AGENDA

Independence City Commission

Wednesday, September 16, 2020

Veterans Room Memorial Hall 9:00 AM

To participate by conference call:
1 785-289-4727 Conference ID: 995 148 903#

I. SPECIAL SESSION

A. Call To Order

II. ITEMS FOR COMMISSION ACTION

A. Consider A Recommendation From The Economic Development Advisory Board Regarding A Business Incentive.

Documents:

EDAB SUMMARY RECOMMENDATION_LABETTE HEALTH INDEPENDENCE HEALTHCARE CENTER.PDF

B. Consider A Request From Main Street To Utilize The City Parking Lot Located At The Southeast Corner Of Chestnut And 8th Streets On Thursdays From 2 – 7 PM From September 17, 2020 Through October 29, 2020 For A Fall Farmers Market.

Documents:

RCA FALL FARMERS MARKET.PDF

C. Consider Adopting The Following Resolutions And Authorizing The Signing Of The Following Forms Relating To The CDBG Grant Application:

1. A resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the sewer system to be financed with Community Development Block Grant funds;
2. A resolution certifying legal authority to apply for the 2021 Kansas Cities Community Development Block Grant Program

from the Kansas Department of Commerce and authorizing the Mayor/Commissioner to sign and submit such an application;
3. Determination of level of review;
4. Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended;
5. Statement of assurances and certifications; and
6. Applicant/Recipient Disclosure/Update Report.

Documents:

RCA CDBG RESOLUTIONS.PDF

III. EXECUTIVE SESSION

A. For The Purpose Of Matters Relating To The Security Of A Public Body Or Agency, Public Building Or Facility, Or The Information System Of A Public Body Or Agency.

B. For The Purpose Of Reviewing And Considering City Manager Applications.

IV. ADJOURNMENT

To: City Commission

From: Economic Development Advisory Board

Subject: Labette Health Care Center Incentive

Date: September 14, 2020

The Economic Development Advisory Board (EDAB) has reviewed pertinent documents, past Commission discussions, and other information regarding previous incentives offered to Labette Health by the City of Independence. As a part of that review, the EDAB has utilized a cost-benefit analysis to determine the appropriate investment in the proposed project, as it relates to the City of Independence.

After said review of the relevant information provided, the EDAB recommends approval of the incentive request in the form of a $250,000 forgivable loan to be disbursed over a five-year period as follows:

1. Labette Health Independence Healthcare Center will show proof of five new full time equivalent (FTE) employees in Independence during 2022, over a base employment established at the end of 2021. Labette Health Independence Healthcare Center must maintain those five FTE's over the subsequent years to receive a maximum of $50,000 per year. Should less then five FTE's be maintained during a reporting period, the annual incentive payment for that period will be discounted on a pro-rata basis.
2. The first payment will be made on March 1, 2023, and each March 1 of the four subsequent years (2024-2027).
3. This incentive will be paid out of the proposed Special Use Sales Tax (SUST) renewal of which 5% is to be designated for Economic Development. The incentive is contingent upon the passing of the SUST renewal.

The EDAB recommends the City Attorney draft an agreement and that the City Commission approves this proposed incentive to Labette Health for the expansion of the Labette Health Independence Healthcare Center on Peter Pan Road.

Attached: Summary Cost Benefit Analysis (2)

SUMMARY OF COSTS AND BENEFITS FOR THE CITY OF INDEPENDENCE

PROJECT: Labette County Medical Center d/b/a Labette Health

DATE: 9/9/2020

DISCOUNT RATE: 3.92%

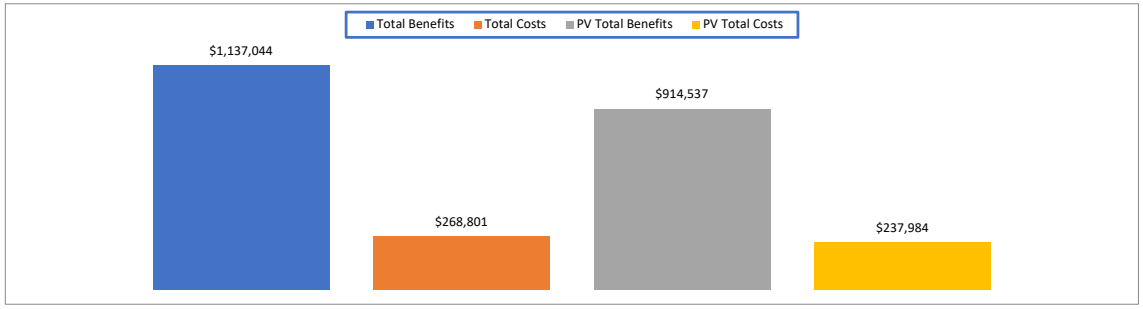
Ratio of Actual Benefits to Actual Costs Over the 10-Year Period:	4.23
Ratio of Present Value of Total Benefits to Present Value of Total Costs:	3.84
(Typical desired ratio would be 1.3 to 1) Average ROI	32.30%

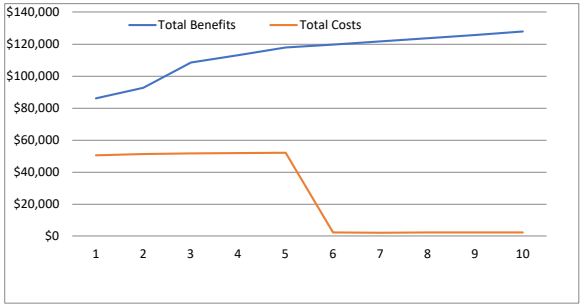
Back to Start

NFP Data Entry

General Data Entry

Year	Sales Taxes from Construction (Detail Below)	Sales Taxes from Organization Operations (Detail Below)	Sales Taxes From Existing Employee Spending	Sales Taxes From New Employee Spending	Sales Tax from Visitor Spending	All New Property Taxes (Detail Below)	New City Utility Profits (Detail Below)	New Franchise Taxes (Detail Below)	RLF Loan Payment	PILOT Payment	Other City Revenues from New Families	Total Benefits	Net Present Value of Total Benefits	Marginal Cost of Various City Services	City Infrastructure and/or Loan	Property Taxes Abated	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits
1	$12,329	$8,157	$36,594	$4,064	$0	$1,292	$10,824	$10,409	$0	$0	$2,376	$86,044	$82,796	$617	$50,000	$0	$50,617	$48,707	$35,427	$35,427	$34,090
2	$0	$8,400	$37,198	$16,334	$0	$2,627	$12,091	$11,206	$0	$0	$4,823	$92,679	$85,816	$1,252	$50,000	$0	$51,252	$47,457	$41,428	$76,854	$38,360
3	$0	$8,640	$37,813	$26,657	$0	$3,672	$13,120	$11,848	$0	$0	$6,730	$108,481	$96,657	$1,747	$50,000	$0	$51,747	$46,107	$56,734	$133,588	$50,550
4	$0	$8,910	$38,438	$28,452	$0	$4,072	$13,618	$12,177	$0	$0	$7,452	$113,120	$96,987	$1,934	$50,000	$0	$51,934	$44,528	$61,185	$194,773	$52,459
5	$0	$9,270	$39,073	$30,236	$0	$4,485	$14,128	$12,514	$0	$0	$8,195	$117,901	$97,271	$2,127	$50,000	$0	$52,127	$43,006	$65,774	$260,547	$54,265
6	$0	$9,409	$39,719	$30,736	$0	$4,559	$14,361	$12,712	$0	$0	$8,318	$119,813	$95,119	$2,159	$0	$0	$2,159	$1,714	$117,654	$378,201	$93,405
7	$0	$9,550	$40,375	$31,244	$0	$4,634	$14,597	$12,914	$0	$0	$8,442	$121,757	$93,014	$2,191	$0	$0	$2,191	$1,674	$119,565	$497,766	$91,340
8	$0	$9,693	$41,042	$31,760	$0	$4,711	$14,838	$13,118	$0	$0	$8,569	$123,732	$90,956	$2,224	$0	$0	$2,224	$1,635	$121,508	$619,274	$89,321
9	$0	$9,839	$41,721	$32,285	$0	$4,789	$15,083	$13,326	$0	$0	$8,697	$125,739	$88,944	$2,258	$0	$0	$2,258	$1,597	$123,482	$742,756	$87,347
10	$0	$9,986	$42,410	$32,818	$0	$4,868	$15,331	$13,537	$0	$0	$8,828	$127,779	$86,976	$2,292	$0	$0	$2,292	$1,560	$125,488	$868,243	$85,416
Total	$12,329	$91,855	$394,383	$264,586	$0	$39,709	$137,989	$123,763	$0	$0	$72,430	$1,137,044	$914,537	$18,801	$250,000	$0	$268,801	$237,984	$868,243	$868,243	$676,553





Year	Sales Taxes From Construction Worker Spending	Sales Taxes From Construction Worker Hotels	Sales Taxes From Company Sales	Sales Taxes From Company Purchases	Company New Property Taxes	New Family Property Taxes	Company Utility Profits	Utility Profits From Existing Families	Utility Profits From New Families	Company Franchise Taxes	Franchise Taxes From Existing Families	Franchise Taxes From New Families
1	$12,191	$137	$0	$8,157	$0	$1,292	$378	$9,375	$1,071	$5,144	$4,725	$540
2	$0	$0	$0	$8,400	$0	$2,627	$384	$9,529	$2,178	$5,306	$4,803	$1,097
3	$0	$0	$0	$8,640	$0	$3,672	$390	$9,687	$3,044	$5,432	$4,882	$1,534
4	$0	$0	$0	$8,910	$0	$4,072	$395	$9,847	$3,375	$5,513	$4,963	$1,701
5	$0	$0	$0	$9,270	$0	$4,485	$401	$10,010	$3,717	$5,596	$5,045	$1,873
6	$0	$0	$0	$9,409	$0	$4,559	$407	$10,175	$3,778	$5,680	$5,128	$1,904
7	$0	$0	$0	$9,550	$0	$4,634	$413	$10,343	$3,841	$5,765	$5,213	$1,936
8	$0	$0	$0	$9,693	$0	$4,711	$420	$10,514	$3,904	$5,852	$5,299	$1,968
9	$0	$0	$0	$9,839	$0	$4,789	$426	$10,688	$3,969	$5,940	$5,387	$2,000
10	$0	$0	$0	$9,986	$0	$4,868	$432	$10,865	$4,034	$6,029	$5,476	$2,033
Total	$12,191	$137	$0	$91,855	$0	$39,709	$4,047	$101,033	$32,910	$56,257	$50,919	$16,586

Includes previous $200,000 incentive.

SUMMARY OF COSTS AND BENEFITS FOR THE CITY OF INDEPENDENCE

PROJECT: Labette County Medical Center d/b/a Labette Health

DATE: 9/10/2020

DISCOUNT RATE: 3.92%

Ratio of Actual Benefits to Actual Costs Over the 10-Year Period:	2.43
Ratio of Present Value of Total Benefits to Present Value of Total Costs:	2.12
(Typical desired ratio would be 1.3 to 1) Average ROI	14.25%

Back to Start

NFP Data Entry

General Data Entry

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1	$12,329	$8,157	$36,594	$4,064	$0	$1,292	$10,824	$10,409	$0	$0	$2,376	$86,044	$82,796	$617	$250,000	$0	$250,617	$241,159	-$164,573	-$164,573	-$158,363
2	$0	$8,400	$37,198	$16,334	$0	$2,627	$12,091	$11,206	$0	$0	$4,823	$92,679	$85,816	$1,252	$50,000	$0	$51,252	$47,457	$41,428	-$123,146	$38,360
3	$0	$8,640	$37,813	$26,657	$0	$3,672	$13,120	$11,848	$0	$0	$6,730	$108,481	$96,657	$1,747	$50,000	$0	$51,747	$46,107	$56,734	-$66,412	$50,550
4	$0	$8,910	$38,438	$28,452	$0	$4,072	$13,618	$12,177	$0	$0	$7,452	$113,120	$96,987	$1,934	$50,000	$0	$51,934	$44,528	$61,185	-$5,227	$52,459
5	$0	$9,270	$39,073	$30,236	$0	$4,485	$14,128	$12,514	$0	$0	$8,195	$117,901	$97,271	$2,127	$50,000	$0	$52,127	$43,006	$65,774	$60,547	$54,265
6	$0	$9,409	$39,719	$30,736	$0	$4,559	$14,361	$12,712	$0	$0	$8,318	$119,813	$95,119	$2,159	$0	$0	$2,159	$1,714	$117,654	$178,201	$93,405
7	$0	$9,550	$40,375	$31,244	$0	$4,634	$14,597	$12,914	$0	$0	$8,442	$121,757	$93,014	$2,191	$0	$0	$2,191	$1,674	$119,565	$297,766	$91,340
8	$0	$9,693	$41,042	$31,760	$0	$4,711	$14,838	$13,118	$0	$0	$8,569	$123,732	$90,956	$2,224	$0	$0	$2,224	$1,635	$121,508	$419,274	$89,321
9	$0	$9,839	$41,721	$32,285	$0	$4,789	$15,083	$13,326	$0	$0	$8,697	$125,739	$88,944	$2,258	$0	$0	$2,258	$1,597	$123,482	$542,756	$87,347
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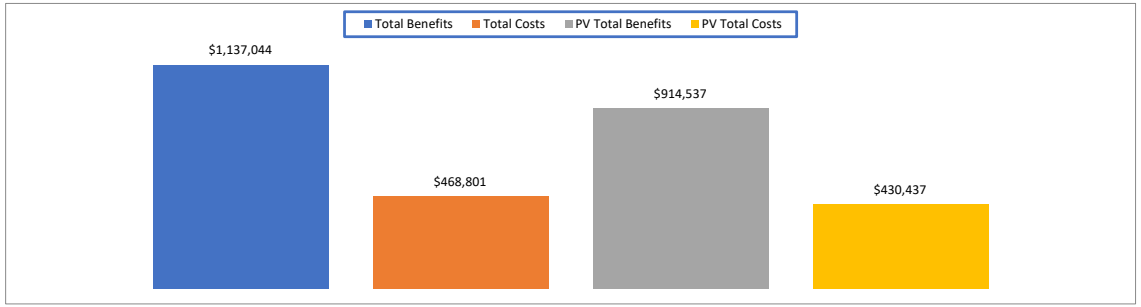
Total	$12,329	$91,855	$394,383	$264,586	$0	$39,709	$137,989	$123,763	$0	$0	$72,430	$1,137,044	$914,537	$18,801	$450,000	$0	$468,801	$430,437	$668,243	$668,243	$484,100



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Total	$12,191	$137	$0	$91,855	$0	$39,709	$4,047	$101,033	$32,910	$56,257	$50,919	$16,586

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 16, 2020

Department Administration **Director Approval** K. Passauer

AGENDA ITEM Consider a request from Main Street to utilize the City parking lot located at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market.

SUMMARY RECOMMENDATION Approve request.

BACKGROUND City staff received a request from Independence Main Street to utilize the City parking lot located behind Ane Mae's at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market.

BUDGET IMPACT This activity would encourage citizens and visitors to come downtown, which could encourage additional local business sales. It will also provide locally grown produce for local citizens.

SUGGESTED MOTION I move to authorize a request from Main Street to utilize the City parking lot located at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market..

SUPPORTING DOCUMENTS Request

From: Independence Main Street
To: Kelly Passauer
Subject: Commission agenda
Date: Friday, September 11, 2020 9:49:59 AM

Kelly,

Can you add Independence Main Street to the agenda on Wednesday, September 16th? I would like to get permission to block off the South side of the parking lot behind Ane Mae's on Thursdays from 2:00 PM – 7:00 PM starting September 17th through October 29th . We would like to start a Fall Farmers Market.

Thank you,
Tabatha

Tabatha Snodgrass, Executive Director
Independence Main Street
P.O. Box 611 ~ 109 E. Main St.
Independence, KS. 67301
Office: 620-331-2300
Cell Phone: 620-330-1415
www.independencemainstreet.com

REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 16, 2020

Department Administration **Director Approval** *Kelly Passauer*

AGENDA ITEM Consider adopting the following resolutions and authorizing the signing of the following forms relating to the CDBG grant application:

1. A resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the sewer system to be financed with Community Development Block Grant funds;
2. A resolution certifying legal authority to apply for the 2021 Kansas Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor/Commissioner to sign and submit such an application;
3. Determination of level of review;
4. Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended;
5. Statement of assurances and certifications; and
6. Applicant/Recipient Disclosure/Update Report.

SUMMARY RECOMMENDATION City staff recommends approval.

BACKGROUND On August 27, 2020 the City Commission held a public hearing regarding the submittal of a CDBG application for sanitary sewer improvements. Susan Galemore of Southeast Kansas Regional Planning Commission has advised that the above mentioned documents need to be adopted and/or signed to proceed with the application process. 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.

BUDGET IMPACT The CDBG grant application total will be $1,400,000, with $700,000 funded by the grant and $700,000 funded by the City. If the grant is awarded, the City's match will be funded from a KDHE loan in addition to some additional sanitary sewer projects including Wald Lift Station and I/I Abatement.

SUGGESTED MOTION I move to adopt the following resolution and authorize the signing of the following forms and any additional related form regarding the CDBG grant application:

1. A resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the sewer system to be financed with Community Development Block Grant funds;
2. A resolution certifying legal authority to apply for the 2021 Kansas Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor/Commissioner to sign and submit such an application;
3. Determination of level of review;
4. Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended;
5. Statement of assurances and certifications; and
6. Applicant/Recipient Disclosure/Update Report.

SUPPORTING DOCUMENTS Resolutions and forms relating to the CDBG application

CITY/COUNTY OF INDEPENDENCE, KANSAS

RESOLUTION NO. _____

A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE SEWER SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, The City/County of Independence is applying for Small Cities Community Development Block Grant funds under the Water/Sewer Category, as administered by the Kansas Department of Commerce; and,

WHEREAS, The City/County of Independence wishes to utilize this funding for the purpose of constructing improvements to the city's/county's sewer system, as described in the Community Development Block Grant application submitted to the Kansas Department of Commerce; and,

WHEREAS, The City/County of Independence has determined that the annual operation and maintenance costs of the sewer system improvements are anticipated to be approximately $23,000; and,

WHEREAS, The annual sewer budget has been determined to be adequate to fund the operation and maintenance of the sewer system,

NOW, THEREFORE, BE IT RESOLVED THAT: The Governing Body of the City/County of Independence, Kansas, hereby assures the Kansas Department of Commerce that sufficient funds will be provided for the continued operation and maintenance of the above described improvement; that these operation and maintenance costs will be reviewed annually; and that the budget will be adjusted, when necessary, to reflect and cover any increase in costs.

ADOPTED BY THE GOVERNING BODY OF THE CITY/COUNTY OF INDEPENDENCE, KANSAS THIS _____ DAY OF _____, 20____.

ATTEST:

_____
MAYOR/COMMISSIONER

_____
CITY CLERK/COUNTY CLERK

(SEAL)

THE CITY/COUNTY OF INDEPENDENCE, KANSAS

RESOLUTION NO. _____

RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE 2021 KANSAS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR/COMMISSIONER
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City/County of Independence, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City/County of Independence, Kansas, intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City/County of Independence, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR/COMMISSIONER of Independence, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates $700,000 in cash funds toward this project and $0 in force account labor for same.

APPROVED BY THE GOVERNING BODY OF THE CITY/COUNTY OF INDEPENDENCE, KANSAS, this _____ day of_____, 20____.

APPROVED _____
MAYOR/COMMISSIONER

ATTEST _____

(SEAL)

THE CITY/COUNTY OF INDEPENDENCE, KANSAS

Kansas Department of Commerce
Community Development Block Grant (CDBG) Program
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: City of Independence

Project Location: within the city limits of Independence

Project Description: The project will entail the following improvements: approximately, 6600 LF of sanitary sewer pipe lining, 5600 LF of sanitary sewer pipe reaming, replacing 23 manholes, lining 29 manholes, improving 134 service connections, and replacement of Lakeview Lift Station. The estimated project cost is $1,400,000 with a maximum grant request of $700,000.

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities," and the following determination with respect to the project is made:

☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(___)

☐ Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(___)

☒ Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(1)

☐ An Environmental Assessment (EA) is required to be performed.

☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

_____	_____
Chief Elected Official (print name/title)	Chief Elected Official's Signature
_____	
Date	

(Minimum required by all applicants for funding – must be submitted with application)

Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

no occupied dwellings will be demolished with this project

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of Independence on the _____ day of September, 2020.

Date: _____ Signature – Chief Elected Official: _____

STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

(1) It possesses legal authority to make a grant submission and to execute a community development and housing program.

(2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.

(3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.

(4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.

(5) Its chief executive officer or other officer of the grantee approved by Commerce:

   (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
   (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and

(6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

(a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1:

(b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;

(c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);

(d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;

(e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;

(f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;

(g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;

(h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;

(i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;

(j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended:

(k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.

(l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;

(m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

(n) The regulations, policies, guidelines and requirements of OMB Circular Nos. A-87, A-110 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;

(o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;

(7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;

(8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;

(9) It will comply with the provisions of 24-CFR-200.

(10) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;

(11) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).

(12) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.

(13) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.

(14) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.

(15) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

	Leonhard Caflisch
Signature, Chief Elected Official	Name (typed or printed)
Mayor	
Title	Date

To Whom It May Concern:

As Chief Elected Official of the City/County of Independence, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

_____
Mayor/County Commission

ATTEST:

_____
City/County Clerk

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report ☑ **or an Update Report** ☐

1. Applicant/Recipient Name, Address, and Phone (include area code):
City of Independence
811 W. Laurel, KS 67301
620-332-2500

2. Social Security Number or Employer ID Number:
[redacted]

3. HUD Program Name
Community Development Block Grant

4. Amount of HUD Assistance Requested/Received
$700,000

5. State the name and location (street address, City and State) of the project or activity:
Within the city limits of Independence, KS

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).
☑ **Yes** ☐ **No**

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of $200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9
☑ **Yes** ☐ **No.**

If you answered "**No**" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. ***However***, you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds
KDHE	Loan funds	$700,000	construction/engineering/ad

(**Note**: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds $50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity ($ and %)
SEKRPC	480802869	Administration	$20,000/1%
TranSystems	430839725	Engineering Design	$9,000/<1%
TranSystems	430839725	Construction Inspection	$143,000/10%

(**Note**: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed $10,000 for each violation.
I certify that this information is true and complete.

Signature:
X

Date: (mm/dd/yyyy)