



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 24, 2020

Department Finance

Director Approval Lacey Lies

AGENDA ITEM Consider formally accepting the Kansas Department of Agriculture USDA Rural Development Grant for \$50,000 to purchase crucial public safety equipment.

SUMMARY RECOMMENDATION City staff recommends authorizing the Mayor to sign all required forms and for City staff to move forward with equipment purchases.

BACKGROUND The USDA recently announced that they had \$150 million - \$2.7 million for Kansas alone – in grants available through the Community Facilities Program to help rural communities continue their recovery from the devastating effects of natural disasters. This grant is available for Rural Community Infrastructure & Equipment. The City of Independence hopes to purchase two new cardiac monitors, two new SCBA replacements, and one police vehicle (including up-fitting). Currently, two Fire-EMS vehicles have cardiac monitors that will be considered outdated and out of compliance on January 1, 2021. Replacing the monitors is required by law. The SCBA equipment that would be replaced is from 1997. The typical life of this equipment is 15 years and requires replacement in 2020 in order to maintain the safety of Fire-EMS personnel and the public. The police vehicle in need of replacement has significantly higher maintenance costs than other vehicles in the fleet and is often out of service for repairs. Replacing the requested equipment will reduce costs associated with maintenance, improve quality, and reduce incidents associated with old or faulty equipment, providing better public safety to our community.

BUDGET IMPACT The City would potentially receive \$50,000 in grant contributions and contribute \$93,000 locally for this \$143,000 project.

SUGGESTED MOTION I move to accept the USDA Grant and authorize the Mayor to sign all required forms and for City staff to move forward with the equipment purchases.

SUPPORTING DOCUMENTS Grant Application Submitted

NOTICE OF PUBLIC MEETING

The City of Independence _____ has filed
a pre-application with the U.S. Department of Agriculture, Rural Development, for financial
assistance to acquire and/or develop Emergency Services Equipment

The area to be served by the proposed project is: The City of Independence, Kansas.

A meeting regarding the proposed project will be held on Thursday, August 13, 2020 at
5:30 PM at the following location: Memorial Hall Civic Center
410 N Penn Ave., Independence, KS 67301.

The public is invited to attend this meeting and to provide comments on the proposed project.

Lacey Lies
Name of Applicant Official
Director of Finance
Title of Applicant Official

07/22/2020
Date

**This notice must be published at least 10 days prior to the meeting, and
posted at the Applicant's principal office.**

Affidavit of Publication

STATE OF KANSAS

Montgomery County, ss:

Josh Umholtz being first duly sworn, deposes and says: That he is the Publisher of the

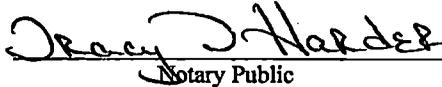
Independence Daily Reporter

a daily newspaper printed in the state of Kansas, and published in and of general circulation in Montgomery County, Kansas, with a general paid circulation on a daily basis in Montgomery County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

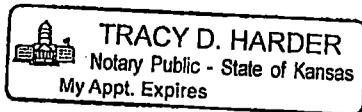
Said newspaper is published daily at least weekly 50 times a year, has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Independence in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper 1 time on August 1, 2020

Subscribed to and sworn before me on this 4th day of August, 2020.
Printer's fee: \$17.38


Notary Public

My commission expires August 9, 2021



(First published in the Independence Daily Reporter August 1, 2020)
USDA Rural Development
KS 1942 Guide 10
(Rev. 12/2014)

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Lacey Lies
Director of Finance
7/22/2020

August 1, 2020

Minutes of the Independence City Commission's August 13, 2020 Meeting

The Independence City Commission met for a regular meeting on February 6, 2020 at 5:30 P.M. at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi and Commissioner Dean Hayse were present. Others present included:

City Staff

Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Lacey Lies, Director of Finance
Mike Passauer, Public Works Director
Shawn Wallis, Fire/EMS Chief
April Nutt, Director of Housing Authority
David Cowan, Director of Safety/ADA Coordinator
Barb Beurskens, Park and Zoo Director
Brian McHugh, Memorial Hall Supervisor

Visitors

Larry McHugh
Taina Copeland
Jerry Bright
Jeri Hopkins
Carolyn Torrance
Ned Stichman
Brent Julian
Kathy Shepard
Beth Prezal
Trisha Purdon
Shawn Yurner
Anthony Vaughan
Doug Stacy
Christy Mavers
Brian Williams
Kyle Spielbusch by phone

I. REGULAR SESSION

A. Call to Order

Mayor Caflisch called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

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Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted the agenda.

Aye: Ysusi, Caflisch, Hayse

Nay: None

II. APPOINTMENTS

- A. Tree Board – Two terms expired (One eligible for reappointment)

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission reappointed Twylia Hawthorne and appointed Tim Haynes to the Tree Board.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Housing Authority – One resignation – Unexpired term ends April 11, 2023 – Applications Due by 5 PM, September 4, 2020
- C. Plumbing Board – One term expired

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Hayse the Commission reappointed Paul Lemon to the Plumbing Board.

Aye: Ysusi, Caflisch, Hayse

Nay: None

III. PRESENTATIONS

- A. Presentation by Labette Health regarding the final update on the 2016 Economic Development Grant, and a request for funds to expand the Independence Health Care Center.

Brian Williams made a presentation.

- B. Presentation of the 2019 Audit.

Kyle Spielbusch from Jarred, Gilmore and Phillips presented the audit.

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- C. Presentation from MCAC regarding 2021 Funding Request.

Trisha Purdon made a presentation.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission recessed for a five-minute break.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 6:46 P.M.

IV. PUBLIC HEARINGS

- A. Public Hearing to consider adopting the 2021 Budget as proposed.

Director Lies presented the budget.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission approved the 2021 budget as presented.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Public hearing to consider authorizing the Mayor to required documentation for the submission of a grant request with Kansas Department of Agriculture to request a USDA Rural Development Grant for \$50,000 to purchase crucial public safety equipment.

The USDA recently announced that they had \$150 million - \$2.7 million for Kansas alone – in grants available through the Community Facilities Program to help rural communities continue their recovery from the devastating effects of natural disasters. This grant is available for Rural Community Infrastructure & Equipment. The City of Independence hopes to purchase two new cardiac monitors, two new SCBA replacements, and one police vehicle (including up-fitting). Currently, two Fire-EMS vehicles have cardiac monitors that will be considered outdated and out of compliance on January 1, 2021. Replacing the monitors is required by law. The SCBA equipment that would be replaced is from 1997. The typical life of this equipment is 15 years and requires replacement in 2020 to maintain the safety of Fire-EMS personnel and the public. The police vehicle in need of replacement has significantly higher maintenance costs than other vehicles in the fleet and is often out of service for repairs. Replacing the requested equipment will

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reduce costs associated with maintenance, improve quality, and reduce incidents associated with old or faulty equipment, providing better public safety to our community. City staff, along with the help of USD 446 high school student Lux Wright, has submitted preapplication documents and received notification of eligibility for the requested funding. The next steps are to submit the attached application documentation for further review.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized the Mayor to sign all required forms and for City staff to submit all application documents, and any related documents to the USDA for consideration.

Aye: Ysusi, Caflich, Hayse

Nay: None

V. CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

A. Appropriations

1. A-1868
2. D-2006
3. P-1841

B. Consider minutes of the March 31, April 2, April 9, April 23, and May 1, 2020 meetings.

C. Consider authorizing the Mayor to sign joint letters with the Planning Commission thanking recent past members.

D. Consider partnering with the Chamber for the KAN-OKLA 100-Mile Highway Sale on Friday, September 11th and Saturday, September 12th, 2020.

E. Consider adopting an ordinance dealing with the disposal of abandoned or unclaimed property.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted the Consent Agenda.

Aye: Ysusi, Caflich, Hayse

Nay: None

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Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission agreed to move the discussion item for the Independence Recreation Commission to the next item of business.

Aye: Ysusi, Caflich, Hayse

Nay: None

VI. DISCUSSION

- A. Discuss a request from the Independence Recreation Commission for assistance and guidance on repairing flood damage to the ballfield electrical system.

Director Brent Julian presented a timeline of the events.

The Commission decided to get proposals for a engineering study to get a picture of the deficiencies that would need to be addressed.

VII. ITEMS FOR COMMISSION ACTION

- A. Consider a request from the Library for approval of renovations relating to COVID-19 protection.

The Library is requesting to make modifications to the library, which is a City owned building, to protect the staff and patrons from COVID-19.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized renovations to the Independence Public Library relating to COVID-19 protection contingent upon compliance with fire safety regulation NFPA-13.

Aye: Ysusi, Caflich, Hayse

Nay: None

- B. Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 414 South Wald Avenue; and consider a resolution setting the date of September 24, 2020 at 5:30 PM for a public hearing to consider condemnation of a structure located at 414 South Wald Avenue as dangerous and unsafe.

Code Enforcement Officer Musgrove found abatement issues and damage to a structure at 414 S. Wald Ave. Contact was made with Paulette Hasen, and she indicated she was doing a rent to own with Damone Hatch, who resides at 418 S. Wald Ave. Contact was made with Damone; he stated he made a garage and was working on vehicles in the living room of the house. A stop-work order was issued,

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and Mr. Hatch was informed that he would need to apply for the proper permits through the owner of the residence and that he needed to clean up the debris.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted a resolution authorizing abatement of unhealthy and unsafe exterior conditions at 414 S. Wald Ave Street and setting the date of September 27, 2020, at 5:30 p.m. for a public hearing to consider condemnation as dangerous and unsafe.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- C. Consider adopting a resolution authorizing and providing for the calling of a special question election in the City of Independence, Kansas, for the purpose of submitting to the electors of the City the question of imposing a one percent (1%) City-wide retailers' sales tax; and providing for the giving of notice of said election.

On August 10, 2020 the City Commission provided direction to move forward with the ballot language for the November 3, 2020 election with modifications as recommended by staff and percentages assigned by the Commission. After the meeting, the City Attorney recommended removing the word "required" in regard to "related ADA improvements" which the bond attorney had no issue with. In addition, a question was asked regarding whether a project that was contracted for could be paid out of debt repayment if it is not financed. The bond attorney suggested modified language on item b) which is included along with the other modifications that are highlighted as follows:

DRAFT November 3, 2020 Language:

Shall the City of Independence, Kansas, be authorized, pursuant to the authority of K.S.A. 12-187 et seq., to impose a special purpose one percent (1%) Citywide retailers' sales tax, the revenues to be derived therefrom to be used for the purpose of financing the costs of the following and related expenditures:

- a) ~~0.25%~~ for ~~continued~~ mill levy support;
- b) ~~0.31%~~ for payment of contractual obligations for, or debt repayment, including repayment of general obligation bonds of the City ~~financings~~ issued or to be issued to pay the costs of, ~~previous or future improvements including but not limited to streets, sidewalks, buildings, facilities, equipment, and required related ADA improvements;~~
- c) ~~0.12%~~ for equipment, building and facility improvements, including but not limited to Riverside Park and Ralph Mitchell Zoo; Riverside Beach Family Aquatic Center; neighborhood parks; ballfields, and other recreational facilities; Public Safety including Police and Fire/EMS; City Hall; Library; Public Works; ~~required related ADA improvements;~~ and City government technology and communications infrastructure;

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- d) **0.27%** for street and sidewalk improvements, including but not limited to multimodal routes to schools, healthcare, recreation, and business; drainage and stormwater management; alley improvements; **required related** ADA improvements; public parking; traffic control; and
- e) **0.05%** for economic development initiatives, including but not limited to incentives for business retention and recruitment; Memorial Hall improvements; initiatives for new recreational facilities; **planning for a future** Senior Citizens Center; wayfinding signage; housing initiatives; airport improvements; healthcare facility expansions; industrial park improvements; beautification initiatives, and expanded community broadband access;

the collection of the special sales tax to commence on the expiration date of an existing 1% special Citywide retailers' sales tax approved at an election held on April 3, 2012, in the City for the purpose of financing all or a portion of the costs associated with debt repayment and mill levy support; building and facility improvements, including Riverside Park and Ralph Mitchell Zoo; improvements to streets and sidewalks; and improvements required for compliance with the requirements of the Americans with Disabilities Act of 1990 (which is expected to be October 1, 2022); with the special sales tax to expire ten (10) years after its commencement?

The City Commission also asked some additional questions that were answered by the bond attorney, Garth Hermann with Gilmore Bell which are attached.

A question was also raised on how staff came up with the maximum bond payments due from Special Use Sale Tax. The City Clerk/Treasurer prepared a new Bond and Interest Summary that included only Special Use Sales Tax regarding bond payments which is attached.

The Finance Team is also reviewing the questions asked about the Capital Reserve Account, and City staff will provide that information as soon as it is available.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission adopted a resolution authorizing and providing for the calling of a special question election in the City of Independence, Kansas, for the purpose of submitting to the electors of the City the question of imposing a one percent (1%) City-wide retailers' sales tax; and providing for the giving of notice of said election.

Aye: Ysusi, Caffisch, Hayse

Nay: None

D. Consider a change order with Graham Construction and TranSystems for the 2020

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Overlay ADA curb ramps.

The City of Independence is required by the 2010 ADA Standards to provide ADA curb ramp improvement when making street improvements. The attached change order for \$67,304.00 is for the 2020 approved street overlay program. The pricing is based on the 2018 ADA bid project and includes inspections.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized the Mayor to sign a change order with Graham Construction for the 2020 Overlay ADA curb ramps.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- E. Consider authorizing City staff to bid out connection to the sanitary sewer main in the 300 block of Westminster and assess the cost back to the property owners.

In 2012 the City was made aware of an issue with the private sewer line in the 300 block of Westminster Place, former City Manager Micky Webb and Utilities Director Terry Lybarger met with all of the property owners and came to an agreement that if the City installed a new sewer main in the alley behind the affected properties the property owners would connect to the new main line at their own expense. The City installed the new sewer main line in 2013 and since that time 3 of the 9 properties have connected. On February 6, 2020, the City sent letters to the property owners advising them that they needed to connect by April 1, 2020. With the pandemic occurring, on May 11, 2020 another letter was sent extending the deadline to August 1, 2020. There have been no new connections as of August 10, 2020. If the Commission approves bidding this work out, we will send a follow up letter advising the property owners that the City is taking action to connect their property to the City's sanitary sewer system and that the cost will be assessed to their property. If the property owners will complete a Sewer Assistance Application, a portion of the costs could be provided as a grant. Another option would be to assess the balance of the costs over a ten-year period.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized City staff to bid out connection to the sanitary sewer main in the 300 block of Westminster Place and assess the cost back to the property owners.

Aye: Ysusi, Caflisch, Hayse

Nay: None

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- F. Consider bids for Whiskey Creek drainage way clearing.

The City of Independence received one bid for the Whiskey Creek drainage way clearing from MEGA, LLC. As requested, they submitted pricing for three phases of work from Laurel Street to Cherry Street. City Staff, before bidding the job, visited with the Commission about starting at Cherry Street and working north clearing the drainage way. It is staff recommendation to authorize MEGA to begin at Cherry Street and work north until \$50,000 has been expended. Mega has informed staff this would be the railroad track by Birch or approximately two blocks of work. Mega anticipates starting this work in December of 2020. City Staff will then return on January 14, 2021, and seek Commission approval to use 2021 funds, or \$50,000, to continue additional work between Birch and Walnut, or an additional two blocks of drainage way clearing. MEGA anticipates it will take two weeks of work per section.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized the Mayor to sign an agreement with Mega, LLC, to perform \$84,000 of drainage way clearing from Cherry north to Walnut.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

- G. Consider setting the date of August 27, 2020 at 5:30 PM for a public hearing regarding a CDBG grant.

The City has been working with Susan Galemore of Southeast Kansas Regional Planning Commission and Shawn Turner, TranSystems to apply for a CDBG grant in the category of Water/Sewer projects. The scope of work included in the grant proposal includes sanitary sewer improvements in Basin 5 and replacement of Lakeview Lift Station. The grant application is due September 25, 2020.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission set the date of August 27, 2020 at 5:30 PM for a public hearing regarding an application for CDBG funds for sewer system improvements.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

- H. Consider providing direction for inspection and bidding services for Sanitary Sewer Basin V, Phase II and Lakeview Liftstation that were previously designed by

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TranSystems as part of a CDBG/KDHE loan project.

Previously the City had the sanitary sewer improvements in Basin 5 and replacement of Lakeview Lift Station designed by TranSystems. These projects are part of a CDBG/KDHE loan application. Having these projects designed assists the City with readiness points when the CDBG grant application is reviewed. In order to capitalize on the greatest amount of readiness points the City would like permission to contract the bidding and inspection services for these two projects with TranSystems. If the Commission authorizes us to proceed, we will present a contract with Transystems on August 27, 2020 for formal consideration.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized to direct staff to present a contract at a future meeting with TranSystems for bidding and inspection services for sanitary sewer improvements to Basin V, Phase II and replacement of Lakeview Lift Station.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

- I. Consider approving a cereal malt beverage license for Ace & Gunner's Tavern at 112 S. 25th Street.

We have received a request for a cereal malt beverage license. The business is wanting to open this weekend, therefore they requested that this item be added to tonight's agenda.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission approved a cereal malt beverage license for Ace & Gunner's Tavern at 112 S. 25th Street.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

- J. Consider signing a Coronavirus Relief Fund Resolution to participate in the SPARK Relief Fund.

As part of the C.A.R.E.S Act, Montgomery County was awarded approximately \$6.2M to be distributed throughout the county to eligible participants via the SPARK Relief Fund. The City of Independence has been selected as a SPARK grant recipient. Attached is the Coronavirus Relief Fund Resolution which was adopted by the Montgomery County Commission. The resolution must be signed and returned

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as soon as possible. The resolutions outline the type of expenditures eligible for funding and assures the issuing party that the City will comply with reporting requirements. Pending state approval, the funds awarded can be disbursed after this Resolution has been submitted.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopt the Coronavirus Relief Fund Resolution as presented.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission recessed for a five-minute break.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 8:03 P.M.

VIII. DISCUSSION

B. Discuss programming for City facilities.

Acting City Manager Passauer informed the Commission that staff has an upcoming meeting with Treanor.

Commissioner Hayse is working with staff on a cost benefit analysis of the mechanical systems at the temporary City Hall building.

IX. REPORTS

A. Gravel streets.

Director Passauer presented a map of the city streets that are paved with gravel.

B. 223 West Main Street Update.

Director Cowan had nothing to report.

C. 2020 Census Update.

Acting City Manager Passauer presented the update.

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D. Update on Code Enforcement Efforts.

Director Cowan provided an update.

E. City Board Minutes

1. November 4, 2019 Park Board
2. January 6, 2020 Park Board
3. February 3, 2020 Park Board
4. May 5, 2020 Planning Commission/Board of Zoning Appeals
5. June 17, 2020 Library Board
6. July 15, 2020 Recreation Commission

X. CITY MANAGER'S COMMENTS

None

XI. COMMISSIONERS' COMMENTS

None

XII. PUBLIC CONCERNS

None

XIII. EXECUTIVE SESSION

A. For the purpose of reviewing and considering City Manager applications.

Motion:

On the motion of Mayor Caflich, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). The open meeting will resume at 8:50 P.M.

Aye: Ysusi, Caflich, Hayse

Nay: None

The meeting resumed at 8:50 P.M.

Motion:

On the motion of Mayor Caflich, seconded by Commissioner Ysusi the

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Commission moved to recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). The open meeting will resume at 9:00 P.M.

Aye: Ysusi, Caflich, Hayse

Nay: None

The meeting resumed at 9:00 P.M. with no action taken.

XIV. ADJOURNMENT

Motion:

Mayor Caflich moved to adjourn. Commissioner Ysusi seconded.

Aye: Ysusi, Caflich, Hayse

Nay: None

Leonhard Caflich, Mayor

Louis Ysusi, Commissioner

Dean Hayse, Commissioner

Attest:

City Clerk/Treasurer

CERTIFICATION OF REPRESENTATION

Come Now, Jeffrey A. Chubb of EMERT CHUBB REYNOLDS, LLC, hereafter CITY ATTORNEY, and **Kelly Passauer**, acting City Manager for the City of Independence, Kansas, hereafter CITY MANAGER, and certify to the following:

1. The City of Independence, Kansas, is a municipal corporation organized under the laws of the state of Kansas and is a second class city.
2. The form of government of the City of Independence is city manager/commission.
3. Under the city manager/commission form of government, the CITY MANAGER is responsible for hiring and firing all personnel, including the designation of an attorney to serve as the city attorney.
4. Jeffrey A. Chubb is the duly appointed and acting CITY ATTORNEY for the City of Independence, Kansas.
5. The CITY ATTORNEY performs all legal work for the city and is compensated by payment of a monthly fee negotiated by the CITY ATTORNEY and CITY MANAGER.
6. The City of Independence has applied for a USDA Rural Development grant for purposes relating to acquisition of public safety equipment.
7. It is the role of the CITY ATTORNEY to perform all legal duties relating to the grant application, and subsequent administration of the grant, as directed by the CITY MANAGER.
8. The services provided by the CITY ATTORNEY relating to the grant are such that they will be performed at no extra charge to the city over and above the monthly fee already being paid to the CITY ATTORNEY.

9. The CITY ATTORNEY certifies that he will provide all necessary advice and assistance to the city relating to the grant including preparation; review and completion of contract and other documents; participation in and review of bid letting procedures; preparation of all documents relating to real estate deeds, easements and rights-of-way as needed; and perform all other duties necessary to accomplish full performance and completion of all grant requirements.

CITY ATTORNEY

CITY MANAGER



Jeffrey A. Chubb
City Attorney

8-11-2020



Kelly Passauer
Acting City Manager

08/11/2020

APPLICANT'S FEASIBILITY REPORT

1. Existing Facility. Briefly describe what facilities you currently have or how service is currently provided.

The City of Independence Fire-EMS department has a fleet of 5 ambulances, each equipped with Cardiac Monitors, per state law. In addition, Independence Fire-EMS has one backup response vehicle also equipped with a Cardiac Monitor to be used as a backup or in situations where multiple monitors are required. As of July 29, 2020, Fire-EMS had responded to 1600 calls and transported 858 patients. We estimate complete 2020 numbers at 3,000 responses and 1,500 transports. Independence Fire-EMS also owns 13 Self-Contained Breathing Apparatus "SCBA" packs and cylinders that their crews of 23 personnel use to respond to fire emergencies. As of July 31, 2020, Independence Fire-EMS personnel have responded to 78 occurrences where SCBA equipment was utilized.

Independence's Police fleet consists of 12 vehicles; 4 patrol cars, 3 detective vehicles, an animal control vehicle, captain vehicle, Chief vehicle, K-9 vehicle, and a training vehicle.

2. Proposed Facility. Describe what you want to purchase or construct. Indicate what the facility will be used for, approximate size, and expected method of procurement. For buildings indicate location, basic materials or type of construction, and attach a sketch or working drawings. For items of major equipment, indicate new or used, existing or custom-built, and any special features.

The City of Independence hopes to purchase two new cardiac monitors, two new SCBA replacements, and one police vehicle (including up-fitting).

The City's procurement policy requires competitive procurement practices for all expenditures. Due to the estimated cost of the equipment, the cardiac monitors and police vehicle will need to be procured through a closed-bidding process. This is required for all items of \$25,000 or more. The SCBA equipment will be procured through solicitation of competitive quotes, requiring at least 3 quotes. The City also utilizes a subscription to a governmental entity price checking software called GovSpend to ensure competitive pricing.

3. Need for the Facility. Indicate why the proposed facility is needed.

Currently, two Fire-EMS vehicles have cardiac monitors that will be considered out dated and out of compliance on January 1, 2021. Replacing the monitors is required by law. The SCBA equipment that would be replaced is from 1997. The typical life of this equipment is 15 years and requires replacement in 2020 in order to maintain the safety of Fire-EMS personnel and the public. The police vehicle in need of replacement has significantly higher maintenance costs than other vehicles in the fleet and is often out of service for repairs. Replacing the requested equipment will reduce costs associated with maintenance, improve quality, and reduce incidents associated with old or faulty equipment, providing better public safety to our community.

4. Service Area. Indicate what area the proposed facility will serve and, if known, the population or number of families served.

The proposed equipment will serve the City of Independence (population 8,598). Additionally, Independence Fire-EMS has a mutual aid agreement whereas Independence Fire-EMS will respond to and aid other municipalities in order to secure emergency medical services to all citizens of Montgomery County, Kansas (pop. 31,829) and ensure the benefit of preservation of life and reduction of disabling injuries resulting from fire, vehicular accident or any other emergency or illness. +

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, OIRM AG Box 7630, Washington, D. C. 20250, and to the Office Management and Budget, Paperwork Reduction Project (OMB No. 0575-0120), Washington, D. C. 20503. Please DO NOT RETURN this form to this address. Forward to the local USDA office only.

5. Cost Estimate.

Development and construction.....	\$ _____
Land and rights.....	_____
Legal fees.....	_____
Architect and Engineer.....	_____
Equipment.....	_____ 143,000.00
Refinancing.....	_____
Other (describe)	_____
Total.....	_____ \$143,000.00

6. Income. List the sources and estimate the amount of expected revenue for a typical year.

The City's two main sources of General Fund revenue are Ad Valorem Taxes and Special Use Sales Tax.

Ad Valorem Taxes (current & delinquent)

- budgeted \$1,577,295; estimated \$1,419,543; Over/(under) budget (\$157,752)

Special Use Sales Tax

- budgeted \$2,418,750; estimated \$2,418,750; Over/(under) budget \$0

Other sources of General Fund revenue come from franchise fees, motor vehicle and liquor taxes as well as other misc. taxes, ambulance services, fines, permits and licenses, rental income, cemetery lot sales, etc. The combined estimate funding is as follows:

- budgeted \$2,526,254; estimated \$2,394,670; Over/(under) budget (\$131,584)

The loss of anticipated revenue is due to a high delinquency rate, reduction of franchise fees received, shut down of rental and other facilities, and general downturn in the economy due to Covid-19.

7. Other Funds. List the sources and amount of funds that may be available other than from USDA, to fund part of the project (such as applicant's contributions, commercial loans, or loans or grants from other government agencies).

The City of Independence will contribute local funding of \$93,000 to the proposed project.

8. Operating History. If you have operated a similar facility, attach audits, financial statements, or lists of income and expenses for the past five years. 2019 City of Independence Audit attached

9. Signature and Title of Applicant Official <i>Lucy Ais</i> Director of Finance	Date 08-13-2020
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**RESOLUTION OF GOVERNING BODY ADOPTING AND PROVIDING FOR
STANDARDS FOR PROCUREMENT, BIDDING AND CONTRACT AWARDS**

WHEREAS, City of Independence, of Montgomery County, Kansas has applied for a loan to be made or insured by the United States of America acting through the Rural Housing Service (herein called the Government) for the construction of facilities to be owned and operated by the City of Independence, and the Government's regulations require that the council adopt standards (a) relating to the conduct of its officers, employees, and agents in contracting and in expending loan funds, and (b) establishing procurement and contacting procedures;

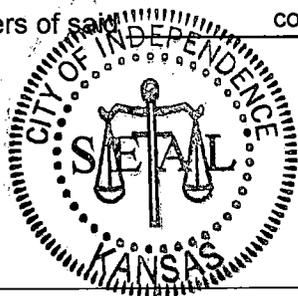
Now, Therefore Be It Resolved That City of Independence of Montgomery County, Kansas does hereby adopt the standards of conduct and procurement procedures set forth in those regulations of USDA Rural Development appearing in Title 7, Code of Federal Regulations, Section 1942.18 (J) Thru (K), provided however that in those instances where funds derived from loans made or insured by, or grants made by, the Government are not involved, prior consent or approval of the Government as provided in such regulations shall not be required.

This resolution adopted by the council of City of Independence
(Governing Body) (Entity)
of Montgomery County, Kansas this 13TH
day of August, 2020.

Certificate

Leonhard Cafilisch of City of Independence,
(Authorized Official) (Entity)
of Montgomery County, Kansas hereby certify that the foregoing resolution was adopted by
the council of said Entity on the date stated above at a meeting duly
(Governing Body)
held upon August 13, 2020, notice or upon waiver of notice
signed by all members of said council.

SEAL



[Signature]
(Secretary)



**Certification Regarding Debarment, Suspension, and Other Responsibility Matters AD-1047
 Primary Covered Transactions**

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. § 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal, civil, fraud, privacy, and other statutes may be applicable to the information provided.

(Read instructions on page two before completing certification.)

- A. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
1. Are not presently debarred, suspended, or proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A.2.) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME City of Independence	PR/AWARD NUMBER OR PROJECT NAME Emergency Services Equipment
NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S) Leonhard Caflisch, Mayor	
SIGNATURE(S) 	DATE 08/13/2020

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint \(https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer\)](https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442.

Instructions for Certification

- (1) By signing and submitting this form, the prospective primary participant is providing the certification set out on page 1 in accordance with these instructions.
- (2) The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- (3) The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
- (4) The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (5) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 C.F.R. Parts 180 and 417. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- (6) The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- (7) The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- (8) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the System for Award Management (SAM) database.
- (9) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (10) Except for transactions authorized under paragraph (6) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.



**Certification Regarding Drug-Free Workplace Requirements (Grants)
Alternative I – For Grantees Other Than Individuals**

AD-1049

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing §§ 5151-5160 of the Drug-Free Workplace Act of 1998 (Pub. L. 100-690, Title V, Subtitle D: 41 U.S.C. § 8101 et seq.), and 2 C.F.R. Parts 182 and 421. The regulations were amended and published on June 15, 2009, in 74 Fed. Reg. 28150-28154 and on December 8, 2011, in 76 Fed. Reg. 76610-76611. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal, civil, fraud, privacy, and other statutes may be applicable to the information provided.

(Read instructions on page three before completing certification.)

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.1.
4. Notifying the employee in the statement required by paragraph A.1 that, as a condition of employment under the grant, the employee will –
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph A.4.b from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph A.4.b, with respect to any employee who is so convicted –
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs A.1 through A.6.

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE (Street Address, City, County, State, Zip Code)

811 W Laurel St., Independence, KS 67301

Check if there are workplaces on file that are not identified here.

ORGANIZATION NAME

City of Independence

PR/AWARD NUMBER OR PROJECT NAME

Emergency Services Equipment

NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)

Leonhard Caflisch, Mayor

SIGNATURE(S)



DATE

08/13/2020

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint \(https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer\)](https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442.

Instructions for Certification

- (1) By signing and submitting this form, the grantee is providing the certification set out on pages one and two in accordance with these instructions.
- (2) The certification set out on pages one and two is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- (3) Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
- (4) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
- (5) If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s). If it previously identified the workplaces in question, see paragraph (3) above.
- (6) Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:
 - "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, and as further defined by 21 C.F.R. §§ 1308.11-1308.15.
 - "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
 - "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance.
 - "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) all "direct charge" employees (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement, consultants or independent contractors not on the grantee's payroll, or employees of subrecipients or subcontractors in covered workplaces).

Position 3

USDA
Form RD 400-4
(Rev. 11-17)

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED
OMB No. 0575-0018
OMB No. 0570-0062

The **City of Independence**

(name of recipient)

811 West Laurel St Independence, KS 67301

(address)

As a condition of receipt of Federal financial assistance, you acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

1. Title VI of the Civil Rights Act of 1964, as amended, which prohibits you from discriminating on the basis of race, color, or national origin (42 U.S.C. 2000d et seq.), and 7 CFR Part 15, 7 CFR 1901, Subpart E.

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs [in accordance with USDA RD LEP Guidance for RD Funded (Assisted) Programs]. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>;

2. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating on the basis of sex in education programs or activities (20 U.S.C. 1681 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];

3. The Age Discrimination Act of 1975, as amended, which prohibits you from discriminating on the basis of age (42 U.S.C. 6101 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];

4. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits you from discriminating on the basis of disability (29 U.S.C. 794) [as implemented by 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E];

5. Title VIII of the Civil Rights Act, which prohibits you from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units, i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) be designed and constructed with certain accessible features, see 24 CFR Part 100.201; and

6. Titles II and III of the Americans with Disabilities Act, which prohibit you from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions governing USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to records, accounts, documents, information, facilities, and staff:

1. You must cooperate with any compliance review or complaint investigation conducted by USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).
2. You must give USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by Title VI, Title IX, Age, and Section 504 implementing regulations and other applicable laws or program guidance.
3. You must keep such records and submit to the responsible Department official or designee timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the responsible Department official or his designee may determine to be necessary to ascertain whether you have complied or are complying with relevant obligations.
4. You must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Rural Development or the U.S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
6. If, during the past three years, you (the recipient) have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, you must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements.
7. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against you, or you settle a case or matter alleging such discrimination, you must forward a copy of the complaint and findings to USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), Office of Civil Rights.

The United States has the right to seek judicial enforcement of these obligations.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of program-specific nondiscrimination policy requirements found at CFR Part 15, 7 CFR Part 15 b, 12 CFR Part 202, 7 CFR 1901, Subpart E., DR4300-003, DR4330-0300, DR4330-005.

Period of Obligation

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with federal assistance extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), this assurance obligates the Recipient for the period during which federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which federal assistance is extended. If any personal property is so provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Recipient for the period during which the federal assistance is extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).

Employment Practices

Where a primary objective of the federal assistance is to provide employment or where the Recipient's employment practices affect the delivery of services in programs or activities resulting from federal assistance extended by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), the Recipient agrees not to discriminate on the grounds of race, color, national origin, sex, age, or disability, in its employment practices. Such employment practices may include, but are not limited to, recruitment, advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs; or other forms of compensation and use of facilities.

Data Collection

The Recipient agrees to compile and maintain information pertaining to programs or activities developed as a result of the Recipient's receipt of federal assistance from Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service). Such information shall include, but is not limited to the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age, and disability; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age and disability in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) to be relevant to the obligation to assure compliance by recipients with laws cited in this assurance agreement.

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations as herein described, that the information submitted in conjunction with this Document is accurate and complete, and that the recipient is in compliance with the nondiscrimination requirements set out above.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, City of Independence _____ on this _____
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.



(SEAL)

Leonard G. Pusch _____
Recipient

08/13/2020

Date

Attest: David A. Schuler
City Clerk

Mayor _____
Title

Title

USDA Rural Development
KS 1942 Guide 25
(Rev. 12/2014)

CERTIFICATION BY ATTORNEY

To: Area Specialist
Mike Billings

202 West Miller Rd

Iola, KS 66749

This is to certify that I have been retained by the City of Independence
to provide the required legal services with respect to obtaining financing and conducting other
legal matters and procedures in organizing and construction of, and/or acquisition of:

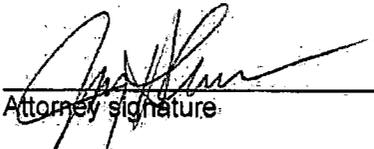
Emergency Services Equipment

(Description of Project)

I further certify that in carrying out my responsibilities in connection with the above-described
project I have examined all Federal, State, and local laws appropriate to such type of project.
Based on the examinations, I am of the opinion that:

1. The subject Entity is duly and properly organized under the laws of the State of Kansas
and is presently in good standing under these laws. The Kansas Statute(s) under
which the applicant entity was organized is/was: KSA 14-101 and predecessor statutes.
2. The subject Entity has proper authority under the laws of the State to construct and
operate the proposed facility in accordance with the developed plans, budgets, and
operational procedures.
3. The project is not inconsistent with any other development plans of the State,
multijurisdictional area, counties, or municipalities in the area in which the project is
located.
4. The project will be planned and constructed in compliance with the following:
 - a. State Pollution Control or Environmental Protection Agency Standards
 - b. Federal Lands Acquisition Act (if appropriate)
 - c. Local zoning laws.

This opinion is issued expressly for the benefit of the above named Entity and the United States
of America, acting through Rural Housing Service.


Attorney signature

Jeffrey A. Chubb
Attorney name

Attorney for: City of Independence, Kansas

of Montgomery County, Kansas

ITEM	QUANTITY	ITEM COST	TOTAL COST
CARDIAC MONITORS	2	36,262	72,525
SCBA REPLACEMENT	3	6,999	20,998
POLICE CAR & UPFIT	1	47,178	47,178

TOTAL PROJECT COST			<hr/> 140,701
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GRANT FUNDING	49,245	35%
CITY FUNDING	91,455	65%



ZOLL Medical Corporation

Worldwide HeadQuarters
 269 Mill Rd
 Chelmsford, Massachusetts 01824-4105
 (978) 421-9655 Main
 (800) 348-9011
 (978) 421-0015 Customer Support
 FEDERAL ID#: 04-2711626

TO: City of Independence Kansas

Attn: David Cowan, Paramedic-LPN

QUOTATION 354049 V:1

DATE: August 25, 2020

TERMS: Net 30 Days

FOB: Shipping Point

FREIGHT: Prepay and Add

Tel: 620-332-2528

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
1	601-2241011-01	<p>X Series ® Manual Monitor/Defibrillator with 4 trace tri-mode display monitor/ defibrillator/ printer, comes with Real CPR Help®, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5"(16.5cm) diagonal screen, full 12 ECG lead view with both dynamic and static 12-lead mode display.</p> <p>Accessories Included:</p> <ul style="list-style-type: none"> • MFC cable • MFC CPR connector • A/C power adapter/ battery charger • A/C power cord • One (1) roll printer paper • 6.6 Ah Li-ion battery • Carry case • Declaration of Conformity • Operator's Manual • Quick Reference Guide <p>• One (1)-year EMS warranty</p> <p>Advanced Options: Real CPR Help Expansion Pack CPR Dashboard quantitative depth and rate in real time, release indicator, interruption timer, perfusion performance indicator (PPI)</p> <ul style="list-style-type: none"> • See - Thru CPR artifact filtering <p>ZOLL Noninvasive Pacing Technology:</p>	2	\$42,375.00	\$34,747.50	\$69,495.00 *

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <http://www.zoll.com/GTC> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

Lori Rohling
 EMS Territory Manager
 773-474-0916

1. DELIVERY WILL BE MADE 60-90 DAYS AFTER RECEIPT OF ACCEPTED PURCHASE ORDER.
2. PRICES QUOTED ARE VALID FOR 60 DAYS.
3. APPLICABLE TAX, SHIPPING & HANDLING WILL BE ADDED AT THE TIME OF INVOICING.
4. ALL PURCHASE ORDERS ARE SUBJECT TO CREDIT APPROVAL BEFORE ACCEPTABLE BY ZOLL.
5. FORWARD PURCHASE ORDER AND QUOTATION TO ZOLL CUSTOMER SUPPORT AT esales@zoll.com OR FAX TO 978-421-0015.
6. ALL DISCOUNTS OFF LIST PRICE ARE CONTINGENT UPON PAYMENT WITHIN AGREED UPON TERMS.
7. PLACE YOUR ACCESSORY ORDERS ONLINE BY VISITING www.zollwebstore.com.



ZOLL Medical Corporation

Worldwide HeadQuarters
269 Mill Rd
Chelmsford, Massachusetts 01824-4105
(978) 421-9655 Main
(800) 348-9011
(978) 421-0015 Customer Support
FEDERAL ID#: 04-2711626

TO: City of Independence Kansas

Attn: David Cowan, Paramedic-LPN

Tel: 620-332-2528

QUOTATION 354049 V:1

DATE: August 25, 2020

TERMS: Net 30 Days

FOB: Shipping Point

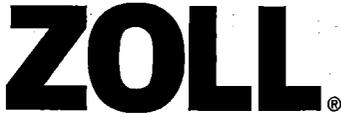
FREIGHT: Prepay and Add

ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
		Masimo Pulse Oximetry SP02, SpCO & SpMet <ul style="list-style-type: none"> • Signal Extraction Technology (SET) • Rainbow SET (for SpCO & SpMet) NIBP Welch Allyn includes: <ul style="list-style-type: none"> • Smartcuff 10 foot Dual Lumen hose • SureBP Reusable Adult Medium Cuff End Tidal Carbon Dioxide monitoring (ETCO2) Orion Microstream Technology: Order required Microstream tubing sets separately Interpretative 12- Lead ECG: <ul style="list-style-type: none"> • 12-Lead one step ECG cable- includes 4- Lead limb lead cable and removable precordial 6- Lead set 				
2	8000-000371	SpO2/SpCO/SpMet Rainbow DCI Adult Reusable Sensor with connector (3 ft)	2	\$845.00	\$692.90	\$1,385.80 *
3	8000-001392	Rainbow, RC-4, 4FT, Reusable EMS Patient Cable	2	\$245.00	\$200.90	\$401.80 *

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Lori Rohling
EMS Territory Manager
773-474-0916

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ITEM	MODEL NUMBER	DESCRIPTION	QTY.	UNIT PRICE	DISC PRICE	TOTAL PRICE
4	8000-0580-01	Six hour rechargeable Smart battery	2	\$519.75	\$405.90	\$811.80 *
5	8000-0895	Cuff Kit with Welch Allyn Small Adult, Large Adult and Thigh Cuffs	2	\$157.50	\$129.15	\$258.30 *
6	REUSE-08-2MQ	REUSE-08-2MQ Cuff, Small Child, 2-Tube, Twist lock connector	2	\$52.50	\$43.05	\$86.10 *
7	REUSE-09-2MQ	Cuff, Child, 2-Tube, Twist lock connector	2	\$52.50	\$43.05	\$86.10 *
<p>*Reflects Public Safety Association Inc (PSAI) Contract No. PSAI 2018-11 pricing. Effective 12/01/2018 to 11/30/2021.</p>						

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TOTAL \$72,524.90

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EMS Territory Manager
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1900 East Military Avenue
 Suite 276
 Fremont, NE 68025

Quote

Date 08/25/2020
 Quote # QT1396664
 Expires 09/24/2020
 Sales Rep Chew, Dwayne
 PO #
 Shipping Method FedEx Ground

Bill To
 Shawn Wallis
 City of Independence Fire & Rescue (KS)
 811 W. Laurel
 Independence KS 67301
 United States

Ship To
 Shawn Wallis
 City of Independence Fire & Rescue (KS)
 811 W. Laurel
 Independence KS 67301
 United States

Item	Alt. Item #	Units	Description	QTY	Unit Sales Price	Amount
X8814021305304			Air-Pak X3 Pro SCBA (2018 Edition) with CGA Cylinder Connection, 4.5, Standard Harness with Parachute Buckles, Standard Belt with No Escape Rope, E-Z Flo Regulator with Standard Hose, Universal EBSS Accessory Hose, No Airline Connection, No Spare Harness Kit, Pak-Tracker, No Case, Packaged 2 SCBA Per Box (Black)	2	5,713.00	11,426.00
804722-01			CYL&VLV ASSY,CARB,45MIN,4500	2	1,031.25	2,062.50
201215-22			AV3000 HT with Kevlar lining and 4-strap harness-Red, Medium	2	254.95	509.90

Subtotal 13,998.40
Shipping Cost (FedEx Ground) 0.00
Total \$13,998.40

Shawn - Thank You!!!

13,999.20

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1396664

Quality Motors Inc.

2022 W. Main Street
 Independence, KS 67301
 (620) 331-6090

Quote

INVOICE

Customer

Name City of Independence
 Address Police Department
 City Independence State KS ZIP 67301
 Phone _____

Date 8/13/2020
 Order No. _____
 Rep _____
 FOB _____

Qty	Description	Unit Price	TOTAL
1	2020 Ram 1500 SSV Crew Cab 4x4 \$28800 Estimated 5% increase 2021		\$0.00
1	2021 Ram 1500 SSV Crew Cab 4x4 <i>This is subject to change when 2021 pricing is available</i>	\$30,240.00	\$30,240.00

Payment Details

- Cash
 Check
 Credit Card

Name _____
 CC # _____
 Expires _____

SubTotal	\$30,240.00
Shipping & Handling	\$0.00
Taxes	State
TOTAL	\$30,240.00

For more information, contact Jon Cook at 620-331-6090

Thank You!

TCS UPFITTING A DIVISION OF TRAFFIC CONTROL SERVICES, INC.

405 N. CLEVELAND AVE.
 WICHITA, KS 67214
 316-448-0402 - FAX 316-448-0404
www.tcsupfitting.com

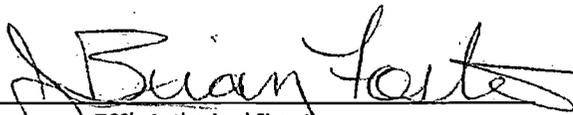


"QUOTE"

QUOTE DATE: 8/12/2020 YEAR: 2020 ESTIMATOR
 AGENCY: INDEPENDENCE PD MAKE: DODGE BRIAN
 ATTN: SGT JASON REDDY MODEL: RAM 1500

Quantity	Item Description	Units	Units Bid	Bid Amount
1	DUAL COLOR (R/W, B/W) INTERIOR VISOR LIGHTBAR	EA	847.50	\$847.50
1	DUAL COLOR (R/A, B/A) REAR INTERIOR DIRECTIONAL LIGHTBAR	EA	653.00	\$653.00
10	TRI COLOR (R/B/W) 4" LIGHTS (4 ON GRILLE GUARD, 2 AT BOTH RUNNING BOARDS, 2 UNDER TAILGATE	EA	121.52	\$1,215.20
2	TRI COLOR (R/B/W) UNDER MIRROR LIGHTS W/ BRACKETS	EA	182.00	\$364.00
1	200 WATT BLUEPRINT ELECTRICAL SYSTEM	EA	3,123.40	\$3,123.40
1	COMPLETED WIDEBODY CONSOLE	EA	883.23	\$883.23
1	SINGLE CELL LITE PRISONER TRANSPORT SYSTEM W/ LIGHT	EA	1,038.80	\$1,038.80
1	DUAL VERTICAL WEAPON MOUNT (A/R, SHOTGUN) BOTH MEDIUM DUTY LOCKS	EA	346.50	\$346.50
1	STUBBY 400 ANTENNA	EA	78.75	\$78.75
1	INSTALL CUSTOMERS VIDEO, RADIO AND RADAR	EA	90.00	\$90.00
1	FULL WINDOW TINT WITH BROW	EA	219.00	\$219.00
1	BLACKOUT MODULE	EA	398.51	\$398.51
1	SPOT LIGHT LED	EA	479.70	\$479.70
1	DECKED REAR LOCABLE STORAGE	EA	1,304.99	\$1,304.99
1	FLASHLIGHT	EA	120.00	\$120.00
1	NERFBARS (N-FAB)	EA	546.08	\$546.08
1	TAKEDOWN BAR	EA	200.00	\$200.00
1	GRILLE GUARD	EA	592.95	\$592.95

MATERIAL TOTAL \$12,501.61
 LABOR \$4,046.25
 FREIGHT \$390.00
 QUOTE TOTAL \$16,937.86


 TCS's Authorized Signature

IF ALL IS AGREED, PLEASE SIGN BELOW AND FAX QUOTE BACK TO US AT 316-448-0404

 Department's Authorized Signature