

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, December 02, 2019
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDERMayor Ronald E. Hutto
ROLL CALL.....City Clerk, Brenda Peters
MINUTES OF PRECEDING MEETING.....Monday, November 18, 2019

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 1985 - A Resolution – Certifying Legal Authority to apply for the 2019 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application.

Bill No. 1986 - A Resolution – Assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the Water System to be financed with Community Development Block Grant Funds.

OTHER BUSINESS

- Consider a motion to authorize the Mayor to execute the Residential Anti-displacement and Relocation Assistance Plan under Section 1049d) of the Housing and Community Development Act of 1974, as Amended, regarding the application for CDBG Urgent Need assistance for water system improvements.
- Consider Agreement with Professional Engineering Consultants for Contract Prep/Bidding Services for the CDBG Walnut River Waterline Project for an amount of \$3,000.
- Consider Agreement with Professional Engineering Consultants for Construction Administration Services for the CDBG Walnut River Waterline Project for an amount of \$1,500.
- Consider election of KPP Voting Delegates
- Set Public Hearing for 2019 Budget amendments for Monday December 16, 2019
- Executive Session – Discuss Non-Elected Personnel

ADJOURNMENT

- 2019 Career Service Awards Banquet, Thursday, December 12th, 6:15 pm, Baden Square, 700 Gary St
- Next regular work session 12:00 p.m. Thursday, December 12, 2019.
- Next regular meeting 5:30 p.m. Monday, December 16, 2019.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
November 18, 2019

The Board of City Commissioners met in regular session, Monday, November 18, 2019 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Phillip R. Jarvis and Gregory N. Thompson were also present. Also in attendance were Taggart Wall, City Manager and Brenda Peters, City Clerk. William E. Muret, City Attorney was absent. Other staff member present was Gary Mangus, Assistant to the City Manager.

Commissioner Jarvis moved that the minutes of the November 5, 2018 meeting be approved. Commissioner Hutto seconded the motion. With all Commissioners voting aye, motion carried.

PUBLIC HEARING

Mayor Hutto opened a public hearing to consider an application to be submitted for CDBG Urgent Need funds. The project is an emergency replacement of a City water line crossing the Walnut River south of W 9th Ave at the Fairgrounds. With no one present to comment, Mayor Hutto closed the public hearing.

Mayor Hutto opened a public hearing to consider an EDX for IMI Fluid Kinetics. With no one present to comment, Mayor Hutto closed the public hearing.

BUSINESS FROM THE FLOOR

William Madrigal, 209 Minnesota – Nuisance complaint at 3rd Ave & Minnesota for broken sidewalks and junk in yards.

NEW BUSINESS

Bill No. 1982 – An Ordinance – Exempting certain property in the City of Winfield, Kansas, from ad valorem taxation for economic development purposes (IMI Fluid Kinetics Corp) Assistant to the City Manager Mangus explains that this exemption application is for the 13,000 sq. ft. addition to the plant on Industrial Road. Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis all Commissioners voting aye, Bill No. 18107 was adopted and numbered Ordinance No. 4121.

Bill No. 1983 – A Resolution – Authorizing and directing the Mayor and Clerk of the City of Winfield, Kansas, to execute a Pavement Replacement Project Agreement No. 205-19 between the City and the Secretary of the Kansas Department of Transportation, relating to assistance in the financing of the construction of streets on the State Highway System through the City. City Manager Wall explains this Resolution would authorize the City to execute a Pavement Replacement Project Agreement between the City and the Secretary of the Kansas Department of Transportation, and relates to a 2.3 million dollar project from College Street to Wheat Road on 9th Avenue. Upon motion by Commissioner Jarvis, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 1983 was adopted and numbered Resolution No. 6419.

Bill No. 1984 – A Resolution – Adopting the Kansas Homeland Security Region G Hazard Mitigation Plan. Assistant to the City Manager explains this Resolution will accept and authorize the five-year upgrade to the Hazard Mitigation Plan. Upon motion by Commissioner Thompson, seconded by

Commissioner Jarvis all Commissioners voting aye, Bill No. 1984 was adopted and numbered Resolution No. 6519.

OTHER BUSINESS

-Consider Agreement for Administrative Consulting Services of Community Development Block Grant Funds. City Manager Wall explains that this agreement allows the City to meet all the regulatory guidelines if the water line project under the CDBG is awarded. Total cost would be \$12,000. Commissioner Jarvis moved that the Commission accept the Agreement with Administrative Consulting Services of Community Development Block Grant. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

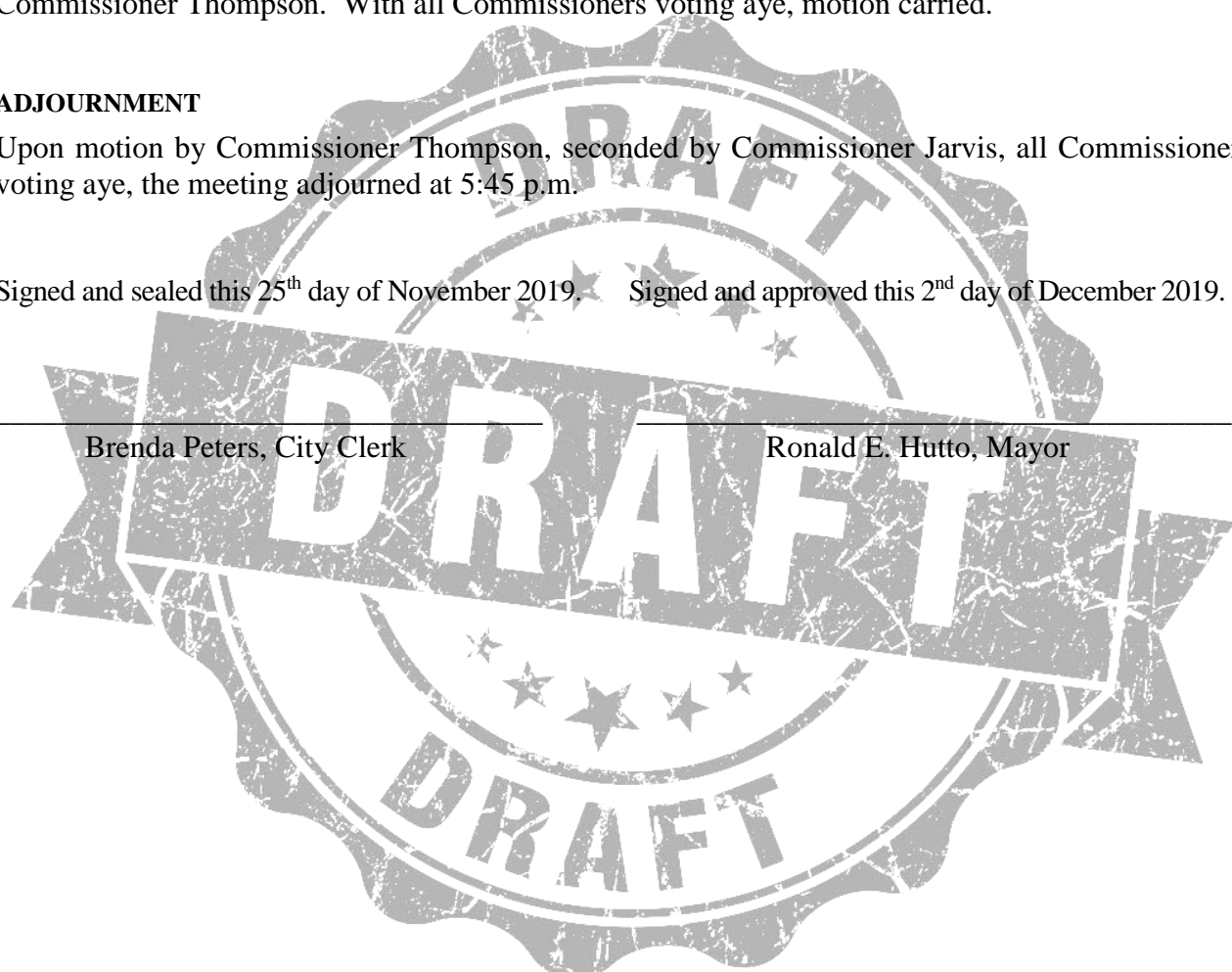
ADJOURNMENT

Upon motion by Commissioner Thompson, seconded by Commissioner Jarvis, all Commissioners voting aye, the meeting adjourned at 5:45 p.m.

Signed and sealed this 25th day of November 2019, Signed and approved this 2nd day of December 2019.

Brenda Peters, City Clerk

Ronald E. Hutto, Mayor



CITY/COUNTY OF Winfield, KANSAS

RESOLUTION NO. 1985

**RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE 2019 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 Winfield, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

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

THE APPLICANT hereby certifies that the City/County of Winfield, 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 Winfield, 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 \$17,000.00 in cash funds toward this project and \$0.00 in in-kind material and/or labor for same.

**APPROVED BY THE GOVERNING BODY OF THE CITY/COUNTY OF Winfield,
KANSAS, THIS 2nd DAY OF December, 2019.**

APPROVED _____
MAYOR/COMMISSIONER

ATTEST _____

(SEAL)

THE CITY/COUNTY OF Winfield, KANSAS

CITY/COUNTY OF Winfield, KANSAS

RESOLUTION NO. 1986

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

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

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

WHEREAS, The City/County of Winfield has determined that the annual operation and maintenance costs of the Water system improvements are anticipated to be approximately \$500; and,

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

NOW, THEREFORE, BE IT RESOLVED THAT: The Governing Body of the City/County of Winfield, 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 Winfield, KANSAS THIS 2nd DAY OF December, 2019.

ATTEST:

MAYOR

CITY CLERK

(SEAL)

November 27, 2019

Mr. Patrick Stewart
City of Winfield
200 E. Ninth Avenue
Winfield, KS 67156

Reference: Walnut River Waterline Crossing Replacement
Supplemental Agreement No. 1
Original Contract Date: July 24, 2019
PEC Project No. 35-197047-001-0943

Dear Mr. Stewart:

This Supplemental Agreement by Professional Engineering Consultants, P.A. (PEC) modifies the referenced Agreement, and any other previous Supplemental Agreements as may be noted herein.

A. Modification of Scope:

1. Provide Bidding and Contract Preparation Services as outlined below:
 - a. Advertise the projects to prospective bidders and advertise the project for a minimum of 30 days.
 - b. Field questions during bidding and address questions as needed via addendum.
 - c. Receive and review submitted bids
 - d. Produce bid tabulation, prepare notice of award, and pending award prepare the contract documents.
2. PEC further agrees to meet all requirements as outlined on the attached Summary of Civil Rights Law, Executive Orders, and Regulations.
3. This contract is contingent upon CDBG funding and will be considered null and void if CDBG funding is not awarded.

B. Time of Performance:

1. The completion date will be unchanged.

Mr. Patrick Stewart
Walnut River Waterline Crossing Replacement
Supplemental Agreement No. 1
November 27, 2019
Page 2

C. Payment Provisions:

1.	Original Contract amount	\$	16,500.00
2.	Net change by previous Supplemental Agreement(s)	\$	0.00
3.	The contract amount will increase by this Supplemental Agreement in the amount of	\$	<u>3,000.00</u>
4.	The new contract amount including this Supplemental Agreement will be	\$	19,500.00

D. Authorization to Proceed:

1. Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Sincerely,
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Michael D. Kelsey, P.E.
Municipal Division Manager

MDK:apg

ACCEPTED:

CITY OF WINFIELD

By: _____
Ronald E. Hutto

Title: Mayor

Date: _____

SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act, which: expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women); established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

Section 504 of the Rehabilitation Act of 1973, as amended, provides for nondiscrimination of an otherwise qualified individual solely on the basis of his/her handicap in benefiting from any program or activity receiving federal financial assistance. All recipients must certify to compliance with all provisions of this Section.

Age Discrimination Act of 1975. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of or subjected to discrimination under, any program or activity receiving federal financial assistance.

Fair Housing Amendments of 1988 added handicapped (disabled) individuals and families with children to the list of protected status categories.

Executive Order 11063, as amended, directs all departments and agencies to take all action necessary and appropriate to prevent discrimination in housing and related facilities owned or operated by the federal government or provided with federal financial assistance and in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans insured or guaranteed by the federal government.

Kansas Act Against Discrimination. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtors, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of

race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to recipients of public housing and lower income residents of the unit of local government or the metropolitan area (or non-metropolitan county) in which the project is located, contract work in connection with such projects shall be awarded to business concerns which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan county) as the project, employ Section 3 residents in full-time positions, or subcontract with businesses which provide economic opportunities to lower income persons.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally-assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay or other forms of compensation and selection or training and apprenticeship.

Section 503 of the Rehabilitation Act of 1973, as amended, provides for the nondiscrimination in contractor employment. All recipients of federal funds must certify to the following through all contracts issued:

Affirmative Action for Handicapped Workers

1. The contractor will not discriminate against any employee in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to make affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.
2. The contractor agrees to comply with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the contractor's noncompliance with the requirements of this clause, action for noncompliance may be taken in accordance with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.

4. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in the form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment and the rights of applicants and employees.
5. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The contractor will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

Section 912 of the Cranston-Gonzales National Affordable Housing Act, as amended, Section 109 (a) of the HCD Act to prohibit discrimination on the basis of religion.

E-Verify - CFR 52.222-54 requires federal contracts committing government contractors (subcontractors) to use the USCIS E-Verify system to verify that all of the contractors employees, (existing and new), directly performing work under federal contracts, are authorized to work in the United States.

November 27, 2019

Mr. Patrick Stewart
City of Winfield
200 E. Ninth Avenue
Winfield, KS 67156

Reference: Walnut River Waterline Crossing Replacement
Supplemental Agreement No. 2
Original Contract Date: July 24, 2019
PEC Project No. 35-197047-001-0943

Dear Mr. Stewart:

This Supplemental Agreement by Professional Engineering Consultants, P.A. (PEC) modifies the referenced Agreement, and any other previous Supplemental Agreements as may be noted herein.

A. Modification of Scope:

1. Construction Administration Services
 - a. Make periodic site visits to the project site to determine the Contractor's progress and general character of the work.
 - b. Consult with the Resident Inspector regarding interpretations or clarifications of the plans and specifications.
 - c. Review test reports as submitted by the Resident Inspector or contractor.
 - d. If needed, prepare change orders covering modifications or revisions necessitated by field conditions.
 - e. Perform walkthrough inspection and issue certificate of substantial completion when project has been completed.
2. PEC further agrees to meet all requirements as outlined on the attached Summary of Civil Rights Law, Executive Orders, and Regulations.
3. This contract is contingent upon CDBG funding and will be considered null and void if CDBG funding is not awarded.

B. Time of Performance:

1. The completion date will be unchanged.

C. Payment Provisions:

1.	Original Contract amount	\$	16,500.00
2.	Net change by previous Supplemental Agreement(s)	\$	3,000.00
3.	The contract amount will increase by this Supplemental Agreement in the amount of	\$	<u>1,500.00</u>
4.	The new contract amount including this Supplemental Agreement will be	\$	21,000.00

D. Authorization to Proceed:

1. Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Sincerely,
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Michael D. Kelsey, P.E.
Municipal Division Manager

MDK:apg

ACCEPTED:

CITY OF WINFIELD

By: _____
Ronald E. Hutto

Title: Mayor

Date: _____

SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act, which: expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women); established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

Section 504 of the Rehabilitation Act of 1973, as amended, provides for nondiscrimination of an otherwise qualified individual solely on the basis of his/her handicap in benefiting from any program or activity receiving federal financial assistance. All recipients must certify to compliance with all provisions of this Section.

Age Discrimination Act of 1975. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of or subjected to discrimination under, any program or activity receiving federal financial assistance.

Fair Housing Amendments of 1988 added handicapped (disabled) individuals and families with children to the list of protected status categories.

Executive Order 11063, as amended, directs all departments and agencies to take all action necessary and appropriate to prevent discrimination in housing and related facilities owned or operated by the federal government or provided with federal financial assistance and in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans insured or guaranteed by the federal government.

Kansas Act Against Discrimination. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtors, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of

race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to recipients of public housing and lower income residents of the unit of local government or the metropolitan area (or non-metropolitan county) in which the project is located, contract work in connection with such projects shall be awarded to business concerns which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan county) as the project, employ Section 3 residents in full-time positions, or subcontract with businesses which provide economic opportunities to lower income persons.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally-assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay or other forms of compensation and selection or training and apprenticeship.

Section 503 of the Rehabilitation Act of 1973, as amended, provides for the nondiscrimination in contractor employment. All recipients of federal funds must certify to the following through all contracts issued:

Affirmative Action for Handicapped Workers

1. The contractor will not discriminate against any employee in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to make affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental handicap in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.
2. The contractor agrees to comply with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the contractor's noncompliance with the requirements of this clause, action for noncompliance may be taken in accordance with the rules, regulations and relevant orders of the Secretary of Labor issued pursuant to the Act.

4. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in the form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment and the rights of applicants and employees.
5. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The contractor will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

Section 912 of the Cranston-Gonzales National Affordable Housing Act, as amended, Section 109 (a) of the HCD Act to prohibit discrimination on the basis of religion.

E-Verify - CFR 52.222-54 requires federal contracts committing government contractors (subcontractors) to use the USCIS E-Verify system to verify that all of the contractors employees, (existing and new), directly performing work under federal contracts, are authorized to work in the United States.



Governing Body Action Advised by December 11, 2019

October 28, 2019

To: Mayors, City Managers, and City Clerks

**Re: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
Kansas Power Pool Annual Membership Committee Meeting – December 13, 2019**

In order to vote at the Kansas Power Pool Annual Membership Committee Meeting, your governing body must designate a voting delegate. Your city may also appoint alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the Kansas Power Pool Office no later than December 11, 2019. This will allow us time to establish voting delegate/alternate records prior to the Annual Membership Committee Meeting.

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Membership Committee Meeting.

Action by Council Required. Consistent with the Kansas Power Pool 2nd Amended Operating Agreement, a Member's voting delegate and alternates must be designated by the governing body. When completing the attached Voting Delegate form, please attach either a copy of the governing body resolution that reflects the governing body action taken or have your city clerk or mayor sign the form affirming that the names provided are those selected by the governing body. Please note that designating the voting delegate and alternates must be done by governing body action and cannot be accomplished by individual action of the mayor or city manager/administrator/clerk alone.

Annual Member's Meeting Registration Required. The voting delegate and alternates must register for the Annual Membership Committee's Meeting. To register, they can go to the Kansas Power Pool Website at www.kpp.agency. In order to cast a vote, at least one voter present at the Annual Membership Committee Meeting will be provided a voting delegate card. Voting delegate cards will be issued at the registration desk on the day of the meeting. Provision is also made for voting by teleconference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but only between the voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the Kansas Power Pool office by Friday, December 11, 2019. If you have questions, please contact Brooke Carroll at 620-205-6838 or bc Carroll@kpp.agency.



2019 KANSAS POWER POOL ANNUAL MEMBERSHIP COMMITTEE MEETING VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the Kansas Power Pool office by Wednesday, December 11, 2019. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Membership Committee's Meeting Registration Area. **Your governing body may designate one voting delegate and alternates.**

In order to vote at the Annual Membership Committee meeting, voting delegates and alternates must be designated by your governing body. Please attach the resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the governing body.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH GOVERNING BODY RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the governing body to designate the voting delegate and alternate(s).

City: _____

Name: _____ Email: _____

Mayor or City Clerk _____ Date _____

(circle one)

(signature)

Please complete and return by Friday, December 11, 2019

Kansas Power Pool
Attn: Brooke Carroll
100 North Broadway, Suite L110
Wichita, KS 67202
bcarroll@kpp.agency