                            | Expenses            | YTD Expenses        | Revised Budget       | Budget Remaining     |
| Expenses |                            |                     |                     |                      |                      |
| 111      | CITY COMMISSION            | 9,125.24            | 14,982.00           | 78,960.00            | 63,978.00            |
| 112      | CITY MANAGER               | 36,358.86           | 98,861.91           | 496,170.00           | 397,308.09           |
| 113      | SERVICE AND FINANCE        | 64,455.29           | 113,092.58          | 759,755.00           | 646,662.42           |
| 114      | LEGAL SERVICES             | 10,019.66           | 10,019.66           | 108,500.00           | 98,480.34            |
| 115      | MUNICIPAL COURT            | 50,618.03           | 81,241.56           | 771,630.00           | 690,388.44           |
| 116      | HUMAN RESOURCES            | 14,650.62           | 32,190.41           | 178,442.00           | 146,251.59           |
| 117      | INFORMATION TECH           | 39,884.86           | 60,586.06           | 432,420.00           | 371,833.94           |
| 118      | CITY PROSECUTION           | <u>23,509.82</u>    | <u>41,343.63</u>    | <u>277,920.00</u>    | <u>236,576.37</u>    |
|          | Total Administration       | 248,622.38          | 452,317.81          | 3,103,797.00         | 2,651,479.19         |
| 121      | POLICE-ADMINISTRATIVE      | 124,922.33          | 201,531.46          | 1,595,565.00         | 1,394,033.54         |
| 122      | POLICE-INVESTIGATIONS      | 72,204.34           | 131,442.68          | 829,800.00           | 698,357.32           |
| 123      | POLICE-PATROL              | 294,448.51          | 517,460.77          | 3,448,960.00         | 2,931,499.23         |
| 124      | POLICE-SUPPORT SERVICES    | 111,746.95          | 195,793.45          | 1,265,250.00         | 1,069,456.55         |
| 125      | POLICE-ANIMAL CONTROL      | <u>17,509.75</u>    | <u>26,794.04</u>    | <u>212,420.00</u>    | <u>185,625.96</u>    |
|          | Total Police               | 620,831.88          | 1,073,022.40        | 7,351,995.00         | 6,278,972.60         |
| 131      | PUBLIC WORKS-PLANNING,COMM | 28,787.31           | 52,406.82           | 345,670.00           | 293,263.18           |
| 132      | PUBLIC WORKS-ENGINEERING   | 17,714.28           | 32,206.20           | 252,690.00           | 220,483.80           |
| 133      | PUBLIC WORKS-STREET MAINT  | 483,133.48          | 544,733.45          | 1,439,530.00         | 894,796.55           |
| 134      | PUBLIC WORKS-INSPECTIONS   | 24,335.22           | 45,534.05           | 402,850.00           | 357,315.95           |
| 135      | PUBLIC WORKS-PARKS         | <u>51,173.55</u>    | <u>95,066.82</u>    | <u>898,310.00</u>    | <u>803,243.18</u>    |
|          | Total Public Works         | 605,143.84          | 769,947.34          | 3,339,050.00         | 2,569,102.66         |
| 141      | ZOO-ADMINISTRATIVE         | 39,324.58           | 72,012.14           | 439,150.00           | 367,137.86           |
| 142      | ZOO-MAINTENANCE DIVISION   | 27,952.99           | 48,168.48           | 345,400.00           | 297,231.52           |
| 144      | ZOO-ANIMAL DIVISION        | <u>99,169.74</u>    | <u>173,524.20</u>   | <u>1,208,660.00</u>  | <u>1,035,135.80</u>  |
|          | Total Zoo                  | 166,447.31          | 293,704.82          | 1,993,210.00         | 1,699,505.18         |
| 151      | FIRE-ADMINISTRATIVE        | 19,387.33           | 47,226.77           | 266,710.00           | 219,483.23           |
| 152      | FIRE-OPERATIONS            | 245,380.86          | 448,299.49          | 2,610,070.00         | 2,161,770.51         |
| 153      | FIRE-VOLUNTEERS            | <u>435.71</u>       | <u>741.96</u>       | <u>22,000.00</u>     | <u>21,258.04</u>     |
|          | Total Fire                 | 265,203.90          | 496,268.22          | 2,898,780.00         | 2,402,511.78         |
| 161      | CEMETERY-OPERATIONS        | 40,097.69           | 71,083.28           | 520,690.00           | 449,606.72           |
| 171      | CAPITAL IMPROVEMENT        | 229,774.58          | 338,149.58          | 1,394,850.00         | 1,056,700.42         |
| 181      | EMPLOYEE BENEFITS          | <u>167,385.00</u>   | <u>167,385.00</u>   | <u>167,385.00</u>    | <u>0.00</u>          |
|          | Total Expenses             | <u>2,343,506.58</u> | <u>3,661,878.45</u> | <u>20,769,757.00</u> | <u>17,107,878.55</u> |



City of Garden City  
Statement of Revenues and Expenditures-Utility Fund Revenues  
From 2/1/2014 Through 2/28/2014

|         |                             | Curr Month<br>Collections | YTD Collections | Revised Budget | Uncollected<br>Balance |
|---------|-----------------------------|---------------------------|-----------------|----------------|------------------------|
| Income  |                             |                           |                 |                |                        |
| 068     | ELECTRIC                    |                           |                 |                |                        |
| 3101    | COLLECTIONS-ELECTRIC        | 2,336,345.34              | 4,597,055.65    | 27,343,000.00  | (22,745,944.35)        |
| 3110.01 | COLLECTIONS-COIN BOX        | (122.12)                  | (122.12)        | 250.00         | (372.12)               |
| 3118    | CONNECT FEES                | 5,206.00                  | 10,848.00       | 50,000.00      | (39,152.00)            |
| 3150    | IDENTIFIED LONG/SHORT       | (225.02)                  | (725.27)        | 0.00           | (725.27)               |
| 3151    | UNIDENTIFIED LONG/SHORT     | 5.56                      | 20.39           | 0.00           | 20.39                  |
| 3154    | INSUFFICIENT FUNDS CHECKS   | (973.38)                  | 261.44          | 0.00           | 261.44                 |
| 3155    | RETURNED CHECK CHARGE       | 200.00                    | 775.00          | 4,000.00       | (3,225.00)             |
| 3185    | PENALTIES                   | 0.00                      | 0.00            | 100,000.00     | (100,000.00)           |
| 3201    | REIMBURSE-DEVELOPER         | 0.00                      | 0.00            | 65,000.00      | (65,000.00)            |
| 3435    | INTEREST INCOME             | 21.23                     | 21.23           | 3,500.00       | (3,478.77)             |
| 3492    | SALES TAX                   | 72,264.72                 | 143,888.67      | 875,000.00     | (731,111.33)           |
| 3600    | MISCELLANEOUS               | 930.48                    | (2,664.41)      | 5,000.00       | (7,664.41)             |
|         | Total Electric              | 2,413,652.81              | 4,749,358.58    | 28,445,750.00  | (23,696,391.42)        |
| 075     | SOLID WASTE-GENERAL         |                           |                 |                |                        |
| 3111    | COLLECTIONS-SOLID WASTE     | 223,433.83                | 445,724.71      | 2,720,000.00   | (2,274,275.29)         |
| 3185    | PENALTIES                   | 18,882.38                 | 36,342.11       | 87,500.00      | (51,157.89)            |
| 3195    | RECYCLING SALES             | 2,944.50                  | 6,667.80        | 50,000.00      | (43,332.20)            |
| 3435    | INTEREST INCOME             | 93.42                     | 93.42           | 1,500.00       | (1,406.58)             |
| 3515    | FUEL TAX REFUND             | 0.00                      | 0.00            | 500.00         | (500.00)               |
|         | Total Solid Waste           | 245,354.13                | 488,828.04      | 2,859,500.00   | (2,370,671.96)         |
| 079     | DRAINAGE UTILITY            |                           |                 |                |                        |
| 3104.01 | DRAINAGE FEE                | 16,240.10                 | 32,890.25       | 205,000.00     | (172,109.75)           |
| 3104.02 | HHW FEE INCOME              | 0.00                      | 0.00            | 500.00         | (500.00)               |
| 3435    | INTEREST INCOME             | 0.00                      | 0.00            | 300.00         | (300.00)               |
|         | Total Drainage Utility      | 16,240.10                 | 32,890.25       | 205,800.00     | (172,909.75)           |
| 080     | WATER AND SEWAGE            |                           |                 |                |                        |
| 3102.01 | COLLECTIONS-SEWER           | 203,332.50                | 412,138.77      | 2,650,000.00   | (2,237,861.23)         |
| 3103    | COLLECTIONS-WATER           | 245,681.61                | 488,355.03      | 4,300,000.00   | (3,811,644.97)         |
| 3118    | CONNECT FEES                | 1,095.00                  | 2,040.00        | 18,000.00      | (15,960.00)            |
| 3120    | COUNTY SEWER FEES           | 4,138.08                  | 23,411.84       | 112,000.00     | (88,588.16)            |
| 3130    | FIRE LEG FEES               | 10,630.00                 | 10,630.00       | 11,000.00      | (370.00)               |
| 3185    | PENALTIES                   | 0.00                      | 597.66          | 120,000.00     | (119,402.34)           |
| 3201    | REIMBURSE-DEVELOPER         | 18,561.69                 | 28,535.32       | 11,000.00      | 17,535.32              |
| 3225    | SALE OF MATERIAL            | 0.00                      | 1,366.93        | 15,000.00      | (13,633.07)            |
| 3228    | SEWER MAINTENANCE FEES      | 286.00                    | 286.00          | 4,000.00       | (3,714.00)             |
| 3229    | SEWER TANK FEES             | 11,273.39                 | 15,276.30       | 95,000.00      | (79,723.70)            |
| 3257    | WATER TANK SALES            | 7,556.50                  | 9,438.00        | 22,000.00      | (12,562.00)            |
| 3260    | WATER TAP FEES              | 5,800.00                  | 9,500.00        | 7,500.00       | 2,000.00               |
| 3494    | TAX-WATER CONSUMPTION       | 2,270.17                  | 4,745.17        | 65,000.00      | (60,254.83)            |
| 3600    | MISCELLANEOUS               | 1,402.50                  | 1,465.00        | 15,000.00      | (13,535.00)            |
| 4010.20 | TRANSFER-WTR SYS MAINT RESV | 0.00                      | 0.00            | 150,000.00     | (150,000.00)           |
| 4010.21 | TRANSFER-WASTEWTR R&R RESV  | 0.00                      | 0.00            | 100,000.00     | (100,000.00)           |
|         | Total Water and Wastewater  | 512,027.44                | 1,007,786.02    | 7,695,500.00   | (6,687,713.98)         |
|         | Total Income                | 3,187,274.48              | 6,278,862.89    | 39,206,550.00  | (32,927,687.11)        |

**CITY PROJECT UPDATES  
2014**

Revision No. 2 - Date: March 12, 2014

Completed Projects

Carry Over Projects From 2013

Proposed New Projects - Not Budgeted

| Description  | Current Status |        |                  |                       |            |          |          |         |         |          |          |          | Completion Status |           |           | Comments   |  |
|--|----------------|--------|------------------|-----------------------|------------|----------|----------|---------|---------|----------|----------|----------|-------------------|-----------|-----------|--|--|
|  | Jan            | Feb    | Mar              | Apr                   | May        | June     | July     | Aug     | Sept    | Oct      | Nov      | Dec      | Design            | Bid       | Const.    |  |  |
| <b>ENGINEERING - ADMINISTRATIVE</b>                                  |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| Capital Improvements Bond Issue                                      |                |        | Decide Projects? |                       |            |          | Sale?    |         |         |          |          |          |                   | 0%        | 7/??/2014 | 0%   |  |
| Special Assessments  |                |        |                  | Subdivision Specials? |            |          | Sale?    |         |         |          |          |          | 0%                | 7/??/2015 | 0%        |  |  |
| Petitions for New Developments                                       |                |        |                  |                       |            |          |          |         |         |          |          |          | 0%                |           | 0%        |  |  |
| <b>ENGINEERING - HIGHWAYS &amp; MAJOR STREETS</b>                    |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| <b>A. STATE/FEDERAL AID</b>  |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| KLINK Fulton St. to Kansas   |                |        | Const?           | Const?                | Const?     |          |          |         |         |          |          |          | 100%              | 8/29/13   | 0%        | \$587,081 Spring 2014 work City share \$387,081  |  |
| East Kansas Ped/Bike Facility  | Design         | Design | KDOT             |                       | BID?       |          | Const?   | Const?  |         |          |          |          | 80%               |           | 0%        | \$831,000 Spring 2014 work City share \$166,200  |  |
| GI - Kansas Avenue Widening  | Design         | Design | KDOT             |                       | BID?       |          | Const?   | Const?  | Const?  | Const?   | Const?   | Const?   | 95%               |           | 0%        | \$1,743,800 Spring 2014 work City share \$893,800  |  |
| KLINK - Center Street on Kansas                                      |                |        |                  |                       |            |          |          |         |         | Design?  | Design?  |          | 0%                |           | 0%        | \$360,000 Spring 2015 work City share \$180,000  |  |
| <b>B. TE PROJECTS</b>  |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| Windsor Hotel stabilization  |                | Bid    |                  | Rebid                 |            | Const?   | Const?   | Const?  | Const?  | Const?   |          |          | 100%              | 3/13/14   | 0%        | \$722,129 Preservation Alliance share \$144426   |  |
| <b>ENGINEERING - LOCAL STREETS</b>                                   |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| <b>A. CITY RECONSTRUCTION/CONSTRUCTION</b>                           |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| KDOT Fund Exchange Projects  |                |        | Const?           | Const?                | Const?     |          |          |         |         |          |          |          | 100%              | 5/30/13   | 83%       | \$336,588 FY 2012: North & South Chainey and Rock Rd                                     |  |
| KDOT Fund Exchange projects  | Design         | Bid    |                  |                       | Const?     | Const?   | Const?   | Const?  |         |          |          |          | 100%              | 2/13/14   | 0%        | \$205,534 FY 2013 - Shamus - north & Rebel Road  |  |
| KDOT Fund Exchange projects  |                |        |                  | Apply?                | KDOT?      | Design?  |          |         | KDOT-?? | Bid?     | Const?   | Const?   | 0%                | ??/2013   | 0%        | \$225,000 FY 2013  |  |
| New Community Sidewalks  |                | Const? | Const?           | Const?                | Const?     | Const?   | Const?   | Const?  | Const?  | Const?   | Const?   | Const?   | 0%                |           | 0%        | \$30,000 0 - \$0 New Sidewalks throughout the Community, Filling Gaps                    |  |
| <b>B. DRAINAGE PROJECTS</b>  |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| FEMA Floodplain related projects                                     |                |        |                  |                       |            |          |          |         |         |          |          |          | 0%                | On-hold   | 0%        | Waiting on FEMA's letter.  |  |
| <b>C. TRAFFIC SIGNAL PROJECTS</b>                                    |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| Vehicle Detection Upgrades   |                |        |                  | Install?              | Install?   | Install? | Install? |         |         |          |          |          | 100%              | In-house  | 0%        | \$ 35,000 Spring of 2014 Project - Walnut & Main   |  |
| Pedestrian Activated Warning Sign                                    |                |        |                  |                       |            |          |          | Review? | Quotes? | Order?   | Install? |          | 0%                | In-house  | 0%        | \$ 15,000  |  |
| Vehicle Detection Upgrades   |                |        |                  |                       |            |          | Review?  | Quotes? | Order?  | Storage? | Install? | Install? | 0%                | In-house  | 0%        | \$ 35,000  |  |
| <b>D. SUBDIVISION CONSTRUCTION &amp; SPECIAL ASSESSMENT PROJECTS</b> |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| Pioneer Road Estates   | Const          | Const  | Const            |                       |            |          |          |         |         |          |          |          | 100%              | 12/21/12  | 98%       | \$795,490 subdivision improvements   |  |
| Samy Addition  | Const          | Const  | Const            | Const?                | Const?     |          |          |         |         |          |          |          | 100%              | 5/2/13    | 45%       | \$1,575,000 Infrastructure for the Old Chicago, hotel & waterpark project                |  |
| <b>PUBLIC WORKS - STREET MAINTENANCE PROJECTS</b>                    |                |        |                  |                       |            |          |          |         |         |          |          |          |                   |           |           |  |  |
| Street Sealing Program   |                |        |                  | Bid                   | stockpile? | Const?   | Const?   | Const?  |         |          |          |          | 100%              | 4/8/14    | 0%        | \$383,000 Cycle Six  |  |
| Crack Sealing Program  | Const          | FINAL  |                  |                       |            |          |          |         |         |          | Bid?     |          | 100%              | ??/2014   | 0%        | \$191,150 2014 Cycle 1(172,000 lbs. \$191,150) - 2015 Cycle 2(172,000 lbs. \$202,650)    |  |
| Community Sidewalk/Driveway  |                | Const? | Const?           | Const?                | Const?     | Const?   | Const?   | Const?  | Const?  | Const?   | Const?   | Const?   | 0%                |           | 0%        | \$20,000 (Res. 1 - \$220 & Com. 3 - \$2,628, Obligated \$8,628, Available Funds \$8,524) |  |

**CITY PROJECT UPDATES  
2014**

Revision No. 2 - Date: March 12, 2014

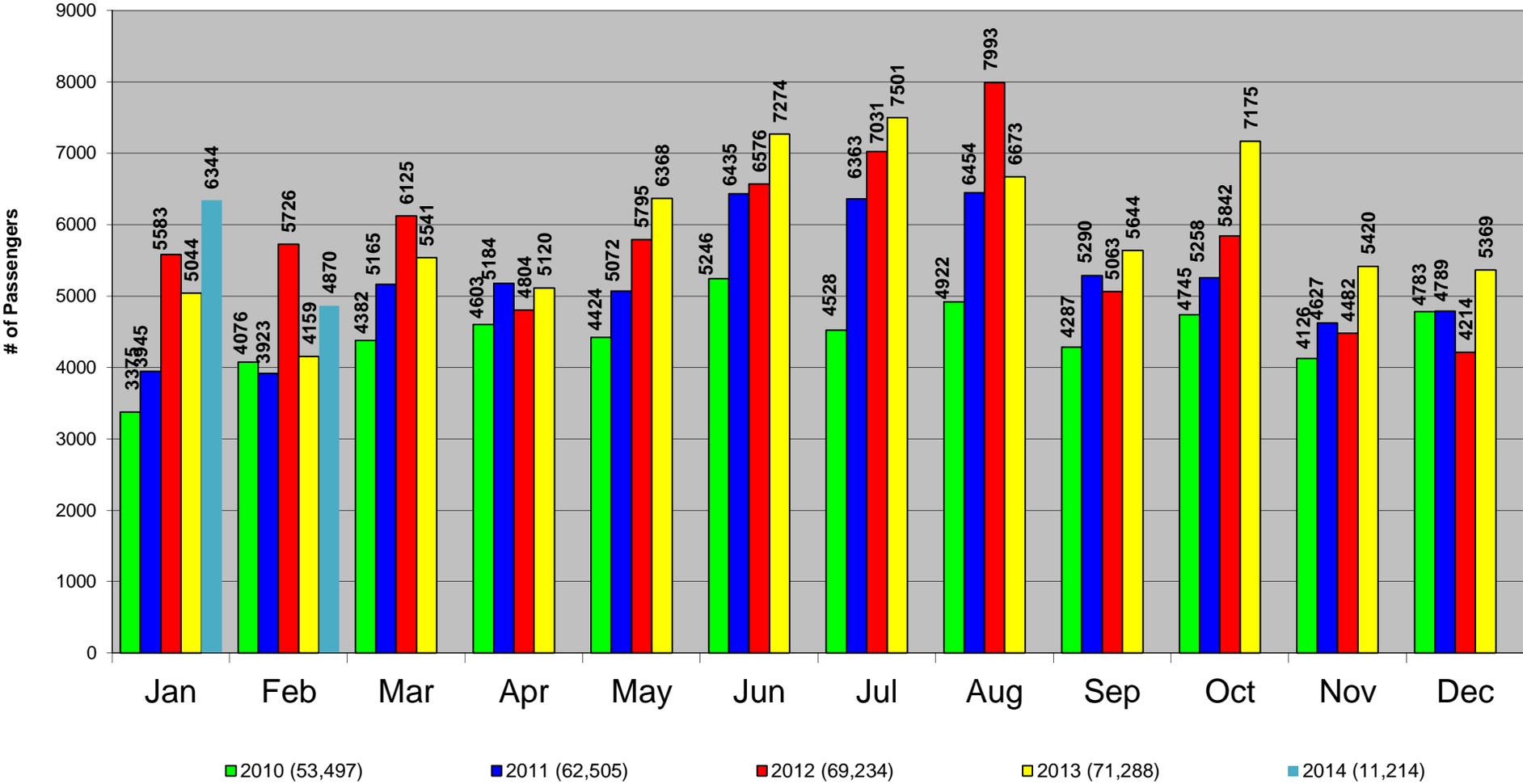
Completed Projects

Carry Over Projects From 2013

Proposed New Projects - Not Budgeted

| Description                               | Current Status |         |         |          |         |         |         |         |         |         |         |         | Completion Status |           |        | Comments    |  |
|---|----------------|---------|---------|----------|---------|---------|---------|---------|---------|---------|---------|---------|-------------------|-----------|--------|-------------|--|
|   | Jan            | Feb     | Mar     | Apr      | May     | June    | July    | Aug     | Sept    | Oct     | Nov     | Dec     | Design            | Bid       | Const. |             |  |
| <b>PUBLIC WORKS - PARKS &amp; GROUNDS</b> |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Entryway Improvements                     |                |         |         |          |         |         |         |         |         |         |         |         | 0%                | On-hold   | 0%     | \$0         | Direction and funding issues                                       |
| Master Plan - Finnup Park                 | Design?        | Design  | Design? | Meeting? |         |         |         |         |         |         |         |         | 90%               |           | 0%     | \$9,880     | Create a Master Plan for Finnup Park - Early 2014 Completion       |
| 2013 Street Tree Pruning Prog.            | Bid            | Const   | Const   | Const?   | Const?  |         |         |         |         |         |         |         | 100%              | 1/16/14   | 25%    | \$20,000    | Early 2014 Project   |
| 2014 Street Tree Pruning Prog.            |                |         |         |          |         |         |         |         | Mark?   | Mark?   | Mark?   | Mark?   | 0%                | 1/??/2015 | 0%     | \$20,000    |  |
| Maintenance Sealing Program               |                |         | Bid?    |          |         | Const?  | Const?  | Const?  |         |         |         |         | 100%              |           | 0%     | \$28,100    | Purchase Material (work completed in-house)                        |
| <b>REGIONAL AIRPORT</b>                   |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Snow Removal Equipment Building           | Const          | Const   | Const   |          |         |         |         |         |         |         |         |         | 100%              | 5/22/13   | 90%    | \$716,543   | FAA Grant approved 8/1, City Share \$35,828                        |
| Design Partial Twy F and Twy C            |                |         |         | Design?  | Design? | Design? | Design? | Design? | Design? | Design? | Design? | Design? | 0%                |           | 0%     | \$235,200   | FAA Grant approved ?/?, City Share \$23,520                        |
| Street Sealing Program                    |                |         |         | Bid      |         | Const?  | Const?  | Const?  |         |         |         |         | 100%              | 4/8/14    | 0%     | \$37,400    |  |
| <b>RECREATION</b>                         |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Dog Park Improvements                     |                |         |         |          |         |         |         |         | Const?  | Const?  | Const?  |         | 0%                |           | 0%     | \$20,000    | GCRC funding, City Share \$5,000                                   |
| <b>ZOO</b>                                |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Elephant Yard Expansion                   | Design         | Design  | Bid?    |          | Const?  |         | 98%               | 1/?/2014  | 0%     | \$423,000   | Expansion of outside yard south into African plains yard.          |
| Install 5th Street Gate                   |                | Const   | Const   |          |         |         |         |         |         |         |         |         | 100%              | 12/21/13  | 95%    | \$14,000    | Construct automated gate system at 5th Street entrance             |
| <b>ELECTRIC</b>                           |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Circuit 105,405,505 Conversion            | Const?         | Const?  | Const?  | Const?   | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | 100%              |           | 30%    | \$31,549    | Voltage Conversion (\$3,619 Project to date)                       |
| Circuit 207 URD Replacement               | Const?         | Const?  | Const?  | Const?   | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | Const?  | 100%              |           | 45%    | \$39,913    | Replacement  |
| SCADA Development                         | Const?         | Const?  | Const?  | Const?   | Const?  | Const?  | Const?  |         |         |         |         |         | 100%              |           | 90%    | \$125,000   | System Monitoring  |
| Substation # 10                           | Const          | Const?  | Const?  | Const?   |         |         |         |         |         |         |         |         | 100%              |           | 95%    | \$2,500,000 | Almost finished  |
| Substation # 11/Jameson Plant             | Const          | Const?  | Const?  | Const?   | Const?  | Const?  |         |         |         |         |         |         | 100%              |           | 35%    | \$1,750,000 | All work underway  |
| <b>WATER</b>                              |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| Repair Water Tower Main & Kansas          |                |         | Design? | Bid?     | Const?  |         |         |         |         |         |         |         | 0%                |           | 0%     | \$25,000    | Internal repair to tower at Main Street and Kansas Avenue          |
| Standby Power - Sandhills Wells           |                |         |         |          | Design? |         |         |         |         | Const?  |         |         | 0%                |           | 0%     | \$350,000   | Back up generation - Sandhills water wells                         |
| Main Cleaning & Valve Replacement         |                |         |         |          |         |         | Design? |         | Const?  | Const?  | Const?  |         | 0%                |           | 90%    | \$125,000   | Continue cleaning of older mains and replacing valves              |
| <b>WASTEWATER</b>                         |                |         |         |          |         |         |         |         |         |         |         |         |                   |           |        |             |  |
| SCADA Development                         |                | Design? | Design? | Design?  | Design? | Design? | Design? | Design? | Design? | Design? | Const?  | Const?  | 75%               |           |        | \$125,000   | WWTP Operation and Security  |
| Manhole Rehabilitation                    |                |         |         | Design?  | Bid?    |         |         |         |         | Const?  |         |         | 0%                |           |        | \$45,000    | Manhole Rehab  |
| Design of Major Electrical Repairs        |                |         | Design? |          |         | Const?  |         |         |         |         |         |         | 0%                |           |        | \$75,000    | Design new electrical conduit system for oxidation ditch #1 and #2 |
| Building Construction                     |                |         | Design? | Design?  |         |         | Bid?    | Const?  | Const?  | Const?  | Const?  | Const?  | 0%                |           |        | \$1,500,000 | New Water Service Building at Electric Service Facility            |
| Lyle/Theron Street Watermain              |                |         | Design? | Design?  | Bid?    | Const?  | 0%                |           |        | \$240,000   | Construct new watermain on Lyle Street                             |

# City Link Ridership Yearly Comparison



**GARDEN CITY POLICE DEPARTMENT**  
**MASTER ACTIVITY REPORT**  
February of 2014  
**INCIDENTS REPORTED**

| <b>OFFENSES</b>     | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|---------------------|-------------------|-------------------|--------------------------|
| Murder/Manslaughter | 0                 | 0                 | 0                        |
| Rape                | 4                 | 0                 | 4                        |
| Robbery             | 0                 | 0                 | 0                        |
| Aggravated Assault  | 3                 | 6                 | 9                        |
| Burglary            | 3                 | 4                 | 7                        |
| Theft               | 55                | 49                | 104                      |
| Auto Theft          | 0                 | 3                 | 3                        |
| Arson               | 0                 | 0                 | 0                        |
| <b>TOTAL</b>        | 65                | 62                | 127                      |
| All Other Crimes    | 125               | 111               | 236                      |
| <b>GRAND TOTAL</b>  | 190               | 173               | 363                      |

**CRIMINAL ENFORCEMENT ACTIVITIES**

| <b>DESCRIPTION</b>   | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|----------------------|-------------------|-------------------|--------------------------|
| Adult Arrests        | 192               | 208               | 400                      |
| Juveniles Detained   | 36                | 35                | 71                       |
| <b>TOTAL CUSTODY</b> | 228               | 243               | 471                      |
| Alcohol Related      | 43                | 24                | 67                       |
| Drug Related         | 19                | 35                | 54                       |
| Curfew Violations    | 3                 | 5                 | 8                        |

**INVESTIGATIONS DIVISION ACTIVITIES**

| <b>DESCRIPTION</b>             | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|--------------------------------|-------------------|-------------------|--------------------------|
| Total Cases Assigned           | 28                | 39                | 67                       |
| Total Active Cases             | 138               | 125               | 263                      |
| Adult Affidavits Filed         | 8                 | 5                 | 13                       |
| Juvenile Affidavits Filed      | 0                 | 2                 | 2                        |
| Follow-Up Contacts             | 790               | 1071              | 1861                     |
| Special Assignments            | 51                | 81                | 132                      |
| Search Warrants                | 4                 | 60                | 64                       |
| Supplemental Reports           | 140               | 202               | 342                      |
| Other Reports                  | 162               | 237               | 399                      |
| Cases Referred For Prosecution | 16                | 13                | 29                       |

**TRAFFIC ACCIDENT INVESTIGATIONS**

| <b>DESCRIPTION</b>         | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|----------------------------|-------------------|-------------------|--------------------------|
| Fatal Accidents            | 0                 | 0                 | 0                        |
| Injury Accidents           | 4                 | 3                 | 7                        |
| Non-Injury Accidents       | 59                | 63                | 122                      |
| <b>TOTAL ACCIDENTS</b>     | 63                | 66                | 129                      |
| Private Property Accidents | 4                 | 1                 | 5                        |

**GARDEN CITY POLICE DEPARTMENT  
MASTER ACTIVITY REPORT  
February of 2014**

**OFFICERS ASSAULTED**

| <b>DESCRIPTION</b>      | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|-------------------------|-------------------|-------------------|--------------------------|
| Firearm                 | 0                 | 0                 | 0                        |
| Cutting Instrument      | 0                 | 0                 | 0                        |
| Other Dangerous Weapon  | 0                 | 0                 | 0                        |
| Hands, Fist, Feet, Etc. | 0                 | 1                 | 1                        |
| Police Service Dog      | 0                 | 0                 | 0                        |
| <b>TOTAL ASSAULTS</b>   | 0                 | 1                 | 1                        |

**PATROL/CRD DIVISIONS SUMMARY**

| <b>DESCRIPTION</b>          | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|-----------------------------|-------------------|-------------------|--------------------------|
| Offense Reports             | 188               | 187               | 375                      |
| Supplemental Reports        | 87                | 79                | 166                      |
| Other Reports               | 92                | 99                | 191                      |
| Community Oriented Policing | 187               | 213               | 400                      |
| Speeding Citations          | 20                | 29                | 49                       |
| Other Traffic Citations     | 223               | 340               | 563                      |
| Parking Citations           | 7                 | 34                | 41                       |
| Warning Notices             | 257               | 411               | 668                      |
| Penal Summons               | 48                | 38                | 86                       |
| Felony Cases Cleared        | 15                | 22                | 37                       |
| Misdemeanor Cases Cleared   | 102               | 108               | 210                      |
| DUI Cases Cleared           | 11                | 4                 | 15                       |
| Insecure Premises           | 5                 | 3                 | 8                        |
| Field Interviews            | 4                 | 11                | 15                       |
| Citizen & Business Assists  | 87                | 91                | 178                      |
| Alarms                      | 67                | 76                | 143                      |
| Adult Affidavits Filed      | 25                | 41                | 66                       |
| Juvenile Affidavits Filed   | 12                | 17                | 29                       |

**COMMUNICATIONS CENTER ACTIVITIES**

| <b>DESCRIPTION</b>                        | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|---|-------------------|-------------------|--------------------------|
| Non-Traffic Activities                    | 2095              | 2465              | 4560                     |
| Traffic Activities                        | 414               | 665               | 1079                     |
| <b>TOTAL ACTIVITIES</b>                   | 2509              | 3130              | 5639                     |
| 911 Calls                                 | 1362              | 1371              | 2733                     |
| Finney County Sheriff's Office Activities | 404               | 430               | 834                      |

**GARDEN CITY POLICE DEPARTMENT  
MASTER ACTIVITY REPORT  
February of 2014**

**RESPONSE TIME SUMMARY**

| <b>DESCRIPTION</b>       | <b>THIS MONTH</b> | <b>LAST YEAR</b> | <b>5 YEARS AGO</b> |
|--------------------------|-------------------|------------------|--------------------|
| Average Emergency        | 4.09              | 2.57             | 3.10               |
| Average Non-Emergency    | 13.29             | 10.31            | 14.51              |
| Average Traffic Accident | 9.06              | 11.43            | 15.97              |

**ANIMAL INCIDENT ACTIVITIES**

| <b>DESCRIPTION</b> | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|--------------------|-------------------|-------------------|--------------------------|
| Animals Impounded  | 105               | 128               | 233                      |
| Animals Disposed   | 21                | 30                | 51                       |
| Citations Issued   | 4                 | 5                 | 9                        |
| Animal Bites       | 4                 | 1                 | 5                        |
| Adoptions          | 30                | 38                | 68                       |

**TRAINING HOURS RECEIVED**

| <b>DESCRIPTION</b>            | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|-------------------------------|-------------------|-------------------|--------------------------|
| Administrative                | 50.00             | 22.00             | 72.00                    |
| Patrol/CRD Division           | 696.00            | 60.00             | 756.00                   |
| Support Services Division     | 62.25             | 61.25             | 123.50                   |
| Investigation Division        | 13.00             | 50.00             | 63.00                    |
| Instructor Hours              | 18.75             | 34.50             | 53.25                    |
| <b>SUB-TOTAL TRAINING HRS</b> | 810.75            | 227.75            | 1038.50                  |
| Academy Training Hours        | 640.00            | 640.00            | 1280.00                  |
| <b>TOTAL TRAINING HOURS</b>   | 1450.75           | 867.75            | 2318.50                  |

**ADMINISTRATIVE INVESTIGATIONS**

| <b>DESCRIPTION</b>               | <b>THIS MONTH</b> | <b>LAST MONTH</b> | <b>TO DATE THIS YEAR</b> |
|----------------------------------|-------------------|-------------------|--------------------------|
| Allegations Received             | 0                 | 3                 | 3                        |
| Unfounded                        | 0                 | 0                 | 0                        |
| Unsubstantiated                  | 0                 | 0                 | 0                        |
| Sustained                        | 0                 | 0                 | 0                        |
| Exonerated                       | 0                 | 0                 | 0                        |
| Violation Not Based On Complaint | 0                 | 0                 | 0                        |
| Investigation In Progress        | 4                 | 2                 | 6                        |
| Administrative Closure           | 0                 | 0                 | 0                        |
| Commendations                    | 0                 | 0                 | 0                        |

## Bias-Based Policing Statistics

February 2014

|  | January # | January % | February # | February % |
|--|-----------|-----------|------------|------------|
| <b>SUBJECTS CONTACTED:</b>                       | 197       | N/A       | 194        | N/A        |
| <b>AGE:</b>                                      |           |           |            |            |
| 15 yoa - 19 yoa                                  | 44        | 22%       | 50         | 26%        |
| 20 yoa - 29 yoa                                  | 59        | 30%       | 49         | 25%        |
| 30 yoa - 49 yoa                                  | 62        | 31%       | 63         | 32%        |
| 50+  | 32        | 16%       | 32         | 16%        |
| Not Provided                                     | 0         | 0%        | 0          | 0%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>RACE:</b>                                     |           |           |            |            |
| White  | 182       | 92%       | 172        | 89%        |
| Black  | 10        | 5%        | 12         | 6%         |
| Native American                                  | 0         | 0%        | 0          | 0%         |
| Asian  | 4         | 2%        | 9          | 5%         |
| Other  | 0         | 0%        | 0          | 0%         |
| More Than One Race                               | 0         | 0%        | 0          | 0%         |
| Not Provided                                     | 1         | 1%        | 1          | 1%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>GENDER:</b>                                   |           |           |            |            |
| Male   | 128       | 65%       | 118        | 61%        |
| Female   | 69        | 35%       | 76         | 39%        |
| Unknown  | 0         | 0%        | 0          | 0%         |
| Not Provided                                     | 0         | 0%        | 0          | 0%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>ETHNICITY:</b>                                |           |           |            |            |
| Hispanic/Latino                                  | 131       | 66%       | 117        | 60%        |
| Non-Hispanic                                     | 63        | 32%       | 76         | 39%        |
| Not Provided                                     | 3         | 2%        | 1          | 1%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>RESPONSE AREA:</b>                            |           |           |            |            |
| 1  | 48        | 24%       | 51         | 26%        |
| 2  | 49        | 25%       | 42         | 22%        |
| 3  | 21        | 11%       | 23         | 12%        |
| 4  | 37        | 19%       | 37         | 19%        |
| 5  | 40        | 20%       | 41         | 21%        |
| Not Provided                                     | 2         | 1%        | 0          | 0%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>PRIMARY REASON FOR OFFICER INVESTIGATION:</b> |           |           |            |            |
| Call Related                                     | 25        | 13%       | 30         | 15%        |
| Officer Initiated                                | 170       | 86%       | 164        | 85%        |
| Not Provided                                     | 2         | 1%        | 0          | 0%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |
| <b>INFORMATION OBTAINED BY:</b>                  |           |           |            |            |
| Officer's Perception                             | 169       | 86%       | 167        | 86%        |
| Investigation                                    | 26        | 13%       | 27         | 14%        |
| Not Provided                                     | 2         | 1%        | 0          | 0%         |
| <i>TOTAL</i>                                     | 197       | 100%      | 194        | 100%       |

## Bias-Based Policing Statistics

February 2014

|                         | January # | January % | February # | February % |
|-------------------------|-----------|-----------|------------|------------|
| <b>RELIGIOUS DRESS:</b> |           |           |            |            |
| Yes                     | 4         | 2%        | 2          | 1%         |
| No                      | 191       | 97%       | 192        | 99%        |
| Not Provided            | 2         | 1%        | 0          | 0%         |
| <i>TOTAL</i>            | 197       | 100%      | 194        | 100%       |

|                                 |     |      |     |      |
|---------------------------------|-----|------|-----|------|
| <b>PRIMARY REASON FOR STOP:</b> |     |      |     |      |
| Moving Violation                | 116 | 59%  | 112 | 58%  |
| Equipment Violation             | 64  | 32%  | 65  | 34%  |
| Criminal Offense/Probable Cause | 7   | 4%   | 1   | 1%   |
| Other Violation                 | 5   | 3%   | 11  | 6%   |
| To Render Service               | 1   | 1%   | 2   | 1%   |
| Suspicious Circumstances        | 0   | 0%   | 1   | 1%   |
| Pre-existing Knowledge          | 1   | 1%   | 0   | 0%   |
| Special Detail                  | 1   | 1%   | 2   | 1%   |
| Multiple Reasons                | 0   | 0%   | 0   | 0%   |
| Not Provided                    | 2   | 1%   | 0   | 0%   |
| <i>TOTAL</i>                    | 197 | 100% | 194 | 100% |

|                      |     |      |     |      |
|----------------------|-----|------|-----|------|
| <b>ACTION TAKEN:</b> |     |      |     |      |
| Citation             | 128 | 65%  | 110 | 57%  |
| Search               | 0   | 0%   | 1   | 1%   |
| Warning              | 44  | 22%  | 53  | 27%  |
| Arrest               | 23  | 12%  | 30  | 15%  |
| Warrant Arrest       | 0   | 0%   | 0   | 0%   |
| Assistance Provided  | 0   | 0%   | 0   | 0%   |
| No Action            | 0   | 0%   | 0   | 0%   |
| Not Provided         | 2   | 1%   | 0   | 0%   |
| <i>TOTAL</i>         | 197 | 100% | 194 | 100% |

|                            |     |      |     |      |
|----------------------------|-----|------|-----|------|
| <b>SEARCH RATIONALE:</b>   |     |      |     |      |
| Not Applicable             | 184 | 93%  | 180 | 93%  |
| Vehicle Indicators         | 0   | 0%   | 1   | 1%   |
| Verbal Indicators          | 0   | 0%   | 2   | 1%   |
| Physical/Visual Indicators | 5   | 3%   | 10  | 5%   |
| Document Indicators        | 0   | 0%   | 0   | 0%   |
| Incident to Arrest         | 5   | 3%   | 1   | 1%   |
| Other                      | 1   | 1%   | 0   | 0%   |
| More Than One Reason       | 0   | 0%   | 0   | 0%   |
| Not Provided               | 2   | 1%   | 0   | 0%   |
| <i>TOTAL</i>               | 197 | 100% | 194 | 100% |

|                           |     |     |     |     |
|---------------------------|-----|-----|-----|-----|
| <b>TYPE OF SEARCH:</b>    |     |     |     |     |
| No Search Conducted       | 180 | 91% | 174 | 90% |
| Consent Search Conducted  | 2   | 1%  | 1   | 1%  |
| Inventory                 | 0   | 0%  | 0   | 0%  |
| Stop and Frisk            | 0   | 0%  | 1   | 1%  |
| Search Warrant            | 0   | 0%  | 0   | 0%  |
| No Search/Consent Denied  | 0   | 0%  | 0   | 0%  |
| Search Incident to Arrest | 8   | 4%  | 12  | 6%  |
| Plain View                | 2   | 1%  | 2   | 1%  |
| Probable Cause            | 3   | 2%  | 4   | 2%  |
| More Than One Type        | 0   | 0%  | 0   | 0%  |

## **Bias-Based Policing Statistics**

February 2014

|              | <b>January #</b> | <b>January %</b> | <b>February #</b> | <b>February %</b> |
|--------------|------------------|------------------|-------------------|-------------------|
| Not Provided | 2                | 1%               | 0                 | 0%                |
| <i>TOTAL</i> | 197              | 100%             | 194               | 100%              |

## Bias-Based Policing Statistics

February 2014

|                           |                          | January #  | January %   | February # | February %  |
|---------------------------|--------------------------|------------|-------------|------------|-------------|
| <b>CONTRABAND SEIZED:</b> |                          |            |             |            |             |
|                           | None                     | 189        | 96%         | 180        | 93%         |
|                           | Currency                 | 0          | 0%          | 0          | 0%          |
|                           | Firearms                 | 0          | 0%          | 0          | 0%          |
|                           | Other Weapons            | 0          | 0%          | 0          | 0%          |
|                           | Drugs/Paraphernalia      | 3          | 2%          | 7          | 4%          |
|                           | Alcohol/Tobacco Products | 3          | 2%          | 7          | 4%          |
|                           | Stolen Property          | 0          | 0%          | 0          | 0%          |
|                           | Other                    | 0          | 0%          | 0          | 0%          |
|                           | More Than One Type       | 0          | 0%          | 0          | 0%          |
|                           | Not Provided             | 2          | 1%          | 0          | 0%          |
|                           | <i>TOTAL</i>             | <i>197</i> | <i>100%</i> | <i>194</i> | <i>100%</i> |

|                     |           |    |     |    |     |
|---------------------|-----------|----|-----|----|-----|
| <b>Hispanic</b>     | Arrests   | 17 | 13% | 21 | 18% |
|                     | Citations | 81 | 62% | 68 | 58% |
|                     | Warnings  | 31 | 24% | 27 | 23% |
|                     |           | 0  |     |    |     |
| <b>Non-Hispanic</b> | Arrests   | 6  | 10% | 9  | 12% |
|                     | Citations | 44 | 70% | 41 | 54% |
|                     | Warnings  | 13 | 21% | 26 | 34% |





**CONSIDERATION OF  
APPROPRIATION ORDINANCE**

# Ordinances & Resolutions

# ***MEMORANDUM***

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 12 March 2014

**RE:** 2014 SCHULMAN CROSSING PHASE 1 TIF BOND ISSUE

## ISSUE

Bond Counsel Mary Carson has provided a Resolution authorizing the 2014 Schulman Crossing Phase 1 TIF Bond sale for April 15th. Financial Advisor Chuck Bouilly has provided the Financial Advisory Services Agreement with George K. Baum & Co. for Governing Body consideration and approval.

## BACKGROUND

Schulman Crossing Phase 1 is nearing completion, and the City must retire the temporary financing used for the project with the issuance of TIF bonds. The temporary financing was arranged for two years, which ends on June 6<sup>th</sup>. The final costs included in the bond issue include carry-over funds in the amount of \$739,566.04 to cover costs related to the Phase 1 outlots, which will take additional time to complete. Final costs included in the TIF bonds total \$10,750,000.

The Financial Advisory Services Agreement is for this bond issue only.

## ALTERNATIVES

- 1) Approve all items as presented.
- 2) Defer action until a later date, thereby postponing the bond sale.

## RECOMMENDATION

Staff recommends Alternate No. 1 for Governing Body approval.

## FISCAL

The debt service requirement for this bond issue will begin in 2015 with the debt service being paid with the Schulman Crossing tax increment financing proceeds.

*Steve Cottrell*



## **Engineering Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.  
Assistant City Engineer

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. BOX 998  
GARDEN CITY, KS  
67846-0998  
620.276.1130  
FAX 620.276.1137  
www.garden-city.org

Fund 46  
Schulman Crossing

046-91-000-

|                  |       | BUDGET |               | 3/10/14<br>FINAL |               |
|------------------|-------|--------|---------------|------------------|---------------|
| <u>Revenue</u>   |       |        |               |                  |               |
| accrued interest | 3136  | \$     | 1,225.00      | \$               | 1,225.00      |
| Collett advance  | 3465  | \$     | 15,000.00     | \$               | 15,000.00     |
| Collette outlots | 3470  | \$     | 850,000.00    | \$               | 850,000.00    |
| temp notes       | 3517  | \$     | 11,750,000.00 | \$               | 11,750,000.00 |
| redeem notes     |       |        |               |                  |               |
|                  | Total | \$     | 12,616,225.00 | \$               | 12,616,225.00 |

|                      |                             |    |               |    |                     |
|----------------------|-----------------------------|----|---------------|----|---------------------|
| <u>Expenses</u>      |                             |    |               |    |                     |
| Consultant fees      | 5234                        | \$ | 30,000.00     | \$ | 68,576.11           |
| Engineering fees     | 5275.01                     | \$ | 969,900.00    | \$ | 821,270.42          |
| Legal Fees           | 5336.01                     | \$ | 525,000.00    | \$ | 500,498.62          |
| Miscellaneous        | 5545                        | \$ | 1,106,783.00  | \$ | 1,237,968.04        |
| Land Acquisition     | 6030                        | \$ | 2,963,712.00  | \$ | 2,923,712.00        |
| site construction    | 6030.01                     | \$ | 1,275,000.00  | \$ | 959,800.06          |
| utility construction | 6030.02                     | \$ | 1,069,100.00  | \$ | 1,151,603.10        |
| misc land cost       | 6030.03                     | \$ | 725,000.00    | \$ | 683,478.76          |
| road construction    | 6170.01                     | \$ | 3,731,300.00  | \$ | 2,091,547.20        |
| interest on notes    | 6601.01                     | \$ | 220,430.00    | \$ | 220,429.70          |
|                      | Total                       | \$ | 12,616,225.00 | \$ | 10,658,884.01       |
|                      | <b>Unencumbered Balance</b> | \$ | -             | \$ | <b>1,957,340.99</b> |

RESOLUTION NO. \_\_\_\_-2014

A RESOLUTION OF THE CITY OF GARDEN CITY, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2014, IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$10,750,000.

WHEREAS, the governing body of the City of Garden City, Kansas (the "City") has authorized certain improvements in the City and has authorized the issuance of general obligation bonds to pay the costs of all or a part of the costs of the improvements; and

WHEREAS, it is necessary to authorize and provide for the public sale of general obligation bonds of the City.

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

SECTION 1. Authorization of Public Sale. The City's General Obligation Bonds, Series A, 2014, in the approximate principal amount of \$10,750,000 (the "Bonds"), are authorized to be offered at a competitive public sale on Tuesday, April 15, 2014 at 11:00 A.M. Central Time, or on another date approved by the Mayor that is also the date of a city commission meeting. The City Clerk is authorized and directed to receive bids for the Bonds on behalf of the City and to deliver the bids received to the governing body at its meeting to be held at 1:00 P.M. on the sale date, where the governing body will consider and take action on the bids received.

SECTION 2. Authorization of Summary Notice of Bond Sale and Publication. Triplett, Woolf & Garretson, LLC, Wichita, Kansas, the City's Bond Counsel ("Bond Counsel") is authorized to prepare a Summary Notice of Bond Sale on behalf of the City and Bond Counsel and the City Clerk are authorized to arrange for publication of the Summary Notice of Bond Sale as required by law, at least six (6) days before the date of the public sale, in a newspaper of general circulation in Finney County, Kansas and in *The Kansas Register*, the official newspaper of the State of Kansas.

SECTION 3. Authorization of Official Notice of Bond Sale, Official Bid Form and Preliminary Official Statement. Bond Counsel is authorized and directed to prepare an Official Notice of Bond Sale and Official Bid Form for the sale of the Bonds in cooperation with the City Clerk and George K. Baum & Company, Wichita, Kansas, the City's Financial Advisor ("Financial Advisor"). The Financial Advisor is authorized and directed to prepare the Preliminary Official Statement for the Bonds, in cooperation with Bond Counsel and the City Clerk, and the Mayor and the City Clerk are authorized to execute the Preliminary Official Statement. The Preliminary Official Statement, Official Notice of Bond Sale and Bid Form are authorized to be distributed (in their entirety) to prospective purchasers of the Bonds before the sale date.

SECTION 4. SEC Rule Compliance. To permit the purchaser of the Bonds to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “SEC Rule”) the Mayor, City Clerk or the City Manager are authorized, if requested to do so, to certify to the purchaser of the Bonds that the City deems the information in the Preliminary Official Statement “final” as of its date except for the omission of information as permitted by the SEC Rule and to take such other actions as such City officers find necessary to permit the purchaser of the Bonds to comply with the SEC Rule. The City further agrees that, on or before the date the Bonds are delivered, it will enter into a written undertaking to provide continuing disclosure about the City while the Bonds remain outstanding, if required by the applicable sections of the SEC Rule.

SECTION 5. Authorization of Additional Actions as Required. The Mayor, the City Clerk, Bond Counsel and the Financial Advisor are authorized and directed to take all such other actions as are necessary to complete the public sale of the Bonds, including but not limited to, providing any necessary notice of the City’s intent to redeem the City of Garden City, Kansas, Temporary Improvement Notes, Series A, 2012 dated June 1, 2012 on May 14, 2014 or as soon thereafter as practicable.

SECTION 6. Effective Date. This Resolution shall be in force and take effect from and after its adoption and approval.

*[Remainder of Page Intentionally Left Blank]*

ADOPTED AND APPROVED by the governing body of the City of Garden City,  
Kansas on March 18, 2014.

CITY OF GARDEN CITY, KANSAS

[seal]

By \_\_\_\_\_  
Dan Fankhauser, Mayor

ATTEST:

By \_\_\_\_\_  
Celyn N. Hurtado, City Clerk

TO: THE TREASURER OF THE STATE OF KANSAS, TOPEKA, KANSAS

**NOTICE OF REDEMPTION**

**CITY OF GARDEN CITY, KANSAS  
TEMPORARY IMPROVEMENT NOTES  
SERIES A, 2012, DATED JUNE 1, 2012**

Subject to the provisions of the last paragraph of this Notice, notice is given that, pursuant to the provisions of Resolution No. 2479-2012 (the "Resolution") of the City of Garden City, Kansas, \$11,750,000 in principal amount of the outstanding above-mentioned Temporary Improvement Notes, Series A, 2012 (the "Notes"), maturing June 1, 2014, will be redeemed on May 14, 2014 (the "Redemption Date") and prior to their stated maturity. The principal amount of the Notes called for redemption is as follows:

| <u>Maturity<br/>Date</u> | <u>Principal<br/>Amount Redeemed</u> | <u>Interest<br/>Rate</u> |
|--------------------------|--------------------------------------|--------------------------|
| 06/01/14                 | \$11,750,000                         | 0.938%                   |

The Notes shall become due and payable on the Redemption Date, at a redemption price of 100% of the principal amount thereof, plus accrued interest thereon to the Redemption Date, without premium. Notes should be presented for redemption and payment at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent").

On and after the Redemption Date, all interest on the Notes so called for redemption will cease to accrue.

This Notice of Redemption, and the payment of the principal of and interest on the Notes on the specified Redemption Date, are subject to the issuance and delivery by the City of Garden City, Kansas of its General Obligation Bonds, Series 2014 (the "Bonds") on or before such Redemption Date in an amount which, when combined with other available funds, if any, shall be sufficient to provide funds to pay the specified redemption price of the Notes. In the event such Bonds have not been issued by the Redemption Date, this notice shall be null and void and of no force and effect, the Notes delivered for redemption shall be returned to the respective owners thereof, and the Notes shall remain outstanding as though this Notice of Redemption had not been given.

Dated March 18, 2014

CITY OF GARDEN CITY, KANSAS

By \_\_\_\_\_  
Celyn N. Hurtado, City Clerk

## PRELIMINARY OFFICIAL STATEMENT

### NEW ISSUE - BOOK-ENTRY ONLY

### RATING: APPLIED FOR

*In the opinion of Bond Counsel, under existing law and assuming continued compliance with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the interest on the Bonds is excluded from gross income for federal income tax purposes, is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, and is excluded from computation of Kansas adjusted gross income. The Bonds have not been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b) of the Code. See "LEGAL MATTERS - Opinion of Bond Counsel" herein.*

**\$10,750,000**

**CITY OF GARDEN CITY, KANSAS  
GENERAL OBLIGATION TAX INCREMENT BONDS  
SERIES A, 2014**

**Dated: May 1, 2014**

**Due: November 1, as shown on inside cover**

The General Obligation Tax Increment Bonds, Series A, 2014 (the "Bonds") will be issued by the City of Garden City, Kansas (the "Issuer"), as fully registered bonds, without coupons and, when issued, will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchases of the Bonds will be made in book-entry form, in the denominations of \$5,000 or any integral multiple thereof (the "Authorized Denomination"). Purchasers will not receive certificates representing their interests in the Bonds purchased. So long as Cede & Co. is the registered owner of the Bonds, as nominee of DTC, references herein to the Bond owners or registered owners shall mean Cede & Co., as aforesaid, and shall not mean the Beneficial Owners (as herein defined) of the Bonds. Principal will be payable upon presentation and surrender of the Bonds by the registered owners thereof at the office of the Treasurer of the State of Kansas, Topeka, Kansas, as bond registrar and paying agent (the "Paying Agent" and "Bond Registrar"). Interest payable on each Bond shall be paid to the persons who are the registered owners of the Bonds as of the close of business on the fifteenth day (whether or not a business day) of the calendar month preceding each interest payment date by check or draft of the Paying Agent mailed to such registered owner, or in the case of a registered owner that is a securities depository, by wire transfer. So long as DTC or its nominee, Cede & Co., is the Owner of the Bonds, such payments will be made directly to DTC. DTC is expected, in turn, to remit such principal and interest to DTC Participants (herein defined) for subsequent disbursement to the Beneficial Owners. Principal of the Bonds will be payable on each November 1, beginning in 2016, and semi-annual interest will be payable on May 1 and November 1, beginning on May 1, 2015.

### MATURITY SCHEDULE LISTED ON INSIDE COVER PAGE

The Bonds maturing on November 1, 2025 and thereafter will be subject to redemption prior to maturity at the option of the Issuer on November 1, 2024 or thereafter as described herein. See "THE BONDS - Redemption Provisions" herein.

The Bonds and the interest thereon will constitute general obligations of the Issuer, payable from tax increments allocated to and paid into a special fund of the City under the act, from other revenues of the City lawfully available for such purposes, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer.

The Bonds are offered when, as and if issued by the Issuer, subject to the approval of legality by Triplett, Woolf & Garretson, LLC, Wichita, Kansas, Bond Counsel. It is expected that the Bonds will be available for delivery through the facilities of DTC on or about May 13, 2014.

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**BIDS WILL BE RECEIVED ON APRIL 15, 2014  
UNTIL 11:00 A.M., CENTRAL DAYLIGHT SAVINGS TIME,  
AT CITY HALL, 301 N. 8<sup>TH</sup> STREET, GARDEN CITY, KANSAS 67846**

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**THE DATE OF THIS PRELIMINARY OFFICIAL STATEMENT IS MARCH 18, 2014.**

**\$10,750,000**  
**CITY OF GARDEN CITY, KANSAS**  
**GENERAL OBLIGATION TAX INCREMENT BONDS**  
**SERIES A, 2014**

**MATURITY SCHEDULE**

| <u>Maturity</u><br><u>November 1</u> | <u>Principal</u><br><u>Amount</u> | <u>Interest</u><br><u>Rates</u> | <u>Yield</u> | <u>CUSIP</u> <sup>(1)</sup><br><u>Base 365028:</u> |
|--------------------------------------|-----------------------------------|---------------------------------|--------------|--|
| 2016                                 | 400,000                           |                                 |              |  |
| 2017                                 | 415,000                           |                                 |              |  |
| 2018                                 | 430,000                           |                                 |              |  |
| 2019                                 | 445,000                           |                                 |              |  |
| 2020                                 | 460,000                           |                                 |              |  |
| 2021                                 | 480,000                           |                                 |              |  |
| 2022                                 | 495,000                           |                                 |              |  |
| 2023                                 | 515,000                           |                                 |              |  |
| 2024                                 | 535,000                           |                                 |              |  |
| 2025                                 | 555,000                           |                                 |              |  |
| 2026                                 | 575,000                           |                                 |              |  |
| 2027                                 | 595,000                           |                                 |              |  |
| 2028                                 | 620,000                           |                                 |              |  |
| 2029                                 | 640,000                           |                                 |              |  |
| 2030                                 | 665,000                           |                                 |              |  |
| 2031                                 | 690,000                           |                                 |              |  |
| 2032                                 | 720,000                           |                                 |              |  |
| 2033                                 | 745,000                           |                                 |              |  |
| 2034                                 | 770,000                           |                                 |              |  |

(All plus accrued interest, if any)

*(1) CUSIP numbers have been assigned to this issue by Standard & Poor's CUSIP Service Bureau, a division of the McGraw-Hill Financial, Inc., and are included solely for the convenience of the Owners of the Bonds. Neither the Issuer nor the Underwriter shall be responsible for the selection or correctness of the CUSIP numbers set forth above.*

---

No dealer, broker, salesman or other person has been authorized by the Issuer or the Underwriters to give any information or to make any representations with respect to the Bonds other than those contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by any of the foregoing. This Official Statement does not constitute an offer to sell or the solicitation of any offer to buy nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been furnished by the Issuer and other sources which are believed to be reliable, but such information is not guaranteed as to accuracy or completeness. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Issuer since the date hereof.

*THE COVER PAGE CONTAINS CERTAIN INFORMATION FOR QUICK REFERENCE ONLY. THE COVER PAGE IS NOT A SUMMARY OF THIS ISSUE. INVESTORS MUST READ THE ENTIRE OFFICIAL STATEMENT, INCLUDING ALL APPENDICES ATTACHED HERETO, TO OBTAIN INFORMATION ESSENTIAL TO THE MAKING OF AN INFORMED INVESTMENT DECISION.*

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**CITY OF GARDEN CITY, KANSAS**

City of Garden City  
301 North 8<sup>th</sup>  
P.O. Box 998  
Garden City, Kansas 67846  
(620) 276-1100

**CITY COMMISSION**

Dan Fankhauser, Mayor  
Roy Cessna, Vice Mayor  
Melvin Dale, Commissioner  
Janet Doll, Commissioner  
Chris Law, Commissioner

**APPOINTED OFFICIALS**

Matthew C. Allen, City Manager  
Melinda A. Hitz, Finance Director  
Celyn N. Hurtado, City Clerk

**ISSUER'S COUNSEL**

Randall D. Grisell, Esq.  
Garden City, Kansas

**CERTIFIED PUBLIC ACCOUNTANTS**

Lewis, Hooper & Dick  
Garden City, Kansas

**BOND COUNSEL**

Triplett, Woolf & Garretson, LLC  
Wichita, Kansas

**FINANCIAL ADVISOR**

George K. Baum & Company  
Wichita, Kansas

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***APPENDIX A – INFORMATION CONCERNING THE CITY***

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***APPENDIX B – CITY OF GARDEN CITY, KANSAS AUDITED FINANCIAL STATEMENTS FOR YEAR ENDING DECEMBER 31, 2012***

***APPENDIX C – FORM OF CONTINUING DISCLOSURE UNDERTAKING***

## OFFICIAL STATEMENT

**\$10,750,000**  
**CITY OF GARDEN CITY, KANSAS**  
**GENERAL OBLIGATION TAX INCREMENT BONDS**  
**SERIES A, 2014**

### INTRODUCTION

#### General Matters

The purpose of this Official Statement is to furnish information relating to the City of Garden City, Kansas (the "City" or the "Issuer") and the General Obligation Tax Increment Bonds, Series A, 2014 (the "Bonds"), to be issued in the principal amount of \$10,750,000.

The Appendices to this Official Statement are integral parts of this document, to be read in their entirety.

All financial and other information presented herein has been compiled by the City. The presentation of information herein, including tables of receipts from various taxes, is intended to show recent historic information, and is not intended to indicate future or continuing trends in the financial position or other affairs of the City. No representation is made that past experience, as might be shown by such financial or other information, will necessarily continue or be repeated in the future. Bond Counsel has not assisted in the preparation nor reviewed this Official Statement, except to the extent described under the section captioned "LEGAL MATTERS," and accordingly express no opinion as to the accuracy or sufficiency of any other information contained herein.

*Certain capitalized terms used in this Official Statement and not otherwise defined herein shall have the meanings given to such terms in the ordinance and resolution of the City authorizing the Bonds.*

#### Continuing Disclosure

The Securities and Exchange Commission (the "SEC") has promulgated amendments to its Rule 15c2-12 (the "Rule"), requiring continuous secondary market disclosure for certain issues. In the Bond Resolution, hereinafter defined, the Issuer has authorized an undertaking on its part to provide annually certain financial information and operating data and other information necessary to comply with the Rule, and to transmit the same to the Municipal Securities Rulemaking Board. This covenant is for the benefit of and is enforceable by the owners of the Bonds. The City has never failed to comply in all material respects with any previous undertakings with regard to said Rule or to provide annual reports or notices of material events. For more information regarding the City's continuing disclosure undertaking, see "APPENDIX C – Form of Continuing Undertaking" herein.

#### Additional Information

Additional information regarding the City or the Bonds may be obtained from Ms. Melinda Hitz, Finance Director, City Hall, City of Garden City, 301 North 8<sup>th</sup>, P.O. Box 998, Garden City, Kansas 67846, (620) 276-1100 or from the City's Financial Advisor, George K. Baum & Company, 100 North Main, Suite 810, Wichita, Kansas 67202, (316) 264-9351.

## THE BONDS

#### Authority and Purpose for the Bonds

The Bonds are issued pursuant to and in full compliance with the Constitution and statutes of the State of Kansas, including K.S.A. 10 101 to 10 125, inclusive, K.S.A. 10-620 et seq. and K.S.A. 12-1770 et seq., inclusive. The Bonds are issued pursuant to an Ordinance of the City authorizing their issuance, and a Resolution setting forth the terms, details and conditions of the Bonds, both adopted by the governing body of the City on April 15, 2014, (the "Bond Resolution"), for the purpose of providing permanent financing for a portion of the cost of certain internal improvements (the "Improvements") authorized by the City.

### **Security for the Bonds**

The Bonds are general obligations of the City payable from tax increment allocated to and paid into a special fund of the City under the act, from other revenues of the City lawfully available for such purposes and from ad valorem taxes levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are irrevocably pledged for the prompt payment of the principal and interest on the Bonds as the same become due. In the Bond Resolution the governing body of the City covenants to annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon all of the taxable tangible property within the City in the manner provided by law.

### **Description of the Bonds**

The Bonds are issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds are dated May 1, 2014 (the "Dated Date"). Interest on the Bonds is payable semiannually on May 1 and November 1 in each year beginning May 1, 2015 ("Interest Payment Dates"). The principal of the Bonds becomes due in the amounts and on the dates described on the inside cover page of this Official Statement and is subject to redemption before maturity as described on the cover page of this Official Statement and below. The Bonds bear interest (computed on the basis of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date on which interest has been paid.

### **Designation of Paying Agent and Bond Registrar**

Pursuant to K.S.A. 10-620 the City has appointed a paying agent and bond registrar as described in the Bond Resolution. The Treasurer of the State of Kansas, Topeka, Kansas (the "Bond Registrar" and "Paying Agent"), has been designated by the City as paying agent for the payment of principal of and interest on the Bonds and bond registrar with respect to registration, transfer and exchange of Bonds.

### **Method and Place of Payment of the Bonds**

The principal of and interest on the Bonds and the redemption price of Bonds called for redemption is payable in lawful money of the United States of America. The principal or redemption price of a Bonds will be paid at maturity or on the redemption date upon presentation of the Bonds for payment at the office of the Paying Agent, by check or draft of the Paying Agent payable to the person in whose name such Bond is registered on the Bond Register on the maturity or redemption date.

The interest on each Bond is payable on the Interest Payment Dates to the Owner of that Bond as shown on the Bond Register at the close of business on the 15<sup>th</sup> day of the month before the Interest Payment Date ("Record Date") by (a) check or draft of the Paying Agent mailed to the Owners at their addresses shown on the Bond Register; (b) at another address an Owner has provided (in writing) to the Paying Agent, or (c) in the case of any interest payment to a registered owner of more than \$500,000 aggregate principal amount of the Bonds or an owner that is a securities depository, by wire transfer to such Owner provided such Owner provides written notice to the Paying Agent not less than 15 days before the Record Date for such interest payment, containing the electronic transfer instructions, including the bank, address, ABA routing number and account number where the wire is to be directed.

If a scheduled payment date for the Bonds falls on a day that is a holiday or not a regular business day for the Paying Agent, the payment may be made on the next succeeding business day with the same force and effect as if made on the scheduled payment date, and no interest will accrue after the scheduled payment date.

**SO LONG AS CEDE AND CO., REMAINS THE REGISTERED OWNER OF THE BONDS, THE PAYING AGENT SHALL TRANSMIT PAYMENTS TO THE SECURITIES DEPOSITORY, WHICH SHALL REMIT SUCH PAYMENTS IN ACCORDANCE WITH ITS NORMAL PROCEDURES. See "THE BONDS - Book-Entry Bonds; Securities Depository".**

### **Registration, Transfer and Exchange of Bonds**

An agreement between the Issuer and the Paying Agent and Bond Registrar (“Issuer/Agent Agreement”) and the Bond Resolution govern the registration, transfer and exchange of the Bonds. The Issuer/Agent agreement incorporates certain provisions of the Uniform Commercial Code relating to registering transfers or exchanges of the Bonds or other securities.

Each Bond issued will be registered by the Paying Agent in the name of its Owner on the Bond Register. As long as a Bond remains outstanding, the Bond Registrar will maintain a Bond Register where all transfers or exchanges of the Bonds will be recorded. A Bond presented for transfer or exchange must be accompanied by a written document making or authorizing a transfer or exchange executed by the Owner of the Bond or a properly authorized agent of the Owner, with a guarantee or other assurance (satisfactory to the Bond Registrar) that the signature is genuine and authorized. Bonds may be transferred or exchanged for new Bonds of the same aggregate principal amount, subject to terms of the Bond Resolution and the Issuer/Agent Agreement. The Issuer and the Bond Registrar are not required to register the transfer or exchange of any Bonds during a period beginning on a Record Date for such Bonds and ending at the close of business on the Interest Payment Date or for a period of 15 days before the date a notice of redemption for such Bonds is mailed.

### **Mutilated, Lost, Stolen or Destroyed Bonds**

The Issuer/Agent Agreement and the Bond Resolution govern the procedures for the replacement of mutilated, lost, stolen or destroyed Bonds. The Issuer/Agent agreement incorporates certain provisions of the Uniform Commercial Code relating to the replacement of such Bonds. The Bond Registrar will replace a Bond that is mutilated, lost, destroyed or wrongfully taken if an indemnity and affidavit of loss, acceptable to the Issuer and the Bond Registrar, is provided by the Owner (at the Owner’s expense), and the Issuer and Bond Registrar have not received notice that the Bond has been acquired by a protected or bona fide purchaser. If the mutilated, lost, stolen or destroyed Bond has matured the Issuer may, in its discretion, pay the Bond instead of issuing a replacement. The Issuer may require a payment from the Owner of any tax or other governmental charge that is imposed with respect to replacing a Bond under these provisions.

### **Book-Entry Bonds: Securities Depository**

The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the Beneficial Owners as described in the following paragraphs.

The City may decide, subject to the requirements of the Operational Arrangement of DTC (or a successor Security Depository) and the following provisions of this section, to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository).

(a) If the City determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds; or

(b) if the Bond Registrar receives written notice from Participants having interest in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to owners requesting the same, and the Bond Registrar shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (a)(1) or (a)(2) of this paragraph, the City, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the City, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the City.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of the Bonds to the successor Securities Depository in appropriate denominations and form as provided in the Bond Resolution.

#### **Redemption of Bonds and Notice of Redemption**

At the Issuer's option, the Bonds maturing on November 1, 2025 and thereafter may be called for redemption before maturity beginning on November 1, 2024 and on any date thereafter, in whole or in part (selection of the maturity of Bonds and the amount of Bonds to be redeemed as determined by the Issuer), at the redemption price of the par amount so called, plus accrued interest to the redemption date. Bonds shall be redeemed only in denominations of \$5,000 or integral multiples thereof.

A notice of redemption of Bonds will be given by the Bond Registrar, as instructed by the Issuer, by mailing the notice of redemption to the Owners of the Bonds to be redeemed, by first class mail not less than 30 days before the selected redemption date. Whenever any Bond or portion thereof is called for redemption and payment, all interest on that Bond or portion thereof will cease to accrue from and after the redemption date provided funds are available for payment of the Bond or portion thereof at the specified redemption price.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of the nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bonds so affected, shall not affect the validity of the redemption of such Bond.

#### **THE DEPOSITORY TRUST COMPANY**

1. The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered bond certificate will be issued for each scheduled maturity of the Bonds, and will be deposited with DTC.

2. DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.6 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited

securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of "AA+". The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

3. Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

4. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

5. Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

6. Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

7. Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

8. Redemption proceeds, distributions, and dividend payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Issuer or Paying Agent, on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the Paying Agent, or the Issuer, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Issuer or Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

9. A Beneficial Owner shall give notice to elect to have its Bonds purchased or tendered, through its

Participant, to the Paying Agent, and shall effect delivery of such Bonds by causing the Direct Participant to transfer the Participant's interest in the Bonds, on DTC's records, to the Paying Agent. The requirement for physical delivery of the Bonds in connection with an optional tender or a mandatory purchase will be deemed satisfied when the ownership rights in the Bonds are transferred by Direct Participants on DTC's records and followed by a book-entry credit of tendered Bonds to the Paying Agent's DTC account.

10. DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Issuer or Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be printed and delivered.

11. The Issuer may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

12. The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Issuer believes to be reliable, but the Issuer takes no responsibility for the accuracy thereof.

## **RISK FACTORS AND INVESTMENT CONSIDERATIONS**

A PROSPECTIVE PURCHASER OF THE BONDS DESCRIBED HEREIN SHOULD BE AWARE THAT THERE ARE CERTAIN RISKS ASSOCIATED WITH THE BONDS WHICH MUST BE RECOGNIZED.

### **Taxation of Interest on the Bonds**

An opinion of Bond Counsel will be obtained to the effect that interest earned on the Bonds is excludable from gross income for federal income tax purposes under current provisions of the Code, and applicable rulings and regulations under the Code; however, an application for a ruling has not been made and an opinion of counsel is not binding upon the Internal Revenue Service. There can be no assurance that the present provisions of the Code, or the rules and regulations thereunder, will not be adversely amended or modified, thereby rendering the interest earned on the Bonds includable in gross income for federal income tax purposes. The City has covenanted in the Bond Resolution and in other documents and certificates to be delivered in connection with the issuance of the Bonds to comply with the provisions of the Code, including those which require the City to take or omit to take certain actions after the issuance of the Bonds. Because the existence and continuation of the excludability of the interest on the Bonds depends upon events occurring after the date of issuance of the Bonds, the opinion of Bond Counsel described under "LEGAL MATTERS" assumes the compliance by the City with the provisions of the Code described above and the regulations relating thereto. No opinion is expressed by Bond Counsel with respect to the excludability of the interest on the Bonds in the event of noncompliance with such provisions. The failure of the City to comply with the provisions described above may cause the interest on the Bonds to become includable in gross income as of the date of issuance.

### **Secondary Market**

There is no established secondary market for the Bonds, and there is no assurance that a secondary market will develop for the purchase and sale of the Bonds. Prices of municipal bonds traded in the secondary market, though, are subject to adjustment upward and downward in response to changes in the credit market. From time to time it may be necessary to suspend indefinitely secondary market trading in selected issues of municipal bonds as a result of financial condition or market position of broker-dealers, prevailing market conditions, lack of adequate current financial information about the City, or a material adverse change in the financial condition of the City, whether or not the subject bonds are in default as to principal and interest payments, and other factors which may give rise to uncertainty concerning prudent secondary market practices.

**Legal Matters**

Various state and federal laws, regulations and constitutional provisions apply to the obligations created by the Bonds. There is no assurance that there will not be any change in, interpretation of, or addition to such applicable laws, provisions and regulations which would have a material effect, either directly or indirectly, on the City or the taxing authority of the City. Changes in laws effecting the taxing authority of the City could limit the ability of the City to collect revenue sufficient to pay principal and interest on the Bonds.

**Limitations on Remedies Available to Owners of Bonds**

The enforceability of the rights and remedies of the owners of Bonds, and the obligations incurred by the City in issuing the Bonds, are subject to the following: the federal Bankruptcy Code and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditors' rights generally, now or hereafter in effect; usual equity principles which may limit the specific enforcement under state law of certain remedies; the exercise by the United States of America of the powers delegated to it by the United States Constitution; and the reasonable and necessary exercise, in certain unusual situations, of the police power inherent in the State of Kansas and its governmental subdivisions in the interest of serving a legitimate and significant public purpose. Bankruptcy proceedings, or the exercise of powers by the federal or state government, if initiated, could subject the owners of the Bonds to judicial discretion and interpretation of their rights in bankruptcy and otherwise, and consequently may involve risks of delay, limitation or modification of their rights.

**Suitability of Investment**

The tax exempt feature of the Bonds is more valuable to high tax bracket investors than to investors who are in low tax brackets, and so the value of the interest compensation to any particular investor will vary with individual tax rates. Each prospective investor should carefully examine this Official Statement, including the Appendices hereto, and its own financial condition to make a judgment as to its ability to bear the economic risk of such an investment, and whether or not the Bonds are an appropriate investment.

THE FOREGOING STATEMENTS REGARDING CERTAIN RISKS ASSOCIATED WITH THE OFFERING SHOULD NOT BE CONSIDERED AS A COMPLETE DESCRIPTION OF ALL RISKS TO BE CONSIDERED IN THE DECISION TO PURCHASE THE BONDS.

Prospective purchasers of the Bonds should analyze carefully the information contained in this Official Statement and additional information in the form of the complete documents summarized herein, copies of which are available and may be obtained from the City or the Underwriter.

**THE PROJECTS**

The Series A, 2014 Bonds are being issued for the purpose of providing permanent financing for land acquisition, utility construction, road construction and related costs for a large commercial development in the City.

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## APPLICATION OF BOND PROCEEDS

The following table itemizes the sources of funds available for improvements, including the proceeds from the sale of the Bonds, and how such funds are expected to be used:

### Sources of Funds:

|                               |                            |
|-------------------------------|----------------------------|
| Principal Amount of the Bonds | <u>\$10,750,000</u>        |
| <b>Total</b>                  | <b><u>\$10,750,000</u></b> |

### Uses of Funds:

|                             |                               |
|-----------------------------|-------------------------------|
| Land Acquisition/Costs      | \$ 3,607,190.76               |
| Road Construction           | 2,091,547.20                  |
| Site Construction           | 959,800.06                    |
| Utility Construction        | 1,151,603.10                  |
| Engineering                 | 821,270.42                    |
| Legal, Consulting, Misc.    | 1,807,042.77                  |
| Interest on Temporary Notes | 220,429.70                    |
| Bond Issuance Costs         | 91,115.99                     |
| <b>Total</b>                | <b><u>\$10,750,000.00</u></b> |

## BOND RATINGS

Moody's Investors Service has assigned a rating of ["\_\_\_"] to the Bonds.

Such rating reflects only the view of such rating agency, and an explanation of the significance of such rating may be obtained therefrom. There is no assurance that the rating will remain in effect for any given period of time or that they will not be revised, either downward or upward, or withdrawn entirely, by said rating agency if, in its judgment, circumstances warrant. Any such downward revision or withdrawal of any rating may have an adverse affect on the market price of the Bonds.

## ABSENCE OF LITIGATION

There is no controversy, suit or other proceedings of any kind pending or threatened wherein or whereby any question is raised or may be raised, questioning, disputing or affecting in any way the legal organization of the City or its boundaries, or the right or title of any of its officers to their respective offices, or the legality of any official act shown to have been done in the foregoing transcript, or the constitutionality or validity of the indebtedness represented by the Bonds shown to be authorized in said transcript, or the validity of said Bonds, or any of the proceedings had in relation to the authorization, issuance or sale thereof, or the levy and collection of a tax to pay the principal and interest thereof.

## LEGAL MATTERS

### Approval of Bonds

All matters incident to the authorization and issuance of the Bonds are subject to the approval of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, Bond Counsel. Factual and financial information appearing herein has been supplied or reviewed by certain officials of the City, as referred to herein, and Bond Counsel expresses no opinion as to the accuracy or sufficiency thereof except for the matters appearing in the section of this Official Statement captioned "THE BONDS" and "LEGAL MATTERS". Certain legal matters may be passed on for the City by Randall D. Grisell, Esq., City Attorney.

**Opinion of Bond Counsel**  
**Federal Tax Exemption**

In the opinion of Bond Counsel, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. It should be noted, however, that for purposes of computing the alternative minimum tax imposed on corporations (as defined for federal income tax purposes) such interest is taken into account in determining adjusted current earnings. The opinions set forth in this paragraph are subject to the condition that the City comply with all requirements of the Internal Revenue Code of 1986, as amended (the "Code") that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. The City has covenanted to comply with all such requirements. Failure to comply with certain of such requirements may cause interest on the Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Bonds. The Bonds are not "qualified tax exempt obligations" for purposes of Code §265(b).

**Kansas Tax Exemption**

The interest on the Bonds is excluded from computation of Kansas adjusted gross income.

**Other Tax Consequences.**

Bond Counsel expresses no opinion regarding other federal or state tax consequences arising with respect to the Bonds. However, prospective purchasers of the Bonds should be aware that there may be tax consequences of purchasing the Bonds other than those discussed under the caption "Opinion of Bond Counsel", including the following: (a) Section 265 of the Code denies a deduction for interest on indebtedness incurred or continued to purchase or carry the Bonds or, in the case of a financial institution, that portion of such institution's interest expense allocable to the Bonds; (b) with respect to insurance companies subject to the tax imposed by Code §831, Code §832(b)(5)(B)(i) reduces the deduction for loss reserves by 15 percent of the sum of certain items, including interest on the Bonds; (c) interest on the Bonds earned by certain foreign corporations doing business in the United States could be subject to a branch profits tax imposed by Code §884; (d) passive investment income, including interest on the Bonds, may be subject to federal income taxation under Code §1375 for Subchapter S corporations that have Subchapter C earnings and profits at the close of the taxable year, if greater than 25% of the gross receipts of such Subchapter S corporation is passive investment income; and (e) Code §86 of the Code requires recipients of certain Social Security and certain Railroad Retirement benefits to take into account, in determining gross income, receipts or accruals of interest on the Bonds. Bond Counsel expresses no opinion regarding these tax consequences. Purchasers of the Bonds should consult their own tax advisors as to the applicability of these tax consequences.

**UNDERWRITING**

The Bonds have been sold at public sale by the City to [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_](the "Underwriter") on the basis of lowest true interest cost. [\_\_\_\_\_] bids were received by the City. The Underwriter has agreed, subject to certain conditions, to purchase the Bonds.

The Bonds will be offered to the public initially at the prices determined to produce the yield to maturity set forth on the cover page of this Official Statement. The Underwriter may offer and sell the Bonds to certain dealers (including dealers depositing the Bonds into investment trusts) at prices other than the price stated on the cover page hereof and may change the initial offering price from time to time subsequent to the date hereof. In connection with the offering, the Underwriter may over allot or effect transactions which stabilize or maintain the market price of the Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

**AUTHORIZATION OF PRELIMINARY OFFICIAL STATEMENT**

The preparation of this Preliminary Official Statement and its distribution has been authorized by the City.

Dated at Garden City, Kansas this 18th day of March, 2014.

CITY OF GARDEN CITY, KANSAS

By \_\_\_\_\_  
Dan Fankhauser, Mayor

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*APPENDIX A*

**INFORMATION CONCERNING THE CITY**

**APPENDIX A**

**INFORMATION CONCERNING THE CITY**

**THE CITY**

**Location and Size**

Garden City, Kansas is located near the center of the world’s largest winter wheat producing area, 75 miles east of the Colorado State line and 200 miles west of Wichita, Kansas. The City encompasses 8.70 square miles of land in Finney County, Kansas, with a current population of approximately 26,985.

**Government and Organization of the City**

The City of Garden City was incorporated in 1883 and became a city of the first class in 1974. The City operates under a Commission-Manager form of government with commissioners having staggered terms. The Mayor is elected to a one-year term by the Commissioners. The five members of the City Commission are elected to overlapping four, four and two year terms of office. An election for a majority of the City Commissioners is held every odd-numbered year.

**Elected Officials**

The following are the current members of the Governing Body:

| <u>Name</u>    | <u>Title</u> | <u>Commission Term Began</u> | <u>Commission Term Expires</u> |
|----------------|--------------|------------------------------|--------------------------------|
| Dan Fankhauser | Mayor        | May, 2011                    | April, 2015                    |
| Roy Cessna     | Vice Mayor   | May, 2011                    | April, 2015                    |
| Melvin Dale    | Commissioner | May, 2013                    | April, 2017                    |
| Janet Doll     | Commissioner | May, 2013                    | April, 2017                    |
| Chris Law      | Commissioner | May, 2013                    | April, 2017                    |

**Appointed Officials**

The following administrative positions in the government of the City are currently held as indicated:

| <u>Name</u>        | <u>Title</u>     |
|--------------------|------------------|
| Matthew C. Allen   | City Manager     |
| Melinda A. Hitz    | Finance Director |
| Celyn N. Hurtado   | City Clerk       |
| Randall D. Grisell | City Counselor   |

**Population**

The City of Garden City, Kansas has experienced significant growth in recent years. The population increased from 14,709 in 1970 to 26,985 in 2012. The 1970 U. S. Census of population for Garden City indicated there were 14,709 persons residing in the corporate limits. By 1980, this had increased 24% to 18,246 persons or an average of 2.4% per year. According to the 1990 U. S. Census statistics, the population increased 33% to 24,318 persons, or an average of 3.3% per year. The 2000 U. S. Census of population indicated 28,451 persons, an increase of 17% over 1990. The 2000 Census also indicated a total of 9,907 total housing units with an average of 2.99 persons per household. The 2010 Census indicated a total of 13,999 total housing units with an average of 3.09 persons per household. The median age in Garden City is 29.9 years.

## **Population Trends**

| <b><u>Year</u></b> | <b><u>Garden City<br/>Population</u></b> | <b><u>Finney County<br/>Population</u></b> |
|--------------------|--|--|
| 2008               | 28,568                                   | 35,461                                     |
| 2009               | 28,532                                   | 36,300                                     |
| 2010               | 26,801                                   | 36,964                                     |
| 2011               | 26,918                                   | 37,117                                     |
| 2012               | 26,985                                   | 37,200                                     |

Source: Kansas Statistical Abstract-Kansas Data Archive

## **Educational Facilities**

Garden City is the location of the offices of Unified School District No. 457 and a majority of its 17 attendance centers which provide complete educational facilities from kindergarten through high school for an enrollment of approximately 7,573 students for the 2013/2014 fall semester. The City is also the location of the Garden City Community College campus. The College district boundaries are coterminous with Finney County, and provide educational facilities for the first two years of college and specialized career training for approximately 2,500 students. The campus is thirty years old and provides on-campus living for students who prefer not to commute. The curriculum of the College includes vocational-technical and industrial technology programs supported by national and regional industries, as well as liberal arts, fine arts, nursing, etc.

## **Economic Activity**

The City's economic activity is divided between supply and maintenance activities for agriculture and beef production for western Kansas, and commercial and supply activities for the natural gas and petroleum industries in a large surrounding area. The County is a large producer of wheat and corn for grain, sorghum for silage, and is ranked first in the production of alfalfa hay. It is estimated that the County has more area under irrigation (over 300,000 acres) than any other county in the state. Because Finney County has excellent cattle feed production and beef cattle production, Tyson Fresh Meats, Inc. located the largest beef processing plant in the world just eight miles west of Garden City. Until December 25, 2000, Con Agra Beef Co., Inc. operated a beef processing plant located just east of the City. Tyson Fresh Meats, Inc. has continued to expand its facilities in recent years. Tyson Fresh Meat, Inc. and Con Agra's locating in Finney County led to supporting industries which have built new plants. Two of these are Inland Container Corporation, a subsidiary of Temple Inland, Temple, Texas, manufacturers of packing and shipping containers, and Americold Logistics, a large freezing and cold storage plant. Commercial dairies are also beginning to locate in the area. With the number of dairies now totaling 22, construction of a dairy processing facility is being explored.

The commercial and industrial growth of the area contributed significantly to the population growth of the Garden City area in the 1990's. This growth was the reason for Sunflower Electric Cooperative (a generating cooperative made up of distribution cooperatives) to locate its \$460,000,000 coal-fired generating plant seven miles west of Garden City. The Cooperative has spent in excess of \$100,000,000 for pollution control equipment alone to maintain a clean air environment. This plant has been on line since 1983. Sunflower Power Corporation has announced planned construction of one additional unit for the site rated at 895 MW which will represent 2.5B of additional investment in the area. The air quality permit was granted by the Kansas Department of Health and Environment and is currently the subject of litigation.

In 1996 and subsequent years, the City has been a recipient of a Community Development Award presented by the Kansas Department of Commerce to six entities across the State. The criterion is the promotion of the economic aspects of Garden City.

## **Transportation**

Rail transportation is provided by the main-line of the Burlington Northern Santa Fe Railroad which transects the County. Amtrak passenger service is available at Garden City. The County is also served by the Garden City Western Railway, short line railroad serving the wheat and other grain growing areas, as well as industrial, manufacturing and processing centers. There are active interstate truck line carriers, including Graves Truck Line, Panhandle Container Service, Yellow Freight, Beaver Express and others. Interstate bus transportation returned in late summer, 2010. Local bus transportation is provided within city limits by City Link which runs four routes. American Eagle provides two round trips from the Garden City Regional Airport to Dallas/Fort Worth International Airport on a full service 50 seat aircraft. The County is served by U. S. Highways 50, 400, and 83, and Kansas Highway #156.

## **Recreation**

Recreation is diversified with private and municipal golf courses in the County, tennis courts, soccer fields, indoor and outdoor swimming pools. The nearby Colorado mountains provide skiing, fishing and sightseeing. Four lakes in the area within close driving distance provide water skiing, fishing, and hunting recreation, and the County is well known for its fall upland game bird hunting. Horse Thief Reservoir, financed with a 4 county sales tax, was completed in 2010 and will provide 450 surface acres of water for recreation and water supply. Finney County is one of the counties in the State that has both an archery and rifle open season for deer. Garden City's Finnup Park contains over 220 acres and is the location of the Lee Richardson Zoo, the third largest public attraction in Kansas. The Airport Raceway has located their facility close to the Garden City Regional Airport.

## **Natural Gas and Petroleum Production**

All of Finney County lies within the Hugoton Gas Reserve Area, which is one of the largest natural gas producing areas in the world. Approximately one-sixth of the production originates in Finney County which is situated in a high producing portion of the field identified as the "Fairway" area. According to The University of Kansas, Kansas Geological Survey, in 2012 over 18,245,082 MCF of natural gas and 1,527,515 barrels of oil were produced in the County.

## **Municipal Services and Utilities**

Garden City owns its municipal water and sewage system, swimming pool, airport, park system, and a network of 121 miles of improved streets. Other utility services are available as shown:

Electric Generating and Distribution System - The City has owned its electric distribution facilities since 1918; and in 1960 constructed a municipal generating plant. The City's generating plant was exchanged in 1998 for a communications tower and equipment building under an agreement with Wheatland Electric Cooperative. Wheatland Electric Cooperative supplies electricity to the City's distribution facilities.

Natural Gas Service - Distribution of natural gas is provided by Black Hills Energy, Inc.

Telephone Services - Telecommunication services are provided by AT&T/SBC and other local service providers.

Waterworks, Sanitary Sewer Service, and Wastewater Treatment - These services are provided by the City which owns and operates or contracts for operations of the facilities.

Municipal Trash Pick Up - The City also operates its own automated municipal trash pick up and solid waste disposal system.

## **Police Facility and Fire Protection**

Garden City has 88 police personnel and officers providing continuous full-time police service to the community as well as specialized service in the areas of criminal investigation, crime prevention, Police and Community Education, tactical operations, traffic unit and warrant service.

Garden City currently has two fire stations. The Garden City Fire Department has a staff of 35 fire personnel and officers providing round-the-clock protection for the City. Fire-fighting equipment totals 18 vehicles, including six pumper trucks, one ladder truck, two rescue vehicles, three command vehicles, two squad vehicles, one special units tow vehicle and one station vehicle. The City of Garden City presently has a Class-3 fire protection rating. Fire protection ratings are on a scale of 1 to 10, with 1 being the highest and best.

## **Health and Retirement Facilities**

St. Catherine Hospital serves Garden City and area residents and provides a total 132 licensed beds. Many amenities also are offered at Summitt Rescare, Garden Valley Retirement Village, and Homestead Assisted Living Center, which are retirement centers located in Garden City. St. Catherine Hospital has also developed additional treatment facilities including a cancer treatment center, ambulatory surgery center and an imaging center and is currently completing a new wing for patient beds.

## ECONOMIC INFORMATION CONCERNING THE CITY

### Major Employers

Garden City offers an excellent working environment for industrial, office and retail firms. Hundreds of small and medium-sized businesses are located in the City. Some of the major employers are presented in the following table:

| <u>Major Employers</u>                  | <u>Product/Service</u> | <u>Number of Employees</u> |
|---|------------------------|----------------------------|
| 1. Tyson Fresh Meat, Inc.               | Beef Products          | 2,200                      |
| 2. Unified School District No. 457      | Public School System   | 1,200                      |
| 3. Cheyenne Drilling                    | Well Drilling          | 638                        |
| 4. St. Catherine Hospital               | Hospital               | 635                        |
| 5. Garden City Community College        | Community College      | 385                        |
| 6. Wal-Mart                             | Retail Shopping Center | 372                        |
| 7. Finney County                        | County Government      | 330                        |
| 8. City of Garden City                  | City Government        | 303                        |
| 9. Sunflower Electric Power Corporation | Electric Distribution  | 225                        |

Source: City (Comprehensive Annual Financial Report)

### Retail Sales Tax Collections – State of Kansas

The following table indicates state sales tax collections on retail sales in Finney County:

| <u>Year</u> | <u>Sales Tax Collections</u> | <u>Per Capita Sales Tax</u> |
|-------------|------------------------------|-----------------------------|
| 2007        | \$ 29,242,313                | \$ 715.39                   |
| 2008        | 33,358,098                   | 810.73                      |
| 2009        | 30,687,099                   | 798.76                      |
| 2010        | 34,102,965                   | 724.40                      |
| 2011        | 38,603,601                   | 1,020.84                    |
| 2012        | 40,905,898                   | 1,085.21                    |

Source: Kansas Statistical Abstract-Kansas Data Archive

### Sales Tax Collections - City of Garden City

The following table indicates the local sales tax collections for the City of Garden City by fiscal years indicated:

| <u>Fiscal Year</u>                  | <u>Sales Tax Collected</u> |
|-------------------------------------|----------------------------|
| January 1, 2007 - December 31, 2007 | \$ 7,079,556               |
| January 1, 2008 - December 31, 2008 | 8,076,358                  |
| January 1, 2009 - December 31, 2009 | 7,843,971                  |
| January 1, 2010 - December 31, 2010 | 8,505,990                  |
| January 1, 2011 - December 31, 2011 | 9,055,986                  |
| January 1, 2012 - December 31, 2012 | 9,586,491                  |
| January 1, 2013 - December 31, 2013 | 10,226,530                 |

Source: City (Comprehensive Annual Financial Report)

**Building Construction**

The following table lists the number and value of Building Construction Permits issued in the City for the years indicated below:

| <b>Fiscal Year</b> | <b><u>New Residential</u></b> |                         | <b><u>New Non-Residential</u></b> |                         | <b><u>Additions &amp; Alterations</u></b> |                         | <b><u>Total</u></b>  |                         |
|--------------------|-------------------------------|-------------------------|-----------------------------------|-------------------------|---|-------------------------|----------------------|-------------------------|
|                    | <b><u>Number</u></b>          | <b><u>Valuation</u></b> | <b><u>Number</u></b>              | <b><u>Valuation</u></b> | <b><u>Number</u></b>                      | <b><u>Valuation</u></b> | <b><u>Number</u></b> | <b><u>Valuation</u></b> |
| 2008               | 11                            | \$ 4,097,000            | 75                                | \$ 15,787,447           | 4,004                                     | \$ 20,310,862           | 4,090                | \$ 40,195,309           |
| 2009               | 17                            | 3,868,849               | 114                               | 8,669,116               | 1,835                                     | 13,737,442              | 1,966                | 26,275,407              |
| 2010               | 11                            | 2,474,986               | 6                                 | 89,146,822              | 1,475                                     | 18,072,515              | 1,492                | 109,694,323             |
| 2011               | 46                            | 5,013,923               | 13                                | 1,914,859               | 1,198                                     | 6,838,609               | 1,257                | 13,767,391              |
| 2012               | 20                            | 1,981,752               | 23                                | 9,317,689               | 1,137                                     | 11,614,378              | 1,180                | 22,913,819              |
| 2013               | 13                            | 11,981,297              | 60                                | 60,414,685              | 1,146                                     | 14,002,131              | 1,267                | 86,398,113              |

Source: City Clerk

**DEBT STRUCTURE OF THE CITY**

**Authority to Incur Debt**

|   |                  |
|---|------------------|
| 2013 Actual Value of Real and Personal Property.....                                      | \$ 1,833,605,877 |
| 2013 Equalized Assessed Valuation of Tangible Valuation                                   |                  |
| for Computation of Bonded Debt Limitations .....  | \$ 196,269,863   |
| Legal Limitation of Bonded Debt (30%).....  | \$ 58,880,959    |
| Outstanding General Obligation Bonds as of December 31, 2013 (Including the Bonds)* ..... | \$ 48,030,200    |
| Additional Debt Capacity.....   | \$ 22,675,044    |
| Estimated Outstanding Direct & Overlapping Debt as of November 1, 2013.....               | \$ 103,086,686   |
| Direct City Debt Per Capita (estimated population = 26,985).....                          | \$ 1,780         |
| Estimated Direct & Overlapping Debt Per Capita.....                                       | \$ 3,820         |
| Direct City Debt as a Percentage of Assessed Valuation.....                               | 24.47%           |
| Direct City Debt as a Percentage of Estimated Actual Value .....                          | 2.62%            |
| Estimated Direct & Overlapping Debt as a Percentage of Assessed Valuation.....            | 52.52%           |
| Estimated Direct & Overlapping Debt as a Percentage of Estimated Actual Value.....        | 5.62%            |

\* Includes Temporary Notes Outstanding

**Temporary Notes**

As of the issuance of the Bonds, the City will have the following temporary notes outstanding:

| <b><u>Series</u></b> | <b><u>Project</u></b> | <b><u>Date Issued</u></b> | <b><u>Final Maturity</u></b> | <b><u>Original Amount</u></b> | <b><u>Balance Due</u></b> |
|----------------------|-----------------------|---------------------------|------------------------------|-------------------------------|---------------------------|
| A, 2012              | Internal Improvements | 06/01/2012                | 06/01/2014                   | 11,750,000*                   | \$ 0                      |
| C, 2013              | Internal Improvements | 10/01/2013                | 10/01/2015                   | 9,340,000                     | 9,340,000                 |
| D, 2013              | Internal Improvements | 12/13/2013                | 12/19/2014                   | 106,2000                      | 106,200                   |
| TOTAL                |                       |                           |                              |                               | <u>\$ 9,446,200</u>       |

\* To be retired from proceeds of the Bonds

**General Obligation Debt**

As of the issuance of the Bonds, the City will have the following general obligation debt outstanding:

| <b><u>Series</u></b> | <b><u>Project</u></b>                                  | <b><u>Date Issued</u></b> | <b><u>Final Maturity</u></b> | <b><u>Original Amount</u></b> | <b><u>Outstanding Balance</u></b> |
|----------------------|--|---------------------------|------------------------------|-------------------------------|-----------------------------------|
| 2004                 | General Obligation Internal Improvements               | 09/01/04                  | 11/01/14                     | \$ 614,000                    | \$ 75,000                         |
| 2005                 | General Obligation Internal Improvements               | 09/01/05                  | 11/01/15                     | 1,385,000                     | 325,000                           |
| 2006                 | General Obligation Internal Improvements               | 05/01/06                  | 11/01/16                     | 1,370,000                     | 480,000                           |
| 2007 A               | General Obligation Internal Improvements               | 04/01/07                  | 11/01/17                     | 1,755,300                     | 805,000                           |
| 2008-A               | General Obligation Internal Improvements               | 09/01/08                  | 11/01/18                     | 3,072,000                     | 1,740,000                         |
| 2009                 | General Obligation Internal Improvements               | 07/01/09                  | 11/01/19                     | 2,173,700                     | 1,440,000                         |
| 2010                 | General Obligation Internal Improvements               | 08/01/10                  | 11/01/20                     | 4,585,000                     | 3,410,000                         |
| 2010-B               | GO Refunding and Improvements                          | 12/01/10                  | 09/01/24                     | 12,110,000                    | 8,410,000                         |
| 2011                 | General Obligation Internal Improvements               | 08/01/11                  | 11/01/21                     | 2,360,000                     | 1,895,000                         |
| 2012-B               | General Obligation Internal Improvements               | 11/01/12                  | 11/01/22                     | 925,000                       | 850,000                           |
| 2013-A               | General Obligation Bonds                               | 08/01/13                  | 11/01/28                     | 7,792,000                     | 7,792,000                         |
| 2013-B               | Taxable General Obligation Bonds                       | 08/01/13                  | 11/01/23                     | 612,000                       | 612,000                           |
| 2014                 | General Obligation Tax Increment Bonds<br>(THIS ISSUE) | 05/01/14                  | 11/01/34                     | 10,750,000                    | <u>10,750,000</u>                 |
| TOTAL                |  |                           |                              |                               | <u>\$38,584,000</u>               |

**Capital Lease Obligations**

In addition to the foregoing debt obligations, the City has entered into the following lease obligations. The lease obligations of the City constitute valid and binding obligations of the City in accordance with their terms subject to funds budgeted and appropriated for that purpose during the municipality's current budget year or funds made available from any lawfully operated revenue-producing source as described in the Kansas cash basis law applicable to Kansas cities.

| <b><u>Date</u></b> | <b><u>Purpose</u></b>                   | <b><u>Term</u></b> | <b><u>Amount Outstanding as of 03/15/2014</u></b> |
|--------------------|---|--------------------|---|
| June, 2009         | Emergency Radio Communications System   | 5 Years            | \$ 151,259  |
| December, 2010     | Building – GCRA                         | 5 Years            | 40,000  |
| November, 2011     | Street Sweeper                          | 3 Years            | 34,380  |
| September, 2012    | HRMS Payroll Software                   | 5 Years            | 20,605  |
| June, 2012         | (4) 2013 Ford Interceptors              | 3 Years            | 32,204  |
| July, 2012         | Ford Fusion                             | 4 Years            | 9,612   |
| January, 2013      | (1) Pierce Pumper, (3) Command Vehicles | 10 Years           | 578,088   |
| May, 2013          | (4) 2013 Cruisers, (1) Backhoe          | 5 Years            | 125,098   |
| April, 2013        | Fairway Mower                           | 5 Years            | 29,731  |
| September, 2013    | Municipal Court Hardware                | 5 Years            | 20,427  |
| March, 2014        | Police and Golf Course Equipment        | 4 Years            | 248,079   |
| Total              |   |                    | <u>\$ 1,289,483</u>                               |

**Overlapping Debt**

The following table sets forth overlapping indebtedness as of August 1, 2013, and the percent attributable (on the basis of assessed valuation) to the City:

| <b><u>Taxing Jurisdiction</u></b> | <b><u>2013<br/>Assessed<br/>Valuation</u></b> | <b><u>Outstanding<br/>General<br/>Obligation<br/>Indebtedness</u></b> | <b><u>Estimated<br/>Percent<br/>Applicable<br/>to City</u></b> | <b><u>Estimated<br/>Net Amount<br/>Applicable<br/>to City</u></b> |
|-----------------------------------|---|---|--|---|
| Finney County**                   | \$ 538,123,607                                | \$ 4,955,000  | 36.47%   | \$ 1,807,089  |
| Unified School Dist. No. 457*     | 362,533,723                                   | 98,355,000  | 54.14  | <u>53,249,397</u>   |
| Total                             |   |   |  | <u>\$55,056,486</u>   |

\* Under the present State School Finance Formula, 42% of the annual debt service requirement of Unified School District No. 457 is paid by the State of Kansas.

\*\* Finney County voters approved the issuance of \$6,625,000 General Obligation Sales Tax Bonds and the implementation of a ¼ cent sales tax to retire the Bonds at an election on March 4, 2014. No Bonds have been issued at this time.

Note: As of June 30, 2013, Garden City Community College has approximately \$7,314,413 Certificates of Participation outstanding payable from annual appropriations which are not reflected above.

**FINANCIAL INFORMATION CONCERNING THE CITY**

**Accounting, Budgeting and Auditing Procedures**

The City follows the modified accrual basis of accounting for all tax supported funds of the City, including the General Fund. The accrual basis of accounting is utilized for enterprise and internal service funds.

An annual budget of estimated receipts and disbursements for the coming calendar year is required by statute to be prepared for all funds (unless specifically exempted). The budget is prepared utilizing the modified accrual basis which is further enhanced by the encumbrance method of accounting. For example, commitments such as purchase orders and contracts, in addition to disbursements and accounts payable, are recorded as expenditures. The budget lists estimated receipts by funds and sources and estimated disbursements by funds and purposes. The proposed budget is presented to the governing body of the City prior to August 1, with a public hearing required to be held prior to August 15, with the final budget to be adopted prior to August 25 of each year. Budgets may be amended upon action of the governing body after notice and public hearing, provided that no additional tax revenues may be raised after the original budget is adopted.

Kansas law prohibits governmental units from creating indebtedness unless there are funds on hand in the proper accounts and unencumbered by previous action with which to pay such indebtedness. An exception to this cash-basis operation is made where provision has been made for payment of obligations by bonds or other specific debt obligations authorized by law.

The financial records of the City are audited annually by a firm of independent certified public accountants in accordance with generally accepted auditing standards. The City was a first-time recipient of the Certificate of Achievement for excellence in financial reporting for its Comprehensive Annual Financial Report for 1994 and each subsequent year thereafter awarded by the Government Finance Officers Association. In recent years, the annual audit has been performed by Lewis, Hooper & Dick, LLC, Garden City, Kansas. Copies of the audit reports for the past five (5) years are on file in the City Clerk's office and are available for review.

The financial information contained in the Appendices to this Official Statement are an integral part of this document and are intended to be read in conjunction herewith.

**Sources of Revenue**

The City finances its general operations through the local property tax levy, various other taxes, a variety of license and permit fees, and other miscellaneous sources as indicated below for the fiscal year 2013:

| <u>Source</u>                        | <u>Percent</u> |
|--------------------------------------|----------------|
| Local Property Tax                   | 19.04%         |
| Sales Tax                            | 48.20          |
| Franchise Fees                       | 3.56           |
| Licenses and Permits                 | 1.36           |
| Payments made by Utility Enterprises | 13.30          |
| Miscellaneous                        | 9.63           |
| Federal and State Grants             | 0.00           |
| Fines & forfeitures                  | <u>4.91</u>    |
| Total                                | 100.00%        |

**Property Valuations**

The determination of assessed valuation and the collection of property taxes for all political subdivisions in the State of Kansas is the responsibility of the various counties under the direction of state statutes. The Finney County Appraiser's office determines the assessed valuation that is to be used as a basis for the mill levy on property located in the City.

All property in the State of Kansas has been reevaluated as a result of a bill passed by the 1985 session of the Kansas Legislature requiring county assessors to reassess property for tax purposes, with an effective date of January 1, 1989.

In conjunction with the November, 1986 general election, Kansas voters approved a proposition to modify the State Constitution with respect to classification of property for ad valorem taxation. For taxable years 1989 through 1992, real and personal property is divided into classes and assessed at different percentages of fair market value. Land devoted to agricultural use is valued on the basis of its agricultural income or productivity and assessed at 30% of the value so obtained; commercial and industrial machinery and equipment is assessed at 20% of its fair market value; residential property and vacant lots are assessed at 12% of fair market value; and all other property will be assessed at 30% of fair market value. Farm machinery and equipment, merchants' and manufacturers' inventories, and livestock are exempt from property taxation.

In conjunction with the November, 1992 general election, Kansas voters approved a proposition to further modify the State Constitution with respect to classification of property for ad valorem taxation. Property is divided into two classes, real property and personal property. Real property is divided into seven subclasses; there are six subclasses of personal property. The real property (Class 1) subclasses are: (i) real property used for residential purposes including multi-family, mobile or manufactured homes, including the real property on which such homes are located, assessed at 11.5%, (ii) agricultural land, valued on the basis of agricultural income or productivity, assessed at 30%, (iii) vacant lots, assessed at 12%, (iv) real property, owned and operated by a not-for-profit organization not subject to federal income taxation, pursuant to Section 501 of the Internal Revenue Code, assessed at 12%, (v) public utility real property, except railroad real property, assessed at the average rate that all other commercial and industrial property is assessed, assessed at 33%, (vi) real property used for commercial and industrial purposes and buildings and other improvements located on land devoted to agricultural use, assessed at 25%, and (vii) all other urban and real property not otherwise specifically classified, assessed at 30%.

Tangible personal property (Class 2) subclasses are: (i) mobile homes used for residential purposes, assessed at 11.5%, (ii) mineral leasehold interests, except oil leasehold interests, the average daily production from which is 5 barrels or less, and natural gas leasehold interests, the average daily production from which is 100 mcf or less, which shall be assessed at 25%, assessed at 30%, (iii) public utility tangible personal property, including inventories thereof, except railroad personal property, including inventories thereof, which are assessed at the average rate all other commercial and industrial property is assessed, assessed at 33%, (iv) all categories of motor vehicles not defined, and specifically valued and taxed pursuant to law enacted prior to January 1, 1985, assessed at 20%, (v) commercial and industrial machinery and equipment which if its economic life is 7 years or more, is valued at its retail cost, when new, less seven-year straight-line depreciation, or which, if its economic life is less than 7 years, is valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being

used, shall not be less than 20% of the retail cost when new of such property, assessed at 25%, and (vi) all other tangible personal property not otherwise specifically classified, assessed at 30%.

All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories includes in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation.

**Machinery and Equipment Tax Exemption**

The 2006 Kansas Legislature passed House Bill 2583, which exempts from property taxation all commercial and industrial machinery and equipment acquired after July 1, 2006. The exemption also includes railroad and telecommunication equipment acquired after that date. This exemption has decreased the types of property included in assessed valuation of Kansas cities and counties.

**Fair Market Value**

The following table shows the fair market value of the taxable property within the City for the years indicated:

| <u>Year</u> | <u>Fair Market Value</u> |
|-------------|--------------------------|
| 2009        | \$1,005,179,834          |
| 2010        | 1,251,676,810            |
| 2011        | 1,357,209,151            |
| 2012        | 1,450,625,375            |
| 2013        | 1,833,605,877            |

**Assessed Valuations**

**Current Assessed Valuations:** The following table shows the total assessed valuation of the taxable tangible property within the City for the years indicated:

| <u>Year</u> | <u>Equalized Assessed Valuation of Taxable Tangible Property</u> | <u>Tangible Valuation of Motor Vehicles</u> | <u>Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitation</u> |
|-------------|--|---|--|
| 2009        | \$ 148,828,219   | \$ 26,913,876                               | \$ 175,742,095   |
| 2010        | 153,361,463  | 25,886,364                                  | 179,247,827  |
| 2011        | 157,703,749  | 25,997,701                                  | 183,701,450  |
| 2012        | 164,583,667  | 25,770,303                                  | 190,353,970  |
| 2013        | 169,294,543  | 26,975,320                                  | 196,269,863  |

**History of Property Valuations:** The following table is a breakdown of the assessed valuation of taxable tangible property and tangible valuation of motor vehicles within the City for years shown:

| <u>Year</u> | <u>Real Property</u> | <u>Personal Property</u> | <u>Utilities</u> | <u>Motor Vehicles</u> | <u>Total Assessed Valuation</u> |
|-------------|----------------------|--------------------------|------------------|-----------------------|---------------------------------|
| 2009        | \$ 139,283,065       | \$ 6,973,993             | \$ 2,571,161     | \$ 26,913,876         | \$ 175,742,095                  |
| 2010        | 144,481,953          | 6,334,757                | 2,544,753        | 25,886,364            | 179,247,827                     |
| 2011        | 149,202,109          | 5,969,924                | 2,531,716        | 25,997,701            | 183,701,450                     |
| 2012        | 155,719,616          | 6,208,184                | 2,655,867        | 25,770,303            | 190,353,970                     |
| 2013        | 160,935,832          | 5,626,520                | 2,732,191        | 26,975,320            | 196,269,863                     |

Source: Finney County Clerk's Office (Fair Market Values and Assessed Values)

**Property Tax Levies and Collections**

**Tax Collections.** Tax statements are mailed November 1 each year and may be paid in full or one-half on or before December 20 with the remaining one-half due on or before May 15 of the following year. Taxes that are unpaid on the due dates are considered delinquent and accrue interest at a statutory rate per annum until paid or until the property is sold for taxes. Real estate bearing unpaid taxes is advertised for sale on or before August 1 of each year and is sold by the County for

taxes and all legal charges on the first Tuesday in September. Properties that are sold and not redeemed within two years after the tax sale are subject to foreclosure sale, except homestead properties which are subject to foreclosure sale after three years.

Personal taxes are due and may be paid in the same manner as real estate taxes, with the same interest applying to delinquencies. If personal taxes are not paid when due, and after written notice, warrants are issued and placed in the hands of the Sheriff for collection. If not paid on or before October 1, legal judgment is entered and the delinquent tax becomes a lien on the property. Unless renewed, a non-enforced lien expires five years after it is entered.

Motor vehicle taxes are collected periodically throughout the year concurrently with the renewal of motor vehicle tags based upon the value of such vehicles. Such tax receipts are distributed to all taxing subdivisions, including the State of Kansas, in proportion to the number of mills levied within each taxpayer's tax levy unit.

**Tax Rates.** The City may levy taxes in accordance with the requirements of its adopted budget and the assessed valuation provided by the County Appraiser. Prior to July 1, 1999, tax levies were further restricted by a state aggregate tax lid. The funds of the City restricted by such tax lid included the general fund, capital improvement funds and special improvement funds. Levies not effected by such tax lid included debt service payments on bonds, notes and no fund warrants; payments made to a public building commission; expenses related to tort claim liability, employer contributions for employee retirement, health care and benefit programs, expenses incurred for rebates to owners of property in connection with neighborhood revitalization programs and expenses incurred for the first time on and after January 1, 1996 by cities in administering juvenile delinquency and crime programs. Effective July 1, 1999, the aggregate tax lid is no longer in effect. The following table shows the City's mill levies by fund (per \$1,000 of assessed valuation) for the years indicated:

| <u>Year</u> | <u>General Fund</u> | <u>Airport Fund</u> | <u>Bond &amp; Interest Fund</u> | <u>Recreation Commission Funds</u> | <u>Total Levy</u> |
|-------------|---------------------|---------------------|---------------------------------|------------------------------------|-------------------|
| 2009        | 22.072              | 2.816               | 7.984                           | 4.984                              | 37.856            |
| 2010        | 22.525              | 2.652               | 8.698                           | 5.003                              | 38.878            |
| 2011        | 21.817              | 4.045               | 8.101                           | 5.013                              | 38.976            |
| 2012        | 21.932              | 3.033               | 9.014                           | 5.003                              | 38.982            |
| 2013        | 21.382              | 3.831               | 8.433                           | 4.954                              | 38.600            |

Source: Finney County Clerk's Office

**Aggregate Tax Levies:** The aggregate tax levies (per \$1,000 assessed valuation) of the City and overlapping jurisdictions for the current year and the last seven tax years are included in the following table (NOTE: Taxes levied in one year are collected in the following year):

| <u>Year</u> | <u>City of Garden City</u> | <u>Finney County</u> | <u>U.S.D. No. 457</u> | <u>Garden City Community College</u> | <u>State</u> | <u>Total Levy</u> |
|-------------|----------------------------|----------------------|-----------------------|--------------------------------------|--------------|-------------------|
| 2009        | 37.856                     | 37.319               | 45.198                | 20.183                               | 1.500        | 142.056           |
| 2010        | 38.878                     | 37.236               | 48.958                | 20.238                               | 1.500        | 146.810           |
| 2011        | 38.976                     | 36.977               | 49.192                | 20.242                               | 1.500        | 146.887           |
| 2012        | 38.982                     | 37.120               | 49.918                | 21.196                               | 1.500        | 148.716           |
| 2013        | 38.600                     | 39.067               | 50.790                | 21.130                               | 1.500        | 151.087           |

Source: Finney County Clerk's Office

**Tax Collection Record:** The following table sets forth tax collection information (including special assessments) for the City for the years indicated:

| <u>Fiscal Year</u> | <u>Total Tax Levy</u> | <u>Current Tax Collections</u> | <u>Percentage Current Tax Collected</u> | <u>Prior Year's Tax Collected</u> | <u>Total Tax Collections</u> | <u>Percent. Total Collection to Current Levy</u> |
|--------------------|-----------------------|--------------------------------|---|-----------------------------------|------------------------------|--|
| 2009               | \$ 5,387,799          | \$ 5,156,267                   | 95.70%                                  | \$ 120,881                        | \$ 5,277,148                 | 97.95%   |
| 2010               | 5,660,199             | 5,412,175                      | 95.62                                   | 92,650                            | 5,504,795                    | 97.25  |
| 2011               | 5,981,461             | 5,748,296                      | 96.10                                   | 226,165                           | 5,974,461                    | 99.88  |
| 2012               | 6,164,521             | 5,307,220                      | 86.09                                   | 161,926                           | 5,469,146                    | 88.72  |
| 2013               | 6,402,896             | 6,145,709                      | 95.98                                   | ----                              | 6,145,709                    | 95.98  |

Source: City (Comprehensive Annual Financial Report)

**Major Taxpayers:** The following table sets forth what is believed to be the ten largest taxpayers in the City for 2013:

| <u>Taxpayer</u>                      | <u>2013 Assessed Valuation</u> | <u>2013 Taxes Paid</u> |
|--------------------------------------|--------------------------------|------------------------|
| 1 ART Mortgage Borrower Propco       | \$ 1,098,878                   | \$1,674,743.73         |
| 2 Walmart Real Estate Business Trust | 2,610,383                      | 394,394.94             |
| 3 Sam's Real Estate Bus Trust        | 1,758,651                      | 265,709.30             |
| 4 Black Hills Corp (KS. Division)    | 1,670,382                      | 252,373.01             |
| 5 Golden Plains Credit Union         | 1,650,368                      | 249,349.15             |
| 6 Garden City Plaza, LLC             | 1,526,176                      | 230,585.35             |
| 7 HD Development of Maryland         | 1,379,890                      | 208,483.44             |
| 8 Dayton Hudson Corp. #T906          | 1,092,708                      | 165,093.97             |
| 9 Indy Lube Investments LLC          | 998,790                        | 150,904.18             |
| 10 Shiva Hotels Inc.                 | 997,573                        | 150,720.31             |

Source: Finney County Clerk's Office

### Insurance

The City has General Liability Insurance (premises and operations) coverage in the amounts of \$500,000 per occurrence and \$1,000,000 aggregate. This insurance covers the City for tort claims such as acts of negligence. The City also maintains Public Officials and Police Professionals Liability coverages in the same amounts as above for all elected, supervisory and advisory positions.

### Pension and Employee Retirement Plans

The City participates in the Kansas Public Employees Retirement System (KPERs) which was established by the Kansas Legislature in 1961. There are approximately 150,000 current and former public employees who are members of KPERs. These members represent over 1,000 state and local agencies and other political subdivisions and instrumentalities. A seven-member Board of Trustees, appointed by the Governor to four-year terms, supervises the system. The Board appoints an executive secretary, actuaries and investment counselors to administer the system. City employees annually contribute 7% of their gross salary to the System. The City's contribution varies from year to year based upon the annual actuarial valuation and appraisal made by KPERs. For the period of January 1, 2014 through December 31, 2014, the City's contribution is 9.69 % of the employee's gross salary and for the period. This retirement program is in addition to the federal Social Security system. A City employee of less than ten years' service on leaving City employment, may if so elected, receive back all of the funds he has contributed plus interest. After ten years continuous service the employee is vested and upon leaving may receive all contributions, plus accrued interest. The employee has the option of leaving the money invested or may draw it down in one lump sum.

The City has established membership in the Kansas Police and Fire Retirement System ("KP&F") for its police and fire personnel. The KP&F plan is administered by the State of Kansas. Annual contributions are adjusted annually based on actuarial studies. Currently the City contributes 19.92% of employees' gross compensation.

**Employee Relations**

The City has 303 employees. There are no local unions for the employees of the City. The City has never experienced an employee strike and has no impending litigation relating to employees.

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*APPENDIX B*

**CITY OF GARDEN CITY, KANSAS  
AUDITED FINANCIAL STATEMENTS  
YEAR ENDING DECEMBER 31, 2012**

*APPENDIX C*

**FORM OF CONTINUING UNDERTAKING**



## FIDUCIARY ENGAGEMENT LETTER

THIS AGREEMENT ("Agreement") is made this 18th day of March 2014 between the **CITY OF GARDEN CITY, KANSAS**, ("Issuer"), and **GEORGE K. BAUM & COMPANY**, Wichita, Kansas ("Provider").

**PURPOSE:** The Issuer has identified a capital project, Schulman Crossing, Phase I Improvements, herein after referred to as the "Project," which will result in the issuance of bonds, notes, refunding bonds and the use of other financial instruments. The Issuer deems it in its best interest to engage and retain the Provider, a qualified investment banking firm, to provide advisory services including the preparation of supporting data, bond market information, assistance in obtaining bond ratings, and assistance in investor negotiations.

**CONSIDERATION:** Consideration for this Agreement includes the services, compensation, and mutual exchange of promises of the parties specified herein.

### SPECIFIC PROVISIONS

The provisions of the above "Purpose" section shall be material and binding to this Agreement.

1. **Provider's Obligations.** The Provider shall provide the Issuer with advisory services for the analysis of the cost and benefits relative to financing the Project by:
  - A. Working with the Issuer, and others as directed by the Issuer. concerning the legal and financial issues associated with its outstanding debt;
  - B. Attending all meetings and make itself available to the Issuer, and its other agents, for consultation and conference at times and places mutually agreed upon throughout the Project;
  - C. Assisting the Issuer in the preparation, coordination and distribution of printed matter, including circulars, press releases, special mailings, etc., in order to acquaint the Issuer's population with the benefits and financial considerations of the Project;
  - D. Prepare financial information and schedules necessary to acquaint the Issuer with the benefits of the various forms of debt financing for the Project;
  - E. Assist in the preparation of a credit presentation for bond rating agencies and bond insurance companies, if any;
  - F. Assist in the collection and preparation of the documents necessary to accomplish the transaction including any related contracts and agreements or documents related to offering securities either for purchase or sale, all of which shall be appropriately executed and satisfactory to the Issuer;

- G. Arrange for closing and delivery of the Project bonds;
  - H. It is expressly understood and agreed that this Agreement does not intend, and is not under any circumstances to be construed as requiring the Provider to perform services which may constitute the practice of law. The Provider is employed in an expert financial capacity only;
  - I. It is expressly understood and agreed that, under this Agreement, the Provider is acting as an advisor or fiduciary to the Issuer. The Provider retains the right to be engaged by the Issuer on other transactions in a capacity other than as an advisor.
  - J. It is expressly understood and agreed that the Provider will not limit its work to the steps outlined, but will extend its services as necessary to insure that the Project is brought to a successful conclusion on behalf of the Issuer in a professional and satisfactory manner.
2. **Issuer's Obligations.** The Issuer's obligations shall include the following:
- A. Retain the Provider as its advisor;
  - B. Cooperate with the Provider in the proper development of the Project and provide all pertinent information needed to support the desired transaction on behalf of the Issuer;
  - C. Employ a nationally recognized firm of bond attorneys and utilize the services of the Issuer's attorney;
  - D. Pay for all costs of legal advice, printed matter, advertising, bond ratings, bond insurance premium, required audits and other professional services;
  - E. Pay the Provider an underwriting fee calculated to be \$3.50 per \$1,000 principal amount of bonds issued, at the time of the completion of each transaction.
3. **Term.** The term of this Agreement shall commence on March 18, 2014, and shall expire on the earlier of either December 31, 2014, or the completion of the financing of the Project.
4. **Termination.** Either party shall have the right to terminate this Agreement in full for any reason with at least ninety (90) days prior written notice to the other party. In addition, the Issuer shall provide written notice to the Provider of any violation or default of the terms of this Agreement and the Provider shall have thirty (30) days to cure such default. If the Provider is not able to cure the default to the Issuer's satisfaction by the end of such cure period, the Issuer thereafter shall have the right to immediately terminate this Agreement. At the termination of this Agreement, in any such manner, the Issuer shall pay the Provider such compensation earned to the date of such termination, which payment shall be in full satisfaction of all claims against the Issuer under this Agreement.

5. **Execution.** This Agreement may be executed in multiple counterparts and together such counterparts will be deemed an original.

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

AGREED TO AND ACCEPTED:

**GEORGE K. BAUM & COMPANY**

**THE CITY OF GARDEN CITY, KANSAS**

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

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

Title: Senior Vice President

Title: Mayor

ATTEST

\_\_\_\_\_

Title: City Clerk

# Old Business



---

To: Governing Body

From: Rachelle Powell

Date: March 14, 2014

RE: Sherif Dullovi Lease

---

**Issue**

Governing Body consideration of an amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City for the leased premises known as Napolis – Flight Deck Restaurant.

**Background**

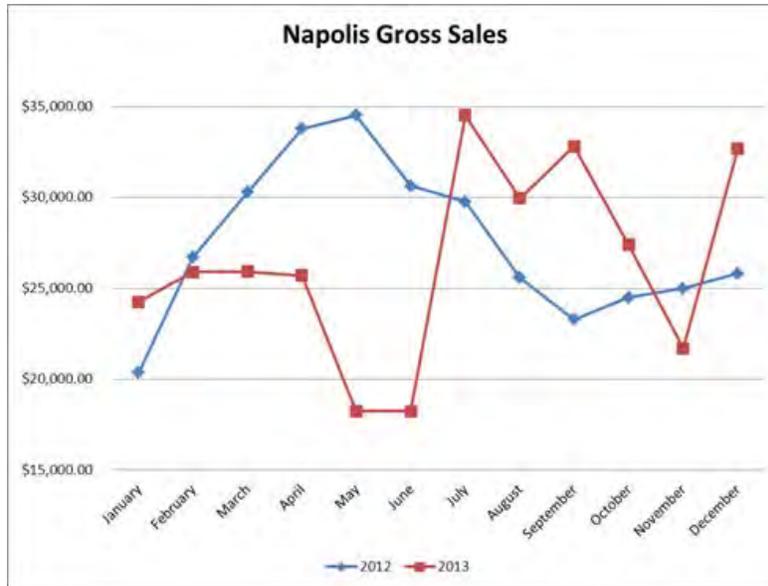
Sherif (Mario) Dullovi entered into the lease agreement on January 2, 2009. The rent was 5% of monthly gross sale receipts. The lease was amended on February 17, 2009 to reflect a reduction in rent for a fixed amount of \$1,000 per month. The seconded lease amendment occurred On May 21, 2013 with Giovanni Dullovi named as an additional tenant. The lease automatically renews on an annual basis. The City of Garden City provides all utilities, kitchen/restaurant equipment and repairs of City owned equipment/facilities.

The 2003-2008 tenant information is provided below:

1. City of Garden City operated the restaurant with an approximate \$40,000 operating loss.
2. Flower Aviation operated the restaurant with no rent.
3. Quentin Perry operated the restaurant with a monthly rental rate of \$50 per month, which was reduced to no rent.

Mr. Dullovi verbally requested a rent reduction from \$1,000 a month to \$500 a month. Mr. Dullovi cited reduced revenues and previous tenant rental amounts as the reason for the request. The Airport Advisory Board reviewed and discussed the request during the February 13, 2014 meeting. The Airport Advisory Board voted unanimously to deny the rent reduction. The Governing Body reviewed the request on March 4, 2014. The Governing Body requested Sherif Dullovi provide the advisory board with financial information to review and consider the request again.

The Airport Advisory Board met on March 13, 2014 and reviewed the Gross Sales information provided by Sherif Dullovi. The Airport Advisory recommended denial of the request for the rent reduction to \$500.00 per month. Please find the Sales Tax information for 2012 – 2013.



### Alternatives

1. Governing Body consideration and approval of a third amendment to the Lease and Operations Agreement between Sherif Dullovi's and the City of Garden City to reduce rent to \$500 per month.
2. Governing Body consideration and denial of a third amendment to the Lease and Operations Agreement between Sherif Dullovi's and the City of Garden City to reduce rent to \$500 per month.
3. Governing Body consideration and approval of a third amendment to the Lease and Operations Agreement between Sherif Dullovi's and the City of Garden City to reduce rent to an amount recommended.
4. Governing Body consideration and recommendation for staff.

### Recommendation

Governing Body consideration and denial of a third amendment to the Lease and Operations Agreement between Sherif Dullovi's and the City of Garden City to reduce rent to \$500 per month.

### Fiscal Note

If approved, the airport revenue will be reduced \$6,000. The airport would have to reduce budgeted airport expenditures in the amount of \$6,000.

# New Business

# ***MEMORANDUM***

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 10 March 2014

**RE:** STREET VACATION – KANSAS PLAZA

## ISSUE

Reynaldo Mesa, on behalf of Amro Samy and K & S LLC, owner Clarion and Sleep Inns has requested vacation of Kansas Plaza on the south and east sides of the property. They want to expand their parking facility at the Clarion Inn.

## BACKGROUND

The letter of request is attached, and indicates that in addition to expanded parking availability they wish to construct a new pedestrian pathway and enhance the landscaping, especially at the southeast corner of the property.

The right-of-way for Kansas Plaza was provided by the Clarion and Sleep Inns property, and as such all vacated right-of-way would revert to them. This is shown on the attached plat of Palace Addition # 1.

The street was constructed in 1977 and split 50/50 between the then property owner and the City-at-large (see Resolution No. 1151). The attached spreadsheet shows the total original construction costs to be \$168,030.00. The Governing Body may request compensation for the City-at-large share (\$84,015.00) as consideration of the request.

Do to the numerous existing utilities a utility easement would need to be retained on the full width of the vacated right-of-way.

## ALTERNATIVES

- 1) The Governing Body may accept the vacation request and instruct Staff to prepare an Ordinance for consideration and approval at your meeting.
- 2) The Governing Body may deny the request.

## RECOMMENDATION

Staff recommends approval of the request and will prepare an ordinance for the next regular meeting.

## FISCAL

There is no cost to the City for this vacation, and the property value will increase with the enhancements to the property.

*Steve Cottrell*



## **Engineering Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.  
Assistant City Engineer

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. BOX 998  
GARDEN CITY, KS  
67846-0998  
620.276.1130  
FAX 620.276.1137  
www.garden-city.org



BY CHOICE HOTELS

1911 E. Kansas Ave.  
Garden City, Kansas 67846  
Tel: 620.275.7471  
Fax: 620.275.4028

February 28, 2014

Steve Cottrell  
City Engineer  
City of Garden City  
301 N 8th St.  
Garden City, KS 67846

Dear Mr. Cottrell:

On behalf of Mr. Amro Samy, owner and operator of the Clarion Inn Hotel at 1911 E Kansas Ave., I'm requesting the City's consideration to vacate the street known as Kansas Plaza (See Attached Map).

The reason for the request, the owner wishes to improve the parking lot by extending the parking area with additional lighting, adding a pedestrian friendly sidewalk and upgrading the existing landscaped area in and throughout the lot. It is also the desire of Mr. Samy in partnership with the City, to build a berm on the southeast corner of the lot and construct a sign or monument with City's logo.

Many more changes will be forth coming regarding the Clarion Inn Hotel and having Kansas Plaza vacated for improvements will in no doubt be a plus aesthetically for the Clarion Inn Hotel patrons and for the community of Garden City.

Thank you for your time and consideration and should you have any further questions or in need of further information, please call me at the number provided below.

Sincerely,

A handwritten signature in black ink, appearing to read 'Reynaldo R. Mesa'.

Reynaldo R. Mesa  
RPPR, LLC  
PH: 620.640.0359

cc: Mr. Amro Samy  
Clarion Inn Hotel



N ANGUS LN

1604  
1901

1603  
1905

1604  
1911

1915

E HARDING AVE

1502

1810

1814

1902

1908

1910

1912

1914

1916

1920

1922

1924

1135

1145

1801

E PALACE DR

1800

1808

1816

1109

N COLLEGE DR

N CAMPUS DR

1110

1106

1104

1102

1727

1811

1911

E KANSAS PLZ

E KANSAS AVE

KANSAS AVE

E SCHULMAN AVE

2006

N NELSON ST

1804

1808

1810

1104

1102

1805

1807

1809

E PATS DR

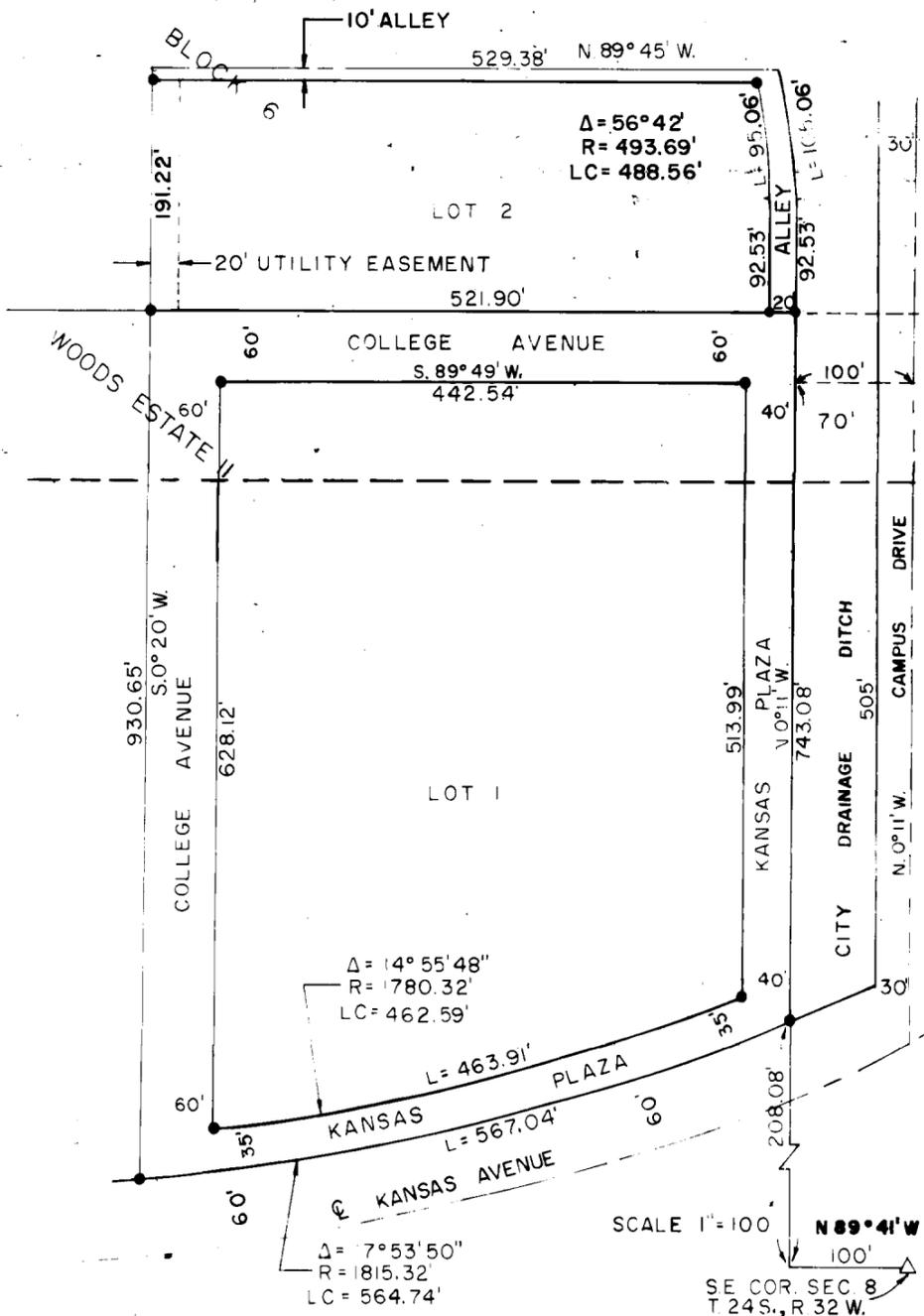
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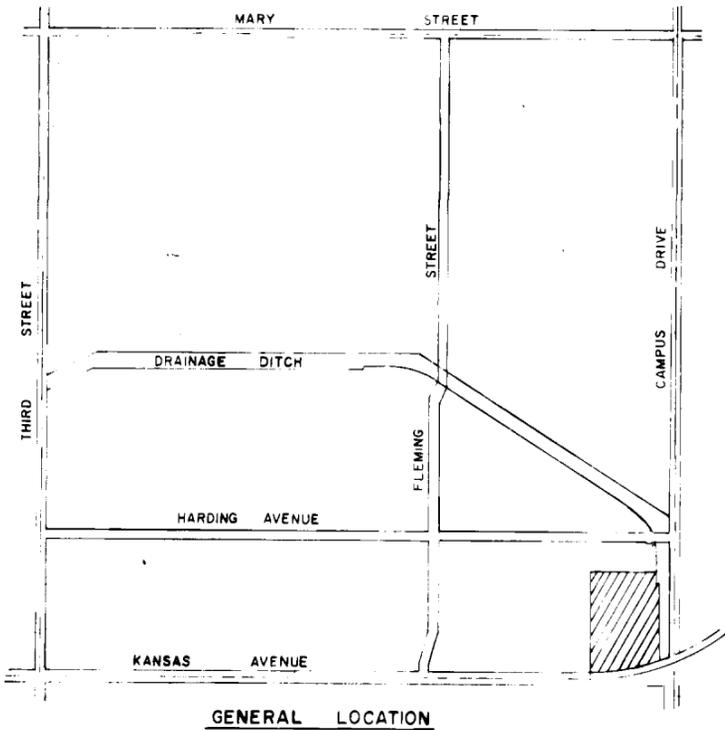
# PALACE ADDITION NO.1

INCLUDING A REPLAT OF PART OF  
BLOCK 6 WOODS ESTATE II

GARDEN CITY, KANSAS  
FINNEY COUNTY



NOTE: DRAINAGE DITCH BY ORDER OF DISTRICT COURT OF FINNEY COUNTY, KANSAS. DOCKET NO. 9738



NOTE: ALL BLOCK AND LOT CORNERS ARE STAKED WITH IRON PINS,

**DESCRIPTION AND CERTIFICATIONS:**

I, Stuart M. Hutchison, do hereby certify that Palace Addition No. 1 including a replat of part of Block 6, Woods Estate II, Garden City, Kansas has been surveyed, iron pins placed at the corners, and platted as shown on this Plat.

Date: May 20 1976

Stuart M. Hutchison  
Stuart M. Hutchison, P.E.  
Registered Land Surveyor

**OWNERS CERTIFICATE**

STATE OF KANSAS  
COUNTY OF FINNEY

We the undersigned, being the proprietors and owners of the property described herein have caused to be laid out and platted, Palace Addition No. 1 including a replat of part of Block 6, Woods Estate II, Garden City, Finney County, Kansas.

All streets and utility easements in said plat are fully set forth and defined upon said plat and are hereby dedicated to public use and purposes for street, drainage, and utility purposes.

Witness our signatures this 26 day of May, 1976.

David T. Robinson and Gale D. Squier  
David T. Robinson                      Gale D. Squier  
President, Palace                      Secretary, Palace  
Corporation                              Corporation

STATE OF KANSAS  
COUNTY OF FINNEY

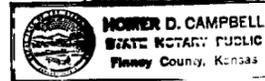
Before me, a Notary Public, within and for said County and State, personally appeared, David T. Robinson and Gale O. Squier, to me known to be the identical persons who executed the above and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes set forth.

In witness whereof I have hereunto put my hand and seal the day and year last above written.

My Commission expires

11-20-1978

Homer D. Campbell  
Notary Public



STATE OF KANSAS  
COUNTY OF FINNEY

The above and foregoing document, known as the Palace Addition No. 1 including a replat of part of Block 6, Woods Estate II, Garden City, Kansas has been reviewed and considered by this Holcomb-Garden City-Finney County, Area Planning Commission and the same is hereby recommended to be approved as proposed this 20th day of May, 1976.

Bob Wright  
Bob Wright, Chairman

Robert M. Halloran  
Robert M. Halloran, Secretary

STATE OF KANSAS  
COUNTY OF FINNEY

The above and foregoing document, known as the Palace Addition No. 1 including a replat of part of Block 6, Woods Estate II, Garden City, Kansas having been submitted to the City Attorney and Governing Body of Garden City, Kansas, at its regular meeting held on this 26th day of May, 1976, said plat has been examined and reviewed and the same is approved this 26th day of May, 1976.

Al J. Towles  
Al J. Towles, Mayor

Ray H. Callahan Jr.  
Ray H. Callahan Jr., Commissioner

John G. Miller  
John G. Miller, Commissioner

Tony Jewell  
Tony Jewell, Commissioner

Duane E. West, Commissioner

Clyde P. Daniel  
Clyde P. Daniel, City Attorney

**ATTEST:**

Deane P. Willey  
Deane P. Willey, City Manager

Tim Knoll  
Tim Knoll, Deputy City Clerk

**FILING RECORD:**

STATE OF KANSAS  
COUNTY OF FINNEY

This is to certify this instrument was filed for record in the office of the Finney County Register of Deeds on this 28 day of September, 1976, and is duly recorded. Env 837 B 9:30 a.m. #20

Margaret Harmon  
Margaret Harmon, Register of Deeds

(PUBLISHED IN THE GARDEN CITY TELEGRAM THE 29 DAY OF March, 1977)

RESOLUTION NO. 1151

A RESOLUTION PERTAINING TO THE ADVISABILITY OF ~~Y~~ AND AUTHORIZING THE FOLLOWING IMPROVEMENT TO BE MADE: TO CURB, GUTTER, AND PAVE AND CONSTRUCT A TRIPLE 10' X 6' REINFORCED CONCRETE BOX AND OTHERWISE IMPROVE KANSAS PLAZA FROM THE CENTERLINE OF COLLEGE AVENUE TO THE CENTERLINE OF CAMPUS DRIVE, GARDEN CITY, KANSAS, UNDER THE PROVISIONS OF K.S.A. 12-6a01 TO 12-6a18, BOTH INCLUSIVE, AND ANY AMENDMENTS THERETO,

WHEREAS, a petition was filed with the City Clerk on the 22nd day of March, 1977, proposing the following improvement: To curb, gutter, and pave and construct a triple 10' X 6' reinforced concrete box and otherwise improve Kansas Plaza from the centerline of College Avenue to the centerline of Campus Drive, Garden City, Kansas, setting forth: (a) the general nature of the proposed improvement; (b) the estimated or probable cost; (c) the extent of the proposed improvement district to be assessed; (d) the method of assessment; (e) the proposed apportionment of cost between the improvement district and the City-at-large; and (f) a request that such improvement be made without notice and hearing as required in subsection 1 of K.S.A. 12-6a04, and any amendments thereto, and

WHEREAS, the Governing Body did on the 23rd day of March, 1977, find such petition to be sufficient,

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

Section 1. That the Governing Body hereby finds and finally determines that: (a) it is advisable to make the following improvement: To curb, gutter, and pave and construct a triple 10' X 6' reinforced concrete box and otherwise improve Kansas Plaza from the centerline of College Avenue to the centerline of Campus Drive, Garden City, Kansas; (b) the estimated or probable cost of such improvement is one hundred twenty-five thousand dollars (\$125,000.00); (c) the boundaries of the improvement district shall be: Beginning at the centerline intersection of College Avenue and Campus Drive; thence South along the centerline of Campus Drive to the centerline of Kansas Avenue/U.S. 156; thence in a Westerly direction along the centerline of Kansas Avenue to the centerline extended of College Avenue as platted in Palace Addition No. 1; thence North along the centerline of College Avenue to a point that is 294.74' North of the South line of Section 8, T 24 S, R 32 W; thence East along a line parallel to and 294.74' North of the South line of Section 8, a distance of 220'; thence North along a line parallel and 220' East of the West line of Lot 1, Palace Addition No. 1, to the centerline of College Avenue; thence East along the centerline of College Avenue, to the point

of beginning; (d) the method of assessment shall be per square foot against all lots and pieces of land within such improvement district; (e) the apportionment of cost between the improvement district and the City-at-large is fifty percent (50%) to be assessed against the improvement district and fifty percent (50%) to be paid by the City-at-large.

Section 2. That the advisability of the improvement set forth in Section 1 of this resolution is hereby established without notice and hearing as authorized by K.S.A. 12-6a04, subsection 1.

Section 3. That the above described improvement is hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set out in Section 1 of this resolution.

ADOPTED THIS 23RD DAY OF MARCH, 1977.

*Alfred J. Rowles*  
Mayor - Alfred J. Rowles

ATTEST:

*Tim Knoll*  
City Clerk - Tim Knoll

I hereby certify the above is a true and correct copy of Resolution No. 1151 adopted by the Governing Body of the City of Garden City, Kansas, on the 23rd day of March, 1977. Resolution No. 1151 is filed pursuant to K.S.A. 12-153.

*Tim Knoll*  
Tim Knoll - City Clerk

INDEX ✓  
DIRECT ✓  
INDIRECT ✓

STATE OF KANSAS SS.  
FINNEY COUNTY

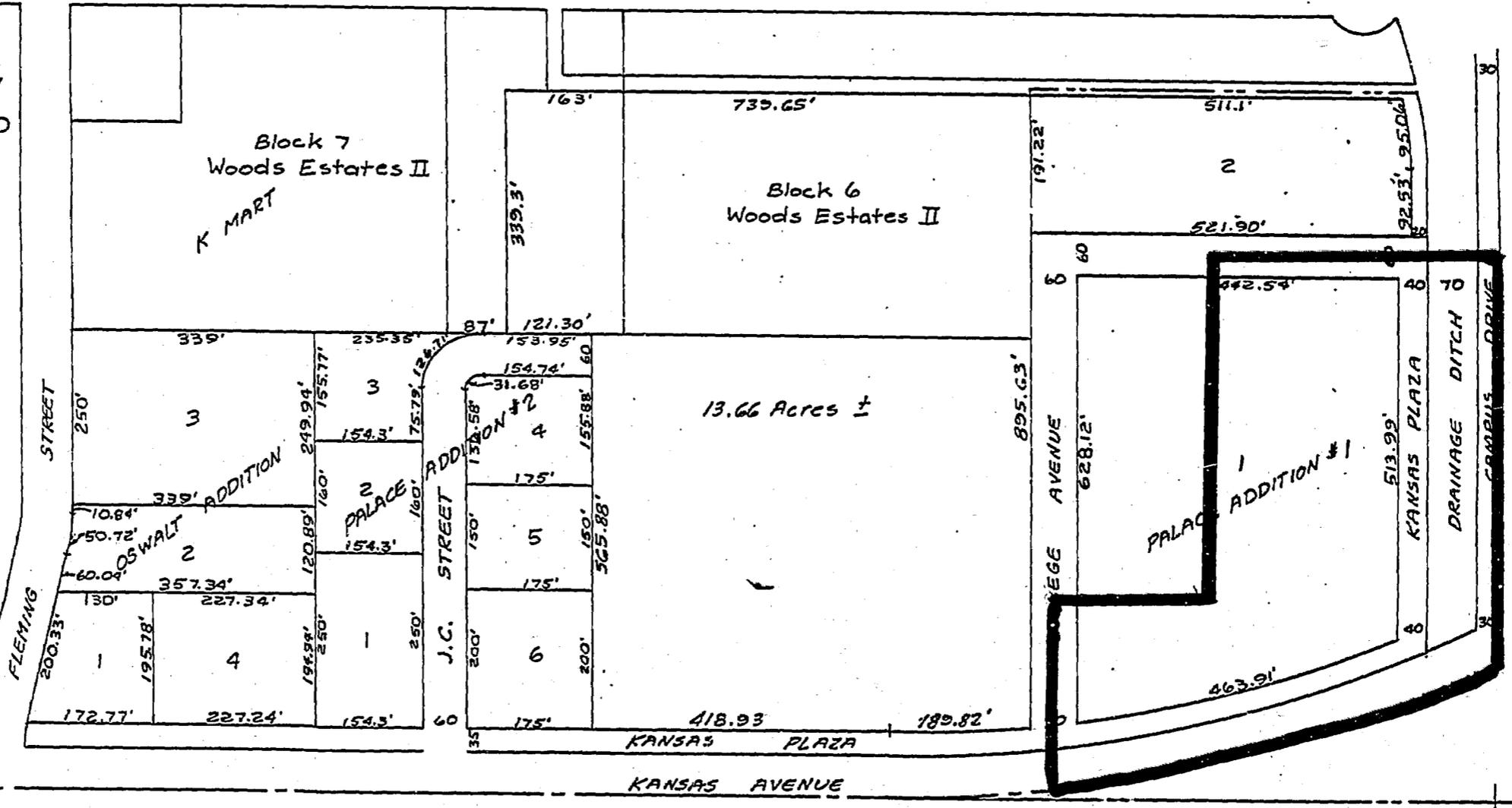
This instrument was filed for Record on the 4 day of April A.D. 1977 at 11:20 o'clock A.M. and duly recorded in book 18 Page 172 Fee \$.

*Margaret Harmon*  
Register of Deeds  
By: *Louise Huffmaster*  
Deputy

HARDING AVENUE

CONSTRUCTION OF CURB, GUTTER, PAVEMENT, & TRIPLE 10' x 6' REINFORCED CONCRETE BOX ALL IN KANSAS PLAZA FROM COLLEGE AVENUE TO CAMPUS DRIVE PROPERTY OWNERS OF RECORD - PALACE CORPORATION

BENEFIT DISTRICT FINNEY COUNTY REGISTER OF DEEDS 18 MARCH, 1977



Prepared by:  
EVANS-BIERLY-HUTCHISON & ASSOC.  
GARDEN CITY, KANSAS

# KANSAS PLAZA CONSTRUCTION

College Drive to College Drive

| Item                          | Unit | Curb & Gutter<br>Contract 77-3 | Paving<br>Contract 77-4 | Unit Price<br>1977 | Extension<br>1977 | Unit Price<br>2014 | Extension<br>2014 |
|-------------------------------|------|--------------------------------|-------------------------|--------------------|-------------------|--------------------|-------------------|
| Excavation                    | CY   | 2140                           |                         | \$ 1.20            | \$ 2,568.00       | \$ 5.00            | \$ 10,700.00      |
| Curb & Gutter                 | LF   | 2117                           |                         | \$ 3.70            | \$ 7,832.90       | \$ 18.00           | \$ 38,106.00      |
| Type B inlet                  | EA   | 4                              |                         | \$ 525.00          | \$ 2,100.00       | \$ 2,800.00        | \$ 11,200.00      |
| 18" storm sewer               | LF   | 42.5                           |                         | \$ 8.00            | \$ 340.00         | \$ 38.00           | \$ 1,615.00       |
| 24" storm sewer               | LF   | 81                             |                         | \$ 10.00           | \$ 810.00         | \$ 42.00           | \$ 3,402.00       |
| Base manipulation             | SY   |                                | 3620                    | \$ 0.25            | \$ 905.00         | \$ -               | \$ -              |
| Aggregated for sand-soil base | Ton  |                                | 398                     | \$ 2.00            | \$ 796.00         | \$ -               | \$ -              |
| 3" Bit Mat                    | SY   |                                | 3620                    | \$ 2.30            | \$ 8,326.00       | \$ 18.14           | \$ 65,666.80      |
| Bit Seal coat                 | SY   |                                | 3620                    | \$ 0.45            | \$ 1,629.00       | \$ -               | \$ -              |
| Adjust MH rings               | EA   |                                | 4                       | \$ 75.00           | \$ 300.00         | \$ 300.00          | \$ 1,200.00       |
| Excavation                    | CY   |                                | 507                     | \$ 1.25            | \$ 633.75         | \$ 5.00            | \$ 2,535.00       |
| Construction Cost             |      |                                |                         |                    | \$ 26,240.65      | \$                 | 134,424.80        |
| Financing (25% Est)           |      |                                |                         |                    | \$ 6,560.00       | \$                 | 33,610.00         |
| Total Cost                    |      |                                |                         |                    | \$ 32,800.00      | \$                 | 168,030.00        |
| Benefit District (50%)        |      |                                |                         |                    | \$ 16,400.00      | \$                 | 84,015.00         |
| City-at-Large (0%)            |      |                                |                         |                    | \$ 16,400.00      | \$                 | 84,015.00         |

2/19/14

sfc



# MEMORANDUM

**TO:** Governing Body

**THRU:** Matt Allen, City Manager

**FROM:** Mike Muirhead, Public Utilities Director

**DATE:** February 25, 2014

**RE:** Engineering Agreement / Towns Riverview

**ISSUE:**

Consideration of cost sharing (50/50) the cost of \$20,600.00 associated with the necessary outside engineering, for the Towns Riverview water main extension project.

**BACKGROUND:**

The City Commission on November 1, 2013 agreed to allow the request of Towns Riverview subdivision to move forward in obtaining city water, for use at the Towns Riverview subdivision.

City staff is planning for the oversizing of the water main (for future use and development) and determining the route the water line will take. Therefore, staff agrees with the request to cost share in the engineering costs of \$20,600.00 and if split 50% Towns /50% City, each entity would pay \$10,300.00 each.

**ALTERNATIVES:**

Direct staff to proceed with the engineering study, with the City paying 50% of the cost.  
Direct staff to not proceed with the engineering study, with the City paying 50% of the cost.

**RECOMMENDATION:**

Recommendation is to direct staff to proceed with the engineering study, with the City paying 50% of the cost.

**FISCAL NOTE:**

There will be a \$10,300.00 financial impact to the water budget account 080-317-5275.01 (Engineering Fees).

CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
Finance Director

RANDALL D. GRISELL  
City Counselor

CITY ADMINISTRATIVE  
CENTER  
301 N. 8<sup>TH</sup>  
P.O. Box 998  
GARDEN CITY, KS  
67846-0998  
620.276.1160  
FAX 620.276.1169  
www.garden-city.org

GE Engineering, P.A.

P.O. Box 1151

4395 E. Hwy. 50

Garden City, Kansas 67846

(620) 272-4246

# ESTIMATE

| DATE       | ESTIMATE ... |
|------------|--------------|
| 10/31/2013 | 343          |

City of Garden City

301 N 8th

Garden City, Kansas 67846

| PROJECT               |
|-----------------------|
| Towns Water Extens... |

| DESCRIPTION   | TOTAL                    |
|---|--------------------------|
| Towns Water Line Topo and Design excluding inspection | 20,600.00                |
| Thank you for requesting an estimate. Gerald          | <b>Total</b> \$20,600.00 |



# MEMORANDUM

**TO:** Governing Body

**THRU:** Matt Allen, City Manager

**FROM:** Mike Muirhead, Public Utilities Director

**DATE:** March 7, 2014

**RE:** SEGA, INC. Engineering, General Services Agreement

**ISSUE:**

City Commission consideration and authorization of entering into an electrical engineering “General Services Agreement” with SEGA, INC.

**BACKGROUND:**

From time to time, the City uses an outside Electrical Engineering firm for electric utility related issues. SEGA, INC. is the electrical engineering firm that is overseeing the construction of the Jameson Energy Center and has expertise in the bulk power supply and delivery systems. The electric utility would like to retain SEGA, INC. for those services, should they be needed in the future.

**ALTERNATIVES:**

Approve the General Services Agreement with SEGA, INC. and authorize the Mayor to sign the agreement.

Do not approve the General Services Agreement with SEGA, INC.

**RECOMMENDATION:**

Staff recommends approval of the General Services Agreement with SEGA, INC.

**FISCAL NOTE:**

There will not be any financial impact to the City by entering into the General Services Agreement. However, any “task order” or specific project or analysis work to be done will have a cost associated with it. These will be brought to the City Commission for approval prior to commencing work.

CITY COMMISSION

DAN FANKHAUSER,  
Mayor

ROY CESSNA

MELVIN DALE

JANET DOLL

CHRIS LAW

MATTHEW C. ALLEN  
City Manager

MELINDA A. HITZ, CPA  
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GARDEN CITY, KS  
67846-0998  
620.276.1160  
FAX 620.276.1169  
[www.garden-city.org](http://www.garden-city.org)

General Services Agreement  
No. GAR002-01-0285

Between

THE CITY OF GARDEN CITY, KANSAS  
(Client)  
and  
SEGA, INC.  
(Engineer)

March 6, 2014

# General Services Agreement

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# General Services Agreement

THIS AGREEMENT, is entered into between THE CITY OF GARDEN CITY, KANSAS (Client) and SEGA, INC. (Engineer), subject to the issuance of future Task Authorizations.

In consideration of the promises contained in this Agreement and other consideration which the parties deem adequate, Client and Engineer agree as follows:

## **Article 1 - Effective Date and Term**

1.1 The effective date of this Agreement shall be March 6, 2014. The term shall be until terminated in writing by either party.

## **Article 2 - Governing Law**

2.1 This Agreement shall be governed by the laws of the State of Kansas.

## **Article 3 - Task Authorizations**

3.1 As the need for engineering services arises, Client will request the services of Engineer. Task Authorizations will be prepared which describe Client's requirements, including scope of services and the expected cost. Attachment A is the Task Authorization format to be used. Client and Engineer shall both execute the mutually agreed upon Task Authorizations which shall become a part of this Agreement.

## **Article 4 - Compensation**

4.1 Client shall pay Engineer in accordance with one of the following methods of compensation for the type of fee designated on the Task Authorization:

- 4.1.1 Lump-sum Fee: Engineer agrees to perform the services for the lump-sum amount indicated in the individually executed Engineering Task Authorizations. Client agrees to make monthly progress payments based on the actual percent completed during the invoice period.
- 4.1.2 Not-to-exceed Fee: Engineer agrees to perform the services at the rates indicated in Attachment B, or an agreed upon subsequent rate schedule identified in and made a part of a specific Task Authorization. Engineer agrees that the total fee to perform the services will not exceed the amount indicated in the individually executed Engineering Task Authorization. Client agrees to make monthly progress payments based on the actual services performed during the invoice period.

4.2 Client agrees to pay Engineer's invoice upon receipt and to pay Engineer a carrying charge of 1.5 percent per month (18 percent per year) or the maximum rate allowed by law, if less, on all undisputed amounts remaining unpaid after 30 days following receipt of Engineer's invoice. In the event of nonpayment, the Client shall be liable for Engineer's collection costs, including attorney's fees and court costs.

4.3 In addition to the fee for Services, Client shall pay directly or reimburse Engineer as required for the amount of any present or future sales, use, excise, or other similar tax applicable to the furnishing of any Services hereunder.

#### **Article 5 - Client's Responsibilities**

5.1 Client shall supply to Engineer, either directly or indirectly from others, all available Project information and data which are required by Engineer. Client's responsibilities shall also include the following:

- 5.1.1 Approve all procedures established to govern the relationships among Client, Engineer, and third parties.
- 5.1.2 Furnish to Engineer, in writing, all of Client's requirements for the Project including, but not limited to, schedule milestones; any financial constraints; and any Client criteria, standards, codes, design objectives or design constraints.
- 5.1.3 Make final engineering and planning decisions utilizing information supplied by Engineer.
- 5.1.4 Provide designated personnel to represent Client in matters involving Engineer.
- 5.1.5 With Engineer's recommendation, select contractor(s) to implement any designs prepared by Engineer under Engineering Task Authorizations.

#### **Article 6 - Standard of Care**

6.1 Engineer shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily possessed and exercised by a professional engineer under similar circumstances in the jurisdiction in which the Project is located. No warranty, expressed or implied, is included in this Agreement or in any drawing, specification, report, service or opinion produced by Engineer pursuant to this Agreement. Engineer's sole liability to Client for any non-conforming work shall be to correct the item of defective work. The foregoing representation shall not apply in connection with, and the Engineer shall have no responsibility for, any consequences resulting from the Client's failure to perform a responsibility under this Agreement, or any of the following circumstances:

- 6.1.1 The discovery, identification, presence, handling, disposal or removal of, or exposure of a person to hazardous materials pre-existing in any form at the Project, including but not limited to asbestos products or PCB.
- 6.1.2 A modification to, or use of, any drawings, specifications or other documents furnished by the Engineer, which modification or use is not contemplated by this Agreement or approved in writing by the Engineer.
- 6.1.3 The Engineer's inability or failure to complete the services contemplated by this Agreement or any Task Authorization as a result of termination of the same prior to the completion of the Project.

## **Article 7 - Liability and Indemnification**

7.1 General. Having considered the potential liabilities that may exist during the performance of the Services, the benefits of the Project, and the Engineer's fee for the Services, and in consideration of the promises contained in this Agreement, Client and Engineer agree to allocate and limit such liabilities in accordance with this Article.

7.2 Indemnification. Engineer and Client each agrees to indemnify and hold harmless each other and its employees from and against any losses, damages, and expenses incurred by the other party but only to the extent caused by the negligent acts, errors, or omissions of the indemnifying party. In the event such losses, damages, or expenses are caused by the joint or concurrent negligence of Engineer and Client, they shall be borne by each party in proportion to its own respective negligence.

7.3 Consequential Damages. To the fullest extent permitted by law, Engineer shall not be liable to Client for any special, indirect, or consequential damages resulting in any way from the performance of the Services.

7.4 Limitations of Liability. To the fullest extent permitted by law, and for adequate consideration, Engineer's total liability to Client for all claims, losses, damages, and expenses resulting in any way from the performance of Services under this Agreement or any Task Authorization(s), in the aggregate, shall not exceed \$500,000. The foregoing aggregate limitation of liability does not include proceeds of insurance paid to Client for claims covered by Engineer's insurance.

7.5 Survival. Upon completion of all Services, obligations, and duties provided for in this Agreement, or if this Agreement is terminated for any reason, the terms and conditions of this Article shall survive.

## **Article 8 - Independent Contractor**

8.1 Engineer undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of its own performance. Nothing in this Agreement shall create any partnership or joint venture between Engineer and Client. Engineer and Client shall cooperate with one another when Engineer is performing Services under this Agreement.

## **Article 9 - Compliance with Laws**

9.1 Engineer agrees that in performing the Services, Engineer will comply with applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, and standards. Engineer shall procure the permits, certificates, and licenses necessary to allow Engineer to perform the Services. Client shall likewise comply with such laws to the extent applicable to the Client's role and performance hereunder. Engineer shall not be responsible for procuring building permits, nor demolition or occupancy permits, certificates, and licenses required for the construction of the Project unless such responsibilities are specifically agreed to be assigned to Engineer under a specific Task Authorization.

## **Article 10 - Insurance**

10.1 During the performance of the Services under this Agreement, Engineer shall maintain the following insurance:

- 10.1.1 General Liability Insurance, with a combined single limit of \$1,000,000 for each occurrence and \$2,000,000 in the aggregate.

- 10.1.2 Automobile Liability Insurance, with a combined single limit of \$1,000,000 for each accident.
- 10.1.3 Workers' Compensation Insurance in accordance with statutory requirements and Employers' Liability Insurance with a policy limit of \$1,000,000.
- 10.1.4 Professional Liability Insurance, with a limit of \$1,000,000 each claim and annual aggregate.

10.2 All project contractors shall be required to include Client and Engineer as additional insureds on their General Liability insurance policies, and shall be required to indemnify Client and Engineer to the extent that any claims, damages, losses, costs or expenses are asserted against or incurred by Client or Engineer related to the contractor's negligent conduct or that of its subcontractors, suppliers and employees.

#### **Article 11 - Limitations of Responsibility**

11.1 Engineer shall not be responsible for:

- 11.1.1 Construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with a project;
- 11.1.2 the failure of any contractor, subcontractor, vendor, or other Project participant, not under contract to Engineer, to fulfill contractual responsibilities to the Client or to comply with federal, state, or local laws, regulations, and codes;
- 11.1.3 procuring permits, certificates, and licenses required for any construction unless such responsibilities are specifically assigned to Engineer in the Scope of Services of a Task Authorization.

11.2 If Sega provides any preliminary drawings or other deliverables that are not sealed for the construction of a project, Client assumes all risk of using those drawings or deliverables for the purpose of pricing, budgeting, or scheduling. Sega shall not be liable for any increases in price or budget or schedule impacts resulting from changes made in the development or completion of its design.

#### **Article 12 - Opinions of Cost and Schedule**

12.1 Since Engineer has no control over any contractor's method of bidding, nor over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet Project schedules, Engineer's opinion of probable costs and of Project schedules shall be made on the basis of experience and qualifications as a professional engineer. Engineer does not warrant or guarantee that proposals, bids, schedules or actual Project costs will not vary from Engineer's opinion of probable costs or from Engineer's projected schedules. Unless cost estimating is specifically included in a Task Authorization, Client shall obtain cost estimating services from its contractor(s) or a professional cost consultant, on whose information the Engineer shall be entitled to rely.

#### **Article 13 - Reuse and Modification of Documents**

13.1 All documents, including, but not limited to, drawings, specifications, and computer software prepared by Engineer pursuant to this Agreement are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by the Client or others on extensions or modifications of the Project or on any other project. Any reuse or

modification without prior written verification or adaptation by Engineer for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to Engineer. Client shall defend, indemnify, and hold harmless Engineer against all claims, losses, damages, injuries, and expenses arising out of or resulting from such reuse or modification made without Engineer's direct professional involvement. Any verification or adaptation of Engineer's documents for another project, or of modifications by others to such documents, will entitle Engineer to additional compensation at rates to be agreed upon by Client and Engineer.

#### **Article 14 - Ownership of Documents and Intellectual Property**

14.1 Except as otherwise provided herein, the original engineering documents, drawings, and specifications prepared by Engineer as part of the Services shall become the property of the Client upon Engineer's receipt of final payment. However, Engineer shall retain the copyrights, patents and other intellectual property rights therein, including any Architectural Works or derivative works, and Engineer shall have the unrestricted right to their use. Engineer shall retain its rights in its standard drawing details, specifications, databases, computer software, and other proprietary property. Rights to intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of Engineer. This Article is subject to the conditions set forth in Article 17. The Client's license to use the Engineer's original engineering documents, drawings, and specifications shall be limited to the project for which they were developed, absent Engineer's written consent otherwise. Client shall not assign its license to third parties without Engineer's written consent. However, Client may provide copies of such information to contractors retained by Client for purposes of bidding or building projects depicted thereon.

#### **Article 15 - Suspension or Termination**

15.1 The obligation to provide further services under this Agreement may be terminated by either party upon seven (7) days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. The failure of the Client to make any payment when due shall constitute a substantial failure on its part. In addition to the right to terminate, and not in lieu thereof, Engineer shall have the right to suspend all Services for non-payment on seven (7) days' written notice. If payment is not made within such seven (7) days, then Engineer has the right to terminate at any time.

15.2 Client shall have the right to suspend Engineer's Services or to terminate this Agreement for Client's convenience upon seven (7) days' written notice to Engineer, and Engineer shall suspend or terminate, as appropriate, the performance of Services on a schedule acceptable to both parties. In the event of suspension or termination for Client's convenience, Client shall pay Engineer for all Services performed prior to suspension or termination.

15.3 Engineer shall not be responsible for delays to the Project, nor for errors or omissions contained in any documents or designs, nor for Services not performed as a result of any suspension or termination under this Article 15 by either party.

#### **Article 16 - Delay in Performance**

16.1 Neither Client nor Engineer shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; judicial restraint; and inability to procure permits, licenses, or authorization from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by

either Client or Engineer under this Agreement. Should such circumstances occur, the nonperforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

#### **Article 17 - Nondisclosure of Proprietary Information**

17.1 Engineer shall consider all information provided by Client to be proprietary unless such information is available from public sources. Engineer shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of Client.

#### **Article 18 - Communications**

18.1 Unless stated otherwise by any Task Authorization(s), all communication required by this Agreement shall be made in writing to the following address:

Client: City of Garden City, Kansas  
140 Harvest  
Garden City, Kansas 67846  
Attention: Mr. Mike Muirhead

Engineer: Sega, Inc.  
16041 Foster  
P.O. Box 1000  
Overland Park, Kansas 66085-1000  
Attention: Mr. Max Sherman

18.2 Nothing contained in this Article shall be construed to restrict the transmission of routine communications between designated project representatives of Client and Engineer.

#### **Article 19 - Waiver**

19.1 A waiver by either Client or Engineer of any breach of this Agreement or any Task Authorization(s) shall not affect the waiving party's rights with respect to any other or further breach.

#### **Article 20 - Precedence**

20.1 In the event of conflict, errors, or discrepancies between this Agreement and any Engineering Task Authorizations executed pursuant to this Agreement, this Agreement shall be given precedence.

#### **Article 21 - Severability**

21.1 The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if this Agreement did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

## **Article 22 - Integration**

22.1 This Agreement and documents made a part thereof by reference represent the entire Agreement between Client and Engineer. This supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Agreement.

## **Article 23 - Successors and Assigns**

23.1 Client and Engineer each binds itself and its directors, officers, partners, successors, executors, administrators, assigns, and legal representatives to the other party to this Agreement and to the directors, officers, partners, successors, executors, administrators, assigns and legal representatives of such other party in respect to all provisions of this Agreement.

## **Article 24 - Assignment**

24.1 Neither Client nor Engineer shall assign this Agreement, any Task Authorization, or any rights or duties under the same without the prior written consent of the other party. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Article shall prevent Engineer from employing independent consultants, associates, and subcontractors to assist in the performance of the Services, nor from assigning any receivables to a third party.

## **Article 25 - Third-party Rights**

25.1 Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than Client and Engineer.

## **Article 26 - Non-exclusiveness**

26.1 This Agreement does not provide exclusive rights for engineering services to Sega Inc. The Client has the right to hire other engineers, for more or less money, for any type of project, similar or different than the type of work performed by Sega Inc. This Agreement is not a guarantee of a specific dollar amount of work or for any work at all; all work shall be awarded to Sega, Inc. at the sole discretion of the Client. However, Sega Inc. is not obligated to accept or to perform any services proposed by Client in a proposed Task Authorization that are outside of Sega Inc.'s experience, or present disproportionate risk to the fee offered.

## **Article 27 - Designated Representatives**

27.1 The Engineer and Client shall each designate a representative for every project included in a Task Authorization who is duly authorized to act on behalf of the respective party with respect to the Project. Aside from death, disability or termination of employment, such personnel shall not be replaced or changed without the written consent of the other party. In the event of temporary absence of a designated representative (due to illness or vacation) the party shall appoint a substitute representative familiar with the Project and authorized to bind the party.

## **Article 28 - Client's Consultants and Furnished Services or Equipment**

28.1 The Client agrees to provide the Engineer certification of liability insurance for any independent design consultant, engineer or laboratory hired by the Client utilized on the Project. The amount shall be not less than the amount required by the Client of the Engineer.

28.2 The Client shall indemnify, defend and hold harmless the Engineer against all liability, loss, cost or expense (including reasonable attorney's fees and cost of defense) and against all claims or actions arising out of the performance of consulting or engineering services by the Client's separate design consultants, and caused by any negligent act, error, omission or breach of contract (including breach of representation or warranty) by those persons or entities, or for which the Client is liable, including any claim or action based upon violation of any statute, ordinance, building code or regulation.

28.3 The Engineer disclaims any responsibility for any plans, specifications, estimates, reports, surveys, tests, or other documents or instruments, or any part thereof, prepared by the Client's separate consultants, and the Engineer's liability to the Client shall be limited to those documents prepared by and services rendered by the Engineer or its employees, agents, contractors and Consultants as hereinafter set forth and limited.

28.4 If the Client requires that any assembly, system, product item of material, or design be included in the Project without (or against) the Engineer's recommendation, or if the Client selects a contractor, subcontractor, or material fabricator, or any assembly, system, product or item of material, without (or against) the Engineer's recommendation, the Engineer shall have no responsibility for such decision by the Client or for the performance of such Client-specified items or persons, nor shall the Engineer be required to issue any opinion or certificate with respect to such items or the work of such persons. The Client shall indemnify and hold the Engineer harmless from all claims, damages, loss and expenses, including reasonable attorney's fees and defense costs incurred as a result of any such decision by the Client.

## **Article 29 - Dispute Resolution**

29.1 The parties shall attempt to resolve all disputes amicably through direct discussion and negotiation between the designated representatives of each party. If the representatives cannot reach conclusion, then the dispute shall be submitted to the President, Chief Operating Officer or equivalent position of the Engineer and Client for discussion as a condition precedent to formal dispute resolution.

29.2 If direct negotiation required by the preceding paragraph is not successful, then either party may request mediation before a third-party mediator. The parties shall attempt to jointly agree on a mediator, but if unable to do so after thirty (30) days, then the mediation shall be submitted to the American Arbitration Association for mediation and that association may select the mediator. Each side shall pay their own legal fees of a mediation, but shall equally share the mediator's fees with any other party to the mediation. It is agreed that other contractors, design professionals, subcontractors and consultants who are involved in, and potentially liable for any claim being asserted, may be joined into a single mediation.

29.3 Unless prohibited by law, any mediation hereunder shall be held in the Kansas City metropolitan area unless otherwise mutually agreed by the parties in writing.

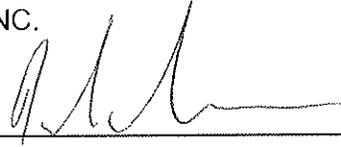
29.4 Unless prohibited by law, if the parties cannot resolve the dispute through mediation, then the dispute shall be resolved in the District Court of Johnson County, Kansas.

IN WITNESS WHEREOF, Client and Engineer have executed this Agreement.

CITY OF GARDEN CITY, KANSAS

SEGA, INC.

Signed \_\_\_\_\_

Signed  \_\_\_\_\_

Name \_\_\_\_\_

Name TOR P. ANDERSON

Title \_\_\_\_\_

Title VICE PRESIDENT

Date \_\_\_\_\_

Date 3/6/14

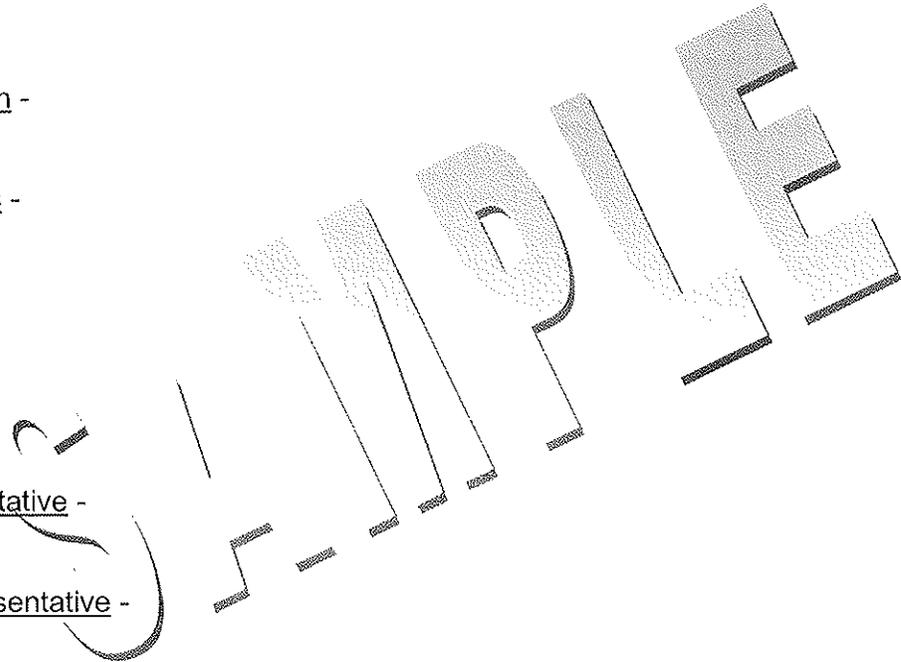
GSA No. GAR002-01-0285  
Between  
CITY OF GARDEN CITY, KANSAS (Client)  
and  
SEGA, INC. (Engineer)

Task Authorization No. \_\_\_\_\_

Title

This Task Authorization is proposed in accordance with the GENERAL SERVICES AGREEMENT between CLIENT and ENGINEER which has an effective date of (Month Day, Year).

1. Project Description -
2. Scope of Services -
3. Schedule -
4. Fee -
5. Client's Representative -
6. Engineer's Representative -



CITY OF GARDEN CITY, KANSAS

SEGA, INC.

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_



**RATE SCHEDULE FOR  
PROFESSIONAL SERVICES**

**EFFECTIVE THROUGH JULY 31, 2014**

**ENGINEERING SERVICES**

|   |               |
|---|---------------|
| Project Manager / Principal Engineer .....      | \$ 180.00/hr. |
| Project Engineer / Associate Engineer .....     | \$ 170.00/hr. |
| Senior Engineer / Senior Specialist .....       | \$ 149.00/hr. |
| Staff Engineer / Staff Specialist .....         | \$ 134.00/hr. |
| Engineer / Specialist .....                     | \$ 113.00/hr. |
| Assistant Engineer / Assistant Specialist ..... | \$ 103.00/hr. |

**TECHNICAL AND SUPPORT SERVICES**

|  |               |
|--|---------------|
| Senior Engineering Assistant.....              | \$ 103.00/hr. |
| Engineering Assistant .....                    | \$ 88.00/hr.  |
| Senior Drafting Technician .....               | \$ 72.00/hr.  |
| Drafting Technician .....                      | \$ 62.00/hr.  |
| Engineering Secretary / Engineering Aide ..... | \$ 50.00/hr.  |
| Technical Documentation .....                  | \$ 40.00/hr.  |

**PROJECT-RELATED EXPENSES**

1. Approved outside special consultants are billed at actual cost plus 5 percent.
2. Travel and living expenses are billed at actual cost except for personal automobile mileage that is billed according to the IRS guideline.
3. Reproduction costs such as printing, blueprints, and binding are billed at commercial rates.
4. Shipping charges are billed at cost.
5. Daily travel and living expenses incurred during long duration on-site work may be consolidated into a mutually agreeable per-diem charge.
6. Site office facilities and equipment are billed at actual cost plus 5 percent.

# MEMORANDUM

**TO:** City Commission  
**FROM:** James R. Hawkins, Chief of Police  
**DATE:** March 10, 2014  
**SUBJECT:** Police / Citizen Advisory Board Recommendation



I am recommending Mellaina Johnson be accepted to serve as a member of the Police/Citizen Advisory Board.

The board would welcome Ms. Johnson as a new member. Ms. Johnson would serve as the African American representative.

If approved, the Police/Citizen Advisory Board would be left with four vacancies; GCCC Student, High School Student, Religious Community, and Social Services.

Your thoughtful consideration is appreciated.

A handwritten signature in blue ink, appearing to read 'James R. Hawkins'.

James R. Hawkins  
Chief of Police

**GARDEN CITY IS MY TOWN TOO!**

I would be willing to serve on a planning or advisory board/committee.

NAME: Mellaina Johnson HOME PHONE: (313)-772-0096

ADDRESS: 1915 Sloan Apt. 5 Garden City KS, 67846 WORK PHONE: 620-805-8242

E-MAIL ADDRESS: mjohnson2@gckschools.com

OCCUPATION (if employed): Teacher

PLACE OF EMPLOYMENT: USD # 457

HOW LONG HAVE YOU BEEN A RESIDENT OF GARDEN CITY? 3 1/2 years

DESCRIBE WHY YOU ARE INTERESTED IN SERVING ON A BOARD/COMMISSION:

I am a great problem solver and I think that it would be a wonderful opportunity to ensure that the police and the public maintain a good relationship. After completing the citizens police academy I found that I enjoyed networking with the police and gained an even greater respect for what they do to protect and serve our community in Garden City.

OTHER APPLICABLE EXPERIENCE: I completed the citizens' police academy. \_\_\_\_\_

*PLEASE CHECK THE ONES IN WHICH YOU ARE INTERESTED IN SERVING:*

- Airport
- Alcohol Fund Advisory Board
- Building Safety Board of Appeals
- Cultural Relations
- Golf
- Environmental Issues Board
- Landmarks Commission
- Local Housing Authority
- Lee Richardson Zoo
- Parks & Tree
- Planning Commission
- Police/Citizen
- Recreation Commission
- Traffic Committee
- Youth Council
- Zoning Board of Appeals

**RETURN THIS FORM TO:**

City Manager's Office – Attn: Celyn  
City Administrative Center  
P.O. Box 998  
Garden City, KS 67846-0998

# Consent Agenda

# ***MEMORANDUM***

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 27 February 2014

**RE:** KDOT PROJECT AGREEMENT – SCHULMAN CROSSING

## ISSUE

KDOT has prepared for Supplemental Agreement No. 2 to Agreement No. 128-13, for additional funding of the Schulman Crossing roadwork. Governing Body is asked to authorize the Mayor and City Clerk to execute the agreement.

## BACKGROUND

KDOT originally approved a total of \$3,250,000.00 funding for the highway improvements and Schulman Avenue widening related to the Schulman Crossing development. As final highway costs were higher than originally estimated, we asked KDOT for additional funding after the work was completed. KDOT approved an additional \$200,000.00 for the project. The City-State agreement being used for this funding is the 2013 fund exchange agreement. However, this does not affect our fund exchange projects.

## ALTERNATIVES

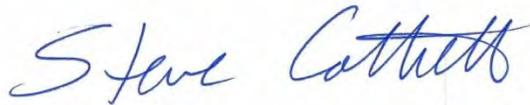
- 1) Approve the agreement.
- 2) Defer action until a later date.

## RECOMMENDATION

Staff recommends Governing Body approval of the agreement.

## FISCAL

There is no cost to the City; this agreement provides additional funding to offset the TIF bond cost for Schulman Crossing Phase 1.



## **Engineering Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.  
Assistant City Engineer

CITY ADMINISTRATIVE  
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301 N. 8<sup>TH</sup>  
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PROJECT NO. 28 U-0051-13  
FUND EXCHANGE  
CITY OF GARDEN CITY, KANSAS

**S U P P L E M E N T A L   A G R E E M E N T   N o . 2**

This Agreement is made and entered into effective the date signed by the Secretary or designee, by and between the City of Garden City, Kansas, hereinafter referred to as the “City,” and the Secretary of Transportation of the state of Kansas, hereinafter referred to as the “Secretary,” collectively referred to as the “Parties.”

**R E C I T A L S :**

**WHEREAS**, the Parties entered into an Agreement dated July 25, 2013, hereinafter referred to as the “Original Agreement” to exchange all or a portion of the City’s annual allotment of Federal Funds at the Exchange Rate or to bank all or a portion of its annual allotment, such amount to be used in the future for either a Federal-Aid Project or exchanged for State Funds at the Exchange Rate, and

**WHEREAS**, the Parties entered into a supplemental agreement dated January 28, 2014, hereinafter referred to as “Supplemental No. 1” to increase the amount of State Funds to be exchanged for the City’s annual allotment of Federal Funds, and

**WHEREAS**, Secretary and City mutually desire to increase the availability of State Funds for reimbursement to the City for eligible road construction costs.

**NOW, THEREFORE**, in consideration of this premise, the Parties hereto agree as follows:

1. On page 3 of the Original Agreement, Article II, is revised to add new paragraph (c), to read as follows:

(c) The Secretary shall reimburse the City, with State Funds, for one hundred percent (100%) of the costs, but not to exceed \$200,000.00, for costs incurred pursuant to this Agreement for the construction of city roads.

(i) The Secretary will make partial payments to City for amounts not less than \$1,000 and no more frequently than monthly. Such payments will be made after receipt of proper billing showing costs paid by City and any reimbursement form required by KDOT.

(ii) City shall use the State Funds provided pursuant to this paragraph (c) for:

(A) specific road and bridge projects, as pre-approved by the Secretary, which are eligible under KDOT’s Federal Fund Exchange Guidelines, including but not limited to roadway construction, reconstruction or rehabilitation, pavement

preservation programs, bridge construction, replacement, rehabilitation, repair and removal, construction of low water crossing, safety improvement programs; and

- (B) for all phases of the pre-approved road and bridge project including, but not limited to preliminary engineering, right of way acquisition, utility relocation, construction and inspection.

**THIS SUPPLEMENTAL AGREEMENT** shall not be construed to alter, modify, or void the terms, provisions or conditions of the Original Agreement, incorporated herein by reference, except as herein specifically provided.

**IN WITNESS WHEREOF**, the Parties have caused this Supplemental Agreement to be signed by their duly authorized officers.

ATTEST:

THE CITY OF GARDEN CITY, KANSAS

\_\_\_\_\_  
CITY CLERK (Date)

\_\_\_\_\_  
MAYOR

(SEAL)

Kansas Department of Transportation  
Michael S. King, Secretary of Transportation

By: \_\_\_\_\_  
Jerome T. Younger, P.E. (Date)  
Deputy Secretary and  
State Transportation Engineer

# ***MEMORANDUM***

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 13 March 2014

**RE:** FINNUP PARK WALKING TRAIL PHASE 2 – SUNFLOWER FOUNDATION GRANT

## ISSUE

Bids were received today for this project. The Tabulation of Bids is attached.

## BACKGROUND

This project is jointly funded by the 2013 grant from the Sunflower Foundation to the Garden City Recreation Commission (\$130,000.00 maximum) and the City on a 50/50 basis; the Governing Body had previously committed to pay the City share. As shown on the attached plan, the project will construct an eight foot wide asphalt and concrete walking path completed a trail loop around Finnup Park.

Three bids were received, all of which exceeded the Engineer's Estimate. We will revise the plans and rebid the project in the very near future.

## ALTERNATIVES

1) The Governing Body must reject the bids.

## RECOMMENDATION

Staff recommends rejecting the bids.

## FISCAL

There is no cost to the City at this time.



## **Engineering Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.  
Assistant City Engineer

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see Sheet 4



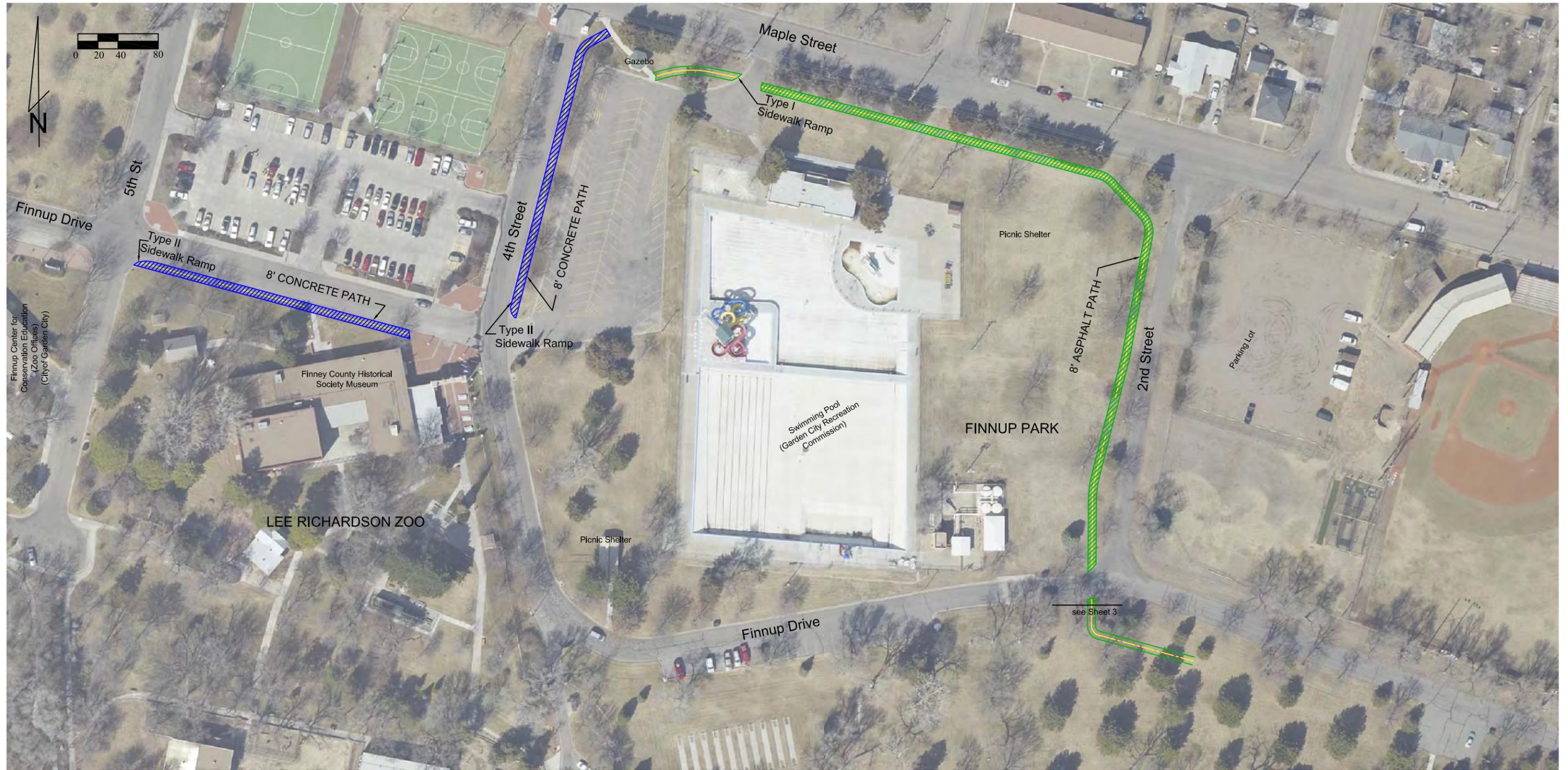
-  8' Concrete Path
-  8' Asphalt Path

City of Garden City, Kansas  
Garden City Recreation Commission

Sunflower Trail Project  
**FINNUP PARK WALKING TRAIL  
PHASE 2**

City Engineer:  
Steven F. Cottrell, PE  
Date: February 2014  
Scale: Shown

Dr. By: sfc  
Ck. By: sfc  
Dr. No.: 3 of 5



-  8' Concrete Path
-  8' Asphalt Path

|   |  |                 |
|---|--|-----------------|
| City of Garden City, Kansas<br>Garden City Recreation Commission        |  |                 |
| Sunflower Trail Project<br><b>FINNUP PARK WALKING TRAIL<br/>PHASE 2</b> |  |                 |
| City Engineer:<br>Steven F. Cottrell, PE                                |  | Dr. By: sfc     |
| Date: February 2014   |  | Ck. By: sfc     |
| Scale: Shown  |  | Dr. No.: 4 of 5 |

**FINNUP PARK WALKING TRAIL - PHASE 2**

| BIDDER   | BID          | COMMENT |
|--|--------------|---------|
| Engineer's Estimate  | \$ 62,115.00 |         |
| Klotz Sand Co.<br>Holcomb  | \$ 76,808.70 |         |
| APAC Kansas, Inc. - Shears Division<br>Dodge City                | \$ 79,635.90 |         |
| Lee Construction, Inc.<br>Garden City                            | \$ 92,374.50 |         |
|  |              |         |
| All bid must be rejected, as they exceed the Engineer's Estimate |              |         |
|  |              |         |
|  |              |         |

**FINNUP PARK WALKING TRAIL - PHASE 2**

|                    |                   |       |      | Engineer's Estimate |              | Klotz Sand Co. Holcomb |              | APAC-Kansas, Inc.,Shears Division, Dodge City Branch Dodge City |              | Lee Cosntruction, Inc. Garden City |              |
|--------------------|-------------------|-------|------|---------------------|--------------|------------------------|--------------|---|--------------|------------------------------------|--------------|
| No.                | Bid Item          | Quan  | Unit | UNIT COST           | TOTAL COST   | UNIT COST              | TOTAL COST   | UNIT COST   | TOTAL COST   | UNIT COST                          | TOTAL COST   |
| 1                  | 3" Asphalt path   | 2,445 | SY   | \$ 13.00            | \$ 31,785.00 | \$ 18.50               | \$ 45,232.50 | \$ 23.90  | \$ 58,435.50 | \$ 28.50                           | \$ 69,682.50 |
| 2                  | 4" Concrete path  | 516   | SY   | \$ 39.00            | \$ 20,124.00 | \$ 40.85               | \$ 21,078.60 | \$ 36.00  | \$ 18,576.00 | \$ 35.50                           | \$ 18,318.00 |
| 3                  | Type C Compaction | 2,916 | SY   | \$ 3.50             | \$ 10,206.00 | \$ 3.60                | \$ 10,497.60 | \$ 0.90   | \$ 2,624.40  | \$ 1.50                            | \$ 4,374.00  |
| <b>GRAND TOTAL</b> |                   |       |      | \$                  | 62,115.00    | \$                     | 76,808.70    | \$  | 79,635.90    | \$                                 | 92,374.50    |

# **MEMORANDUM**

**TO:** GOVERNING BODY

**FROM:** Steve Cottrell

**DATE:** 13 March 2014

**RE:** WINDSOR HOTEL TRANSPORTATION ENHANCEMENT  
PROJECT - BIDS

## ISSUE

Bids were to be received at 2:00 p.m. today, for the renovation project at the Windsor Hotel. The project was originally rebid on January 24th but do to a procedural problem at KDOT we unfortunately had to reject those bids and start again.

## BACKGROUND

The City received the Transportation Enhancement, Historic Category, \$844,000 total project, \$675,200 grant with \$168,200 local match, from KDOT in August of 2010. The City is the intermediary agency between KDOT and the Finney County Preservation Alliance (FCPA). Since the project was originally bid on August 14, 2013, the FCPA has been working toward getting an initial project restoration and stabilization project ready to bid. Alternate bidding methods, specifically via construction management, were discussed with KDOT, the Kansas Department of Administration, and the FHWA, before a final decision to rebid as a conventional contract was reached in late October.

The rebid process includes a base bid with several deductive alternates as noted on the attachment. The project was originally rebid on January 24th but do to a procedural problem at KDOT we unfortunately had to reject those bids and start again.

In January, we had two bidders, The Wilson Group, Inc. and Building Solutions, LLC. As Building Solutions was over three times higher than the Wilson bid, they did not bid this time. The Wilson Group, Inc. was the sole bidder, and made slight changes from their January bid.

The FCPA recommends awarding the contract to The Wilson Group, Inc. for the Base Bid less Deduct Alternates 1 through 5, inclusive. The recommended amount maximizes use of the TE grant funding and the FCPA has sufficient funding to cover the local share. The FCPA was able to redirect \$180,000 in other grant funding they have toward the TE project, which allows them to include the repairs to the skylight in the award.



## **Engineering Department**

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City Engineer

C.W. Harper, P.E.,  
Assistant City Engineer

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**Engineering  
Department**

Steven F. Cottrell, P.E.,  
City Engineer

C.W. Harper, P.E.,  
Assistant City Engineer

ALTERNATIVES

- 1) The Governing body may award a contract to The Wilson Group, Inc., in the amount of \$924,423.00, which is the base bid less deduct alternates No. 1 through 6 inclusive.
- 2) The Governing Body may reject the bids or defer action until a later date.

RECOMMENDATION

Staff and the FCPA recommend awarding a contract, subject to KDOT concurrence, to The Wilson Group, Inc., in the amount of \$924,423.00, which is the base bid less deduct alternates No. 1 through 5, inclusive, and authorization for the Mayor and City Clerk to execute the contract documents.

FISCAL

There is no cost to the City related to the Windsor Hotel project, except Staff administration time.

A handwritten signature in blue ink that reads "Steve Cottrell". The signature is written in a cursive, flowing style.

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CITY OF GARDEN CITY, KANSAS  
ENGINEERING DEPARTMENT

TABULATION OF BIDS  
March 13, 2014  
2:00 p.m.

HISTORIC WINDSOR HOTEL TE GRANT PROJECT  
Project No. 28 TE-0359-01

| BIDDER                          | ARCHITECT'S ESTIMATE               |                        | THE WILSON GROUP, INC.<br>Greenwood MO                       |                        |
|---------------------------------|------------------------------------|------------------------|--|------------------------|
| <b>BASE BID</b>                 | \$ 1,253,500.00                    | running total in order | \$ 1,145,423.00  | running total in order |
| <b>ALTERNATE 1</b>              | \$ (150,000.00)                    | \$ 1,103,500.00        | \$ (150,000.00)  | \$ 995,423.00          |
| <b>ALTERNATE 2</b>              | \$ (35,000.00)                     | \$ 1,068,500.00        | \$ (37,000.00)   | \$ 958,423.00          |
| <b>ALTERNATE 3</b>              | \$ (15,000.00)                     | \$ 1,053,500.00        | \$ (15,000.00)   | \$ 943,423.00          |
| <b>ALTERNATE 4</b>              | \$ (10,000.00)                     | \$ 1,043,500.00        | \$ (10,000.00)   | \$ 933,423.00          |
| <b>ALTERNATE 5</b>              | \$ (5,000.00)                      | \$ 1,038,500.00        | \$ (9,000.00)  | \$ 924,423.00          |
| <b>ALTERNATE 6</b>              | \$ (140,000.00)                    | \$ 898,500.00          | \$ (185,000.00)  | \$ 739,423.00          |
| <b>ALTERNATE 7</b>              | \$ (8,000.00)                      | \$ 890,500.00          | \$ (9,000.00)  | \$ 730,423.00          |
| <b>RECOMMENDED AWARD</b>        |                                    |                        | <b>Base Bid with deduct Alternates 1 through 5 inclusive</b> |                        |
| <b>Construction</b>             |                                    |                        | \$   | <b>924,423.00</b>      |
| <b>Construction Engineering</b> |                                    |                        | \$   | <b>63,840.00</b>       |
| <b>Total Cost</b>               |                                    |                        | \$   | <b>988,263.00</b>      |
| <b>80% of Total</b>             |                                    |                        | \$   | <b>790,610.40</b>      |
| <b>KDOT Funding Available</b>   | KDOT Funding =<br>80% of \$844,000 |                        | \$   | <b>675,200.00</b>      |
| <b>Local Share</b>              |                                    |                        | \$   | <b>313,063.00</b>      |

## **HISTORIC WINDSOR HOTEL TE GRANT PROJEC**

### **PROPOSAL EXPLANATION:**

Base Bid, Single-Prime (All Trades) Contract: The Bidder agrees to furnish all material, labor, equipment and services, necessary to complete the construction of the project

Alternate No. 1: Deduct compacted gravel, concrete slab on grade, etc. (Per Schedule)

Alternate No. 2: Deduct demolition existing floors, non-historic walls, elevator and pit, and ceilings, etc. (Per Schedule)

Alternate No. 3: Deduct anchorage of wood floor joist to masonry walls, etc. (Per Schedule)

Alternate No. 4: Deduct structural repair work for the stair and balcony framing, etc. (Per Schedule)

Alternate No. 5: Deduct wood door and window repair, etc. (Per Schedule)

Alternate No. 6: Deduct skylight structural repair work and skylight finish work, etc. with inclusion of temporary weather proofing allowance. (Per Schedule)

Alternate No. 7: Deduct finial and corbel replacements, etc. (Per Schedule)

# Other Entities Minutes



**GARDEN CITY REGIONAL AIRPORT  
ADVISORY BOARD MINUTES  
FEBRUARY 13, 2014**

**5:30 P.M. MEETING CALLED TO ORDER**

**MEMBERS PRESENT**

Charlie Robinson, Ed Fischer, Marlo Miller, Bill Jones, Max Meschberger

**MEMBERS ABSENT**

Ken Frey and Darin Germann

**STAFF PRESENT**

Rachelle Powell, Derek Barr, and Miranda Benedict

**ITEM 1 PUBLIC COMMENT**

No public comment.

**ITEM 2 APPROVAL OF JANUARY 9, 2014 MINUTES**

Ed Fischer made a motion to approve the January 9, 2014 Airport Advisory Board minutes. Bill Jones seconded the motion. The motion passed unanimously.

**ITEM 3 LEASE REVIEW**

Airport Advisory Board consideration and approval of a third amendment to the Lease and Operations Agreement between Sherif Dullovi and the City of Garden City for the leased premises known as Napoli's – Flight Deck Restaurant. Staff recommends Airport Advisory Board consideration and approval of the third amendment to the Lease and Operations Agreement to reduce the rent to \$500 per month.

After lengthy discussion the Airport Advisory Board has chosen not to reduce the rent of Napoli's - Flight Deck Restaurant. Marlo Miller made a motion to leave the rent as is. Ed Fischer seconded the motion. The motion passed unanimously.

**ITEM 4 DIRECTOR'S REPORT**

Staff reviewed the Director's Report with the Airport Advisory Board.

**ITEM 5 MONTHLY REPORTS**

Staff reviewed the monthly reports with the Airport Advisory Board.

**ITEM 6 BOARD MEMBER COMMENTS**

- A. Ed Fischer – Discussed the ground school at the college and informed staff & AAB that he’s trying to recruit an instructor. The program is on hold until further notice.
- B. Charlie Robinson – Complimented staff on snow removal, “Great job!”
- C. Ken Fry – Absent
- D. Marlo Miller – Was pleased with his CIP experience. Congratulated staff on what a great presentation the Airport had.
- E. William (Bill) Jones – Inquired about ground school.
- F. Darin Germann – Absent.
- G. Max Meschberger - No comment.

**ITEM 9 ADJOURNMENT**

Ed Fischer made a motion to adjourn. Max Meschberger seconded the motion. The motion passed unanimously.

## **Golf Advisory Board**

**Mar. 10, 2014**

**6:00 pm - 6:25 pm**

Members Present: Sandy Rodgers, Cole Wasinger, Ray Navarro, Scott Ackerman, Caleb Woods

Absent: Tom Richardson, Deanna Mann

The minutes from Feb.11, 2014 were accepted as reported.

### **Old business:**

#### **Cole Wasinger report: Golf Professional**

##### **1<sup>st</sup> Tee:**

Training for four is scheduled in May 2014. Earlier training sessions were full. Cole will be going to Cimarron to attend their board meeting. Cole and Ray will be the representatives from Garden City Buffalo Dunes course.

##### **SIG: Proposal: Service Industry Golf**

Flyer is attached: Cole and Ray will be presenting and providing flyers for restaurant owners to hand out to employees. Cole will present the proposal at the next commission meeting. If approved with the commissioners, the program will begin April 21.

##### **Additional member:**

No report as to whether Chuck Allen has agreed to become a member of this advisory board.

##### **TV:**

Sandy was unable to retrieve the TV. It had already been given away.

### **New Business:**

#### **Player of the Year Program:**

See attached form: Ray will monitor the points. The hope is that this will increase play on the course. All present felt this was an innovative idea and were in favor of utilizing this program.

### **Monthly reports:**

#### **Toby Witthuhn: Greens superintendent**

No report: absent

#### **Cole Wasinger: Golf Professional**

\*The revenue is \$2,444.20 year to date, although there was a decrease in cart fees, driving range and trail fees. The green fees and memberships and food & beverage helped keep the revenue up. The "School of Mines" tournament did bring in good revenue. They had an increase in teams this year.

\*A more detailed scheduled was presented to the board. It listed ALL activities, not just the tournaments. This was well received by members.

\*See above **Old business** for additional report.

Reported by Sandy Rodgers

**Next meeting: April 14<sup>h</sup> @ 7:00 pm @ Zoo Education Center**



**ADVISORY BOARD REPORT**  
 March 2014

| <b>REVENUE</b>       | <b>Feb-14</b>      | <b>Feb-13</b>      | <b>YTD 2014</b>    | <b>YTD 2013</b>    | <b>" +/-Year</b>  |
|----------------------|--------------------|--------------------|--------------------|--------------------|-------------------|
| Green Fees           | \$1,326.00         | \$1,726.50         | \$3,432.50         | \$1,482.03         | \$1,950.47        |
| Memberships          | \$12,621.08        | \$9,988.93         | \$15,011.06        | \$13,766.63        | \$1,244.43        |
| Cart Fees            | \$2,734.51         | \$6,607.76         | \$5,824.70         | \$6,607.76         | -\$783.06         |
| Driving Range        | \$241.94           | \$962.91           | \$607.18           | \$962.61           | -\$355.43         |
| Trail Fee            | \$23.50            | \$93.00            | \$44.50            | \$93.00            | -\$48.50          |
| Food & beverage      | \$1,284.78         | \$1,863.38         | \$2,299.67         | \$1,863.38         | \$436.29          |
| <b>TOTAL REVENUE</b> | <b>\$18,231.81</b> | <b>\$21,242.48</b> | <b>\$27,219.61</b> | <b>\$24,775.41</b> | <b>\$2,444.20</b> |

**HOLCOMB-GARDEN CITY-FINNEY COUNTY AREA PLANNING COMMISSION  
AGENDA**

Thursday, March 13, 2014  
9:00 A.M. City Commission Chamber – Garden City, Kansas

Note: If you require any accommodation (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify this office at (620) 276-1170 no later than 48 hours prior to the scheduled commencement of the meeting.

|                  |   |
|------------------|---|
| <b>8:30 A.M.</b> | <b>WORKSHOP - AGENDA REVIEW BETWEEN STAFF AND COMMISSION MEMBERS</b><br><i>Public Comments/questions are welcome - NO DECISION CAN BE RENDERED.</i> |
|------------------|---|

- I. CHAIRMAN CALLS REGULAR MEETING TO ORDER
- II. APPROVAL OF MINUTES- **January 16, 2014.**
- III. PUBLIC COMMENT - Agenda Schedule Allowance: **30 minutes (5 minutes per spokesperson)**
- IV. GENERAL STAFF REPORT AND UPDATE
- V. SUBMITTAL OF EXHIBITS FOR THE RECORD
  - A. **Finney County Zoning Regulations, Garden City Zoning Regulations and City of Holcomb Zoning Regulations all as amended**
  - B. **Finney County, City of Garden City, and City of Holcomb Subdivision Regulations all as amended**
  - C. **Finney County, City of Garden City, and City of Holcomb Comprehensive Plans all as amended**
  - D. **All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats**
  - E. **All application files in their entirety including Staff Reports**
- VI. BUSINESS
  - o *Staff Report & Applicant Presentation*
  - o *Public Hearing*
  - o *Staff or Applicant Address Public Hearing Comments*
  - o *Commission Action*

**NEW BUSINESS:**

**GC2014-09:** To consider a preliminary plat of Prairie View Acres, approximately 3401 N. Campus, at the request of CJ's Construction.

**FC2014-06:** To consider a plat of the Plymell Addition, 270 E. Plymell, at the request of LHK, LLC.

**FC2014-07:** To consider rezoning 270 E. Plymell from "A" Agricultural District to "R-R" Rural Residential District at the request of LHK, LLC.

**FC2014-02,08:** To consider amending the comprehensive plan and rezone 209 S. Main, Pierceville, from "A" Agricultural District to "GC" General Commercial District at the request of Doug McGraw.

**GC2014-10:** To consider rezoning 515 N. 8<sup>th</sup> Street from "C-O" Commercial Office District to "C-3" Central Business District at the request of Francesco Dorigo.

**GC2014-03:** To consider a waiver from the Garden City Zoning Regulations regarding parking at 503 E. Kansas at the request of Mark Miller, Sierra Property Solutions, LLC.

**GC2014-05:** To consider a waiver from the Garden City Zoning Regulations regarding landscaping at 1212 W. Campbell at the request of Tim & Jerri Beltran.

**GC2014-04:** To consider an amendment to the Garden City Zoning Regulations regarding Mother-in-law suites in "R-3" Multi-family Residential Districts at the request of Art Contreras.

**GC2014-16:** To consider an amendment to the Garden City Zoning Regulations regarding fences at the request of the City of Garden City.

**H2014-12:** To consider an amendment to the Holcomb Zoning Regulations regarding fences at the request of the City of Garden City.

**VII. ADJOURN**

**MINUTES**

**HOLCOMB - GARDEN CITY - FINNEY COUNTY AREA  
PLANNING COMMISSION**

January 16, 2014

The Holcomb-Garden City-Finney County Area Wide Planning Commission scheduled a Public Hearing at 9:00 a.m. Thursday, January 16, 2014 in the City Commission Chambers at the City of Garden City Administrative Center located at 301 North 8<sup>th</sup> Street, Garden City, Kansas.

**I. CALL TO ORDER**

Chairman Howard called to order the Area Wide Planning Commission meeting at 9:00 a.m. The following Commission members were present: Member Howard, Member Laubach, Member Law, Member Rishel, Member Lopez, Member Weber and Member Sheets. Also present were Secretary Kentner, Staff Davidson and Staff Henderson.

**II. APPROVAL OF MINUTES- December 19, 2013**

*Member Rishel makes motion to approve the minutes from December 19, 2013. Member Law seconds motion. Votes were taken by yeas and nays and recorded as follows:*

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**III. SWEARING IN OF REAPPOINTED MEMBERS- Jim Howard, Mario Lopez, Sean Sheets**

**IV. ELECTION OF OFFICERS**

*Member Law makes motion to elect Member Rishel as Chairman.*

*Member Laubach seconds motion.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

*Member Howard makes motion to elect Member Lopez as Vice-Chairman.*

*Member Weber seconds motion.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

*Member Laubach makes motion to elect Staff as Secretary.*

*Member Law seconds motion.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**V. PUBLIC COMMENT- Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)**

**VI. SUBMITTAL OF EXHIBITS FOR THE RECORD**

- A. Finney county Zoning Regulations of 1995 as amended
- B. Subdivision Regulations of 1996 as amended
- C. Finney County Comprehensive Plan as amended
- D. All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats
- E. All application files in their entirety including Staff Reports

**OLD BUSINESS**

**GC2013-104 Rezone 109 S. 13<sup>th</sup> from “I-1” to “R-3”**

*Staff Henderson reads staff report.*

*Member Law-* We are talking about the house only, right? Not the shed?

*Staff Henderson-* Right, there is a separate property in the county with a house on it. It isn't subject to this request.

*Secretary Kentner-* The description on the legal doesn't match up. There is some discrepancy. The best thing would be for them to get a survey and have a plat filed. That way the rezoning will be directly tied to this property.

*Mrs. Rojo-* Can we do construction?

*Secretary Kentner-* That's the determination they are trying to make. Do you understand one of the requests from staff is that you will need to have your property surveyed?

*Mrs. Rojo-* Where do we get a surveyor?

*Secretary Kentner-* We can get you a list of surveyors after the meeting.

*Staff Henderson-* GIS is showing that there is a part of your property that isn't on your deed. So you need to have it surveyed and platted so that we can see exactly where your property line is. There is also 20' that should be right-of-way that looks like it's included in your property.

*Mrs. Rojo-* Does that mean that the whole property will be one? We have two deeds for those properties.

*Secretary Kentner-* No.

*Staff Henderson-* The deed that you have separates those into two tracts. One is in the county. The question is with the lot that's in the city limits. You just need to have that plat redone so we can see where you can build.

*Member Lopez-* Is that clarification necessary to see if they have the space to do the improvements?

*Secretary Kentner-* Yes. With that discrepancy, it's hard to see where the property line is. If their property line is where it shows on GIS, then there should be no problem.

*Member Lopez-* As it stands right now, it doesn't look like you have enough property to do the changes.

*Mrs. Rojo-* So you are saying that our property might not be big enough because of that garage?

*Staff Henderson-* No, there is a discrepancy in the plat. That's why we need you to get a survey done. We need to know exactly where your property line is.

*Mr. Rojo-* When we purchased that property, the lawyer said it changes every ten years and that there was no problem.

*Secretary Kentner-* We don't know about that. All we have to go by is what the county has. This is what we need to get you constructing again.

*Member Howard-* Until we get a plat from a surveyor, there's not much we can do as far as moving ahead is there?

*Member Lopez-* You can make the motion contingent upon a plat.

*Secretary Kentner-* That way when they get the plat, they can go on to the City Commission. If they run into an issue, they can come back to us and we can direct them where they need to go.

*Member Lopez-* This way we aren't holding them up.

*Member Howard-* That would work fine.

**OPEN PUBLIC COMMENT**

*Staff Henderson-* We did receive a complaint from a neighbor who doesn't approve of this request. He's not a big fan of Mr. Rojo and he didn't want them to do anything because he was afraid of what that would do to his property. He mentioned that there have been some issues with that property. Santa Fe is supposed to be 80' but on the map it's only 60'. We weren't able to speak with the county until yesterday.

**CLOSE PUBLIC COMMENT**

**MEMBER LOPEZ MAKES MOTION TO APPROVE WITH THE CONTINGENCY THAT THE APPLICANT HAVE THE PROPERTY SURVEYED AND PLATTED.**

**MEMBER WEBER SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**GC2013-101 Amend Parking Regulations**

*Staff Henderson reads staff report.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*MEMBER HOWARD MAKES MOTION TO APPROVE.*

*MEMBER LOPEZ SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**GC2013-102 Amend Fees**

*Staff Davidson reads staff report.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*Member Howard-* I see no reason to raise it unless we raise it enough to cover the average cost. If the average cost is \$250 then we need to raise it to \$250. Let's be real about it.

*Member Lopez-* I agree with some of the discussion from earlier. If you look at some of these projects, \$250 is pretty miniscule. It just makes more sense to raise it to cover the costs.

*Member Laubach-* I agree. I'm in favor of the amendment with the change that we up it to \$250.

*Chairman Rishel-* You indicate that you have means of coming up with the actual costs. Instead of a set fee, I propose that you do an actual cost increase.

*Secretary Kentner-* The issue with that is that when they come in to apply, we don't know what the costs will be until after they've already gone through the process. It's much easier to collect the fees at the beginning than to try and collect them after. It would purely be an estimation.

*Member Lopez-* Also, I don't think it's a good idea for staff to become timekeepers and bookkeepers.

*Member Howard-* I agree.

*MEMBER LAUBACH MAKES MOTION TO APPROVE A FEE INCREASE TO \$250.00.*

*MEMBER HOWARD SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**FC2013-103 Amend Fees**

*Staff Davidson reads staff report.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*MEMBER LAUBACH MAKES MOTION TO APPROVE A FEE INCREASE TO \$250.00.*

*MEMBER LOPEZ SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion Passed.

**GC2013-98 Amend Signs**

*Staff Davidson reads staff report.*

*Secretary Kentner-* One of the things that was not changed was the timing. For those of you who remember from the last time we changed these regulations, the Federal Highway Administration has conducted a study on the timing on highways. We haven't yet received that study yet.

*Staff Henderson-* It was actually emailed to me late last night but I haven't had a chance to review it yet to see how it would compare to what the applicant has requested.

*Secretary Kentner-* Carol has done significant research on this and based on the discussion we had last meeting and the goals that were established, the overall consensus was to keep the "garden" in Garden City.

*Richard Strandmark-* I indicated to Kaleb that I think this is a work-in-progress, partly because of the highway study but also because we are trying to figure out the regulations. I looked over the regulations and there are very few places that will work. A big problem is the vacant lot issue. It would help a little bit if you'd remove that. There are a few good locations that have a building on the lot, mostly on the bypass. I think most of these are out of the city limits anyway. Almost every place I'm looking is in the county except for one on the bypass. There's nothing available south of town. I think if you don't make a few changes, you are going to end up where you are now and you won't be able to have them at all. The second issue that she mentioned is the 1,320 feet distance. That's a long way. I understand how this would work in big cities because there are more vacant lots. If you really want to open this up so that there will be some locations, you need to make a few changes. If you approve it like it is, I'm still going to try to get some put up and then I might request that you review it again in a few months; unless it's your goal to not allow them because that's kind of what it looks like. I know what you are talking about with city beautification but outside the city limits, I think there are some things that could be done that would allow these signs to promote businesses and Garden City. The other thing I want to mention is regarding the red, green and yellow limits. I understand if you are close to a traffic light but if you're not close to a light, I think it's excessive. That cuts a lot out of an add.

#### **CLOSE PUBLIC COMMENT**

*Member Laubach-* This particular case is for Garden City and in my opinion, Garden City might be more restrictive than the county. I was fine with the way you had Garden City's. I wasn't sure about the county and rural areas.

*Member Lopez-* There are three different authorities that are going to be giving final approval or denial. I was kind of curious about future annexations.

*Secretary Kentner-* If a sign is put up and the city annexes, they are grandfathered in and the sign would be legal nonconforming. If it's maintained, it can be there forever.

*Member Lopez-* When something is grandfathered in and it wears out or a new technology comes along, can it legally be replaced?

*Secretary Kentner-* They can request that through the BZA. There is a pretty straight forward section in the regulations. There is a difference between repairs and replacement.

*Member Lopez-* I was listening to what the applicant had to say and he was operating on the assumption that Garden City wants these signs and you are either going to do this or you won't have any, but I don't think that's necessarily an accurate assumption. I keep weighing what the applicant wants versus the people who want to put the "garden" back in Garden City and that's important to me too. Some people last time said "well Great Bend does it, or Dodge City does it", but I don't want to be those places.

*Member Sheets-* Look at the income of their City though. We got lucky with Menards, but Dodge City's income, because of those signs, is very good. Those signs aren't hurting anybody. That's just the way things are going. We can't look at them as a negative because they are new. Our restrictions on signs are sometimes asinine.

*Secretary Kentner-* I disagree with your assumption on the sales in Dodge City. If you compare, our regulations are much more strict. But also, our sales are much higher than the Walmart in Great Bend or Dodge City.

*Member Sheets-* Well, look where it is.

*Secretary Kentner-* That's part of it but also it's because they want to come here.

*Member Sheets-* They do want to come here. Look what the football field did here; if that was done correctly, they wouldn't be able to run that jumbotron so close to the highway. Am I right?

*Secretary Kentner-* Actually, as long as it faces the inside of the stadium, they're fine. That's considered an interior sign and they shut it off after the game.

*Member Sheets-* It flashes so fast.

*Secretary Kentner-* We don't regulate interior signs.

*Member Sheets-* Sign companies hate coming to Garden City. I've been on this board for five years and this is always an issue.

*Secretary Kentner-* Garden City established a sign ordinance about 30 years ago and it was probably 30 years ahead of its time. I don't disagree that the technology is changing; that's why we are amending the regulations so they can use that technology. However, I think there is balance between what makes Garden City unique now and in the future. That's what we've heard from the general public as well as the commissioners. They don't mind changing to allow new technology, but they want to keep the balance.

*Member Laubach-* You've increased the square footage.

*Secretary Kentner-* We are making some significant changes here.

*Member Lopez-* We've even relaxed them some. I think that we may continue to work in that direction, but to just write a blank check, I don't think that's responsible on our part.

*Secretary Kentner-* I'd agree that there should be a difference between the city and the county.

*Member Sheets-* Holcomb doesn't need billboards.

*Member Laubach-* The timing on the electronic boards is what it is. That's not what we're here for.

*Secretary Kentner-* Right. We let him know that that is out of the equation for now until we get the highway study. A lot of cities have gone to no time limitations.

*Member Weber-* Our role is to make a recommendation and if he doesn't like it, he can go to the City Commission.

*Chairman Rishel-* When we were discussing the grandfathered signs, you were talking repairs and replacement. To me, repair is maintenance.

*Secretary Kentner-* Actually, the building code defines some of that. For example, if you take the whole top of the sign off and replace it with a new box, that would be a substantial change that would have to be brought up to regulations. If you just paint over it or maintain the brackets and bolts, that's just maintenance.

*Chairman Rishel-* Is there a percentage, like changing 30% or 40% of the sign?

*Secretary Kentner-* Usually it's right around 10%.

*Staff Henderson-* 10% of the value.

*Member Lopez-* I think the highway commission study is important to the county but not as much the city.

*Secretary Kentner-* I don't know that it will be because most our speed limits are below 65mph. What's important with that study is whatever they say regarding the speed and size of the lettering will translate into slower speed roads. Everyone will be able to recalculate that.

*Member Lopez-* Due to the fact that study has just been made available to you, I didn't know if we should act on behalf of the City and make a motion and table the one for the county?

*Secretary Kentner-* Well, like Mr. Strandmark said, most of his locations are in the county so I think it would be best to also move forward with the county as well. The timing, currently the state is locked in at eight seconds and they haven't adjusted them yet. The state may have to adjust theirs from eight to whatever the highway study determines.

*Member Lopez-* That's what I was curious about; if we pass something more lax than what the state would allow, I don't know if that would be a problem or not.

*Secretary Kentner-* The interesting legal issues that come with the electronic message boards is that it's adjustable so there's no grandfathering available to people who were approved for 15 seconds.

*Member Laubach-* The timing would have to comply with whatever the law says.

*Member Weber-* If the state changes theirs, the county roads would be under the county but highways would follow the state.

*Secretary Kentner-* Most of the roads that go through town are split city/state and county/state. I think the amendments for Garden City, if you guys are comfortable, we can move forward and I think there are some adjustments that can be made to the county.

*Member Weber-* Do the county today or wait?

*Secretary Kentner-* I think you can go ahead because the only thing that's going to change is the timing and we aren't even reviewing the timing right now.

*Discussion ensues regarding annexation of land to the city when livestock is involved.*

**MEMBER LAUBACH MAKES MOTION TO APPROVE AS SUBMITTED.**

**MEMBER SHEETS SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**FC2013-105 Amend Signs**

*Secretary Kentner explains case.*

*Member Weber-* Have we had any advice or direction from the County Commissioners?

*Secretary Kentner-* We have not. What we do know is that they want to continue to make regulations where people can do business and move forward. The county regulations were fairly stringent and this would definitely open the doors to signage that hasn't ever been there before.

*Member Laubach-* So this will be new to the County Commissioners. If they don't like it, they can send it back.

*Secretary Kentner-* Yes. That's where we can look at the difference. The county regulations can be different as far as the differences. If you want to reduce the distance between signs, you can. When we look at the research, it makes it easy for enforcement because ¼ mile is an easy measurement. Whatever the distance, it needs to be easy to measure. It all depends on what we want the are to look like.

*Member Laubach-* I've been down the interstate and you see these signs that are really close to together.

*Secretary Kentner-* That would be the concern. When you are driving 70 mph, how close is too close.

*Staff Henderson-* ¼ mile seems extreme but it's not. I think his concern was the distance of ¼ mile from another pole sign as opposed to another billboard. When you get into a commercial area, unless the lot is very large or wide, he'd be prohibited from putting up a billboard.

**OPEN PUBLIC COMMENT**

**CLOSE PUBLIC COMMENT**

*Secretary Kentner-* Maybe the distance between could be kept the same but maybe in the county it would be more acceptable to have these billboards on properties where there is a building.

*Staff Henderson-* Or change it to ¼ mile between billboards only.

*Secretary Kentner-* Right, so instead of all signs, it could be ¼ mile from another off-site sign. That would open up quite a few locations.

*Staff Henderson-* It could be amended further to allow it to go on a developed lot and that would open it up further.

*Secretary Kentner-* The regulations are pretty stringent right now because they have to meet the state highway requirements and get state permits as well as local permits. It's a difficult process to go through, but at the same time, if you do open it up, there may be proliferation there because our ordinances have been pretty restrictive and you may see a few signs pop up quickly. It just depends what you want the county to look like. We can make those amendments.

*Member Sheets-* There are several trucks that miss that exit for the truck stop because there is no sign that says where the exit is.

*Member Laubach-* I've always wondered why there weren't more signs, but I didn't realize how restrictive the regulations were.

*Secretary Kentner-* I think we can make those changes. The first being the distance from any other off-site sign and the other would be if you want to allow them on a developed lot.

*Member Laubach-* What's the down side to that?

*Secretary Kentner-* If you do allow it, limit it to one that way you don't have several signs on one lot.

*Staff Henderson-* And don't change the lot frontage requirements. Or if you do, increase it so that developed lots would require 500' of frontage and leave it at 200' for undeveloped. So there's enough space so the lot doesn't become cluttered.

**MEMBER LAUBACH MAKES MOTION TO APPROVE AMENDMENT WITH THE FOLLOWING CHANGES:**

- Distance of ¼ mile between another off-site sign.
- Allow off-site signs on developed lots at a limit of one off-site sign per lot.

**MEMBER SHEETS SECONDS MOTION.**

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

**H2013-106 Amend Signs**

*Secretary Kentner explains case.*

*OPEN PUBLIC COMMENT*

*CLOSE PUBLIC COMMENT*

*MEMBER LOPEZ MAKES MOTION TO APPROVE AS SUBMITTED.*

*MEMBER LAUBACH SECONDS MOTION.*

Votes were taken by yeas and nays and recorded as follows:

|       |             |             |        |     |       |         |        |        |
|-------|-------------|-------------|--------|-----|-------|---------|--------|--------|
| Weber | Lucas       | Gigot       | Howard | Law | Lopez | Laubach | Rishel | Sheets |
| Yea   | Not Present | Not Present | Yea    | Yea | Yea   | Yea     | Yea    | Yea    |

Motion passed.

*Meeting adjourned at approximately 10:20am.*

Ken Rishel  
Mario Lopez

Chairman  
Vice-Chairman

Kaleb Kentner  
Samuel Henderson  
Carol Davidson

Secretary

Zoo Advisory Board  
Minutes of Meeting Held  
Tuesday, March 4, 2014

Members Present: Taylor Freburg, Jimmy Deal, Debbie Reynolds, Tammy Rieth, Elaine Lott, Becky Clark  
Members Absent: Evelyn Bowman

Others Present: Kristi Newland, Donna Wohler, Brian Nelson

- I. The meeting was called to order at 5:00
- II. Approval of Agenda – The agenda was approved.
- III. Approval of Minutes – The minutes of the February meeting were approved.
- IV. New Business
  - a. Zoo Monthly Report – The automatic gate at the 5<sup>th</sup> St. exit has been installed, and will be put into operation when the directional signs and safety gate are up. Developing plans for the FOLRZ memorial project giraffe bull yard and viewing deck. The Zoo Director position has been posted on AZA. The Maintenance staff is working on a presentation for the KDHE Recycling conference in Topeka in April about composting. A path is being added to enable visitors to get closer to the kangaroo yard.
  - b. FOLRZ Report – Brian went over grants that have been received for upcoming events, an electronic message board for the zoo entrance, and umbrellas for the Safari Shoppe patio. The Shoppe is open and Dippin’ Dots are being served. Safari Cycles will be out later this month when the weather warms up. The train will be in operation over spring break. The Eco-shuttle was received and is being cleaned up for weekend use in the spring. Debbie said that she was impressed with the Friends’ letter that marketed all of the events at the beginning of the year.
  - c. Tumbleweed Festival Request – They have requested to close the zoo on Friday of the festival at 4:00. The concert will start at 5:30 or 6:00. Details are being worked out on exit gate closure and ticketing tent location. Debbie made a motion to close the zoo to vehicle traffic at 4:00 Friday and all day Saturday and Sunday, August 22-24 and waive the use fee. Jimmy seconded, the motion passed.
  - d. 5<sup>th</sup> Street Gate Impact on Non-Zoo Events – The gate will affect other community events that take place at the zoo. It is hoped that organizers will work with staff to use the pedestrian entrance/exit.
  - e. Retirement Reception – March 28 – A private reception for Kathy will be held in the Lecture Hall from 2:00-3:00 with an open house following from 3:00-5:00.
- V. Old Business
  - a. Elephant Yard Expansion Update – Staff met Monday with the architects and hope to have construction documents next month and go to bid.
  - b. Gate Attendant/Free Wednesdays-Need Volunteers – A few volunteers are still needed. Becky will spread the word to a group of retired teachers that she knows.
- VI. Board Member Reports
- VII. The meeting was adjourned at 5:41 p.m.

**Next Meeting April 1, 2014 at 5:00 p.m.**