



City of Valley Falls

Established 1854

City Council Agenda

The City Council meeting is open to the public and will be held at City Hall.

Meetings will be streamed via Facebook Live (<https://www.facebook.com/cityofvalleyfalls>) Please email questions to cityadmin@valleyfalls.org before the meeting.

December 18, 2024 6:30 PM
Regular Meeting

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - City Council and Staff
MINUTES - Regular Meeting of December 4, 2024

PUBLIC COMMENTS & GUESTS:
Public Comment Policy

BUSINESS ITEMS:
1. Adoption of Safe Streets for All (SS4A) Plan
2. CDBG Phase 2 Sewer Grant
3. City Water Resources Update - Wesley Lanter
4. Walking Trail Update - Brett Dallman
5. River Area Update

INVOICES - \$109,820.73

REPORTS:
City Administrator
Public Works
Police
Mayor
Fire District
City Council Comments/ Feedback/ Ideas

ANNOUNCEMENTS/ COMMUNICATIONS:
December 24th & 25th - Christmas / City Offices Closed
January 1st - New Years / City Offices Closed
January 15th - Council Meeting 6:30 PM

EXECUTIVE SESSION

ADJOURNMENT



City of Valley Falls

Established 1854

CITY OF VALLEY FALLS December 4th 2024

Meeting Minutes

The meeting was called to order at 6:30 p.m. by Mayor Jeanette Shipley.

Council members present: Dennis Tichenor, Brett Dallman, Kevin Loy, Bret Frakes

Staff members present: Carolyn Clark (Chief of Police), Bill McCoy (Public Works Director), Wes Lanter (City Admin)
Destiny Schrick (city clerk)

Guest present: Dianne Heinen, Scott Heinen, Chrissy Broddle, Tom Welsh (4H fair board)

Public Comment: Tom brought to attention possibly putting a shut off valve on the waterline by the livestock grounds

Business Items

Meeting Minutes:

November 20th Dennis Tichenor made the motion, seconded by Brett Dallman 4-0 pass

Add Bret Frakes and Kevin Loy to the bank signature cards. Brett Dallman made the motion, seconded by Dennis Tichenor 4-0 pass

Gworks renewal Brett Dallman made the motion, seconded by Kevin Loy 4-0 pass

COLA Bret Frakes made the motion, seconded by Brett Dallman 4-0 pass

Every pole replacement up to 7000.00 Dennis Tichenor made the motion, seconded by Kevin Loy 4-0 pass

Invoices (26,946.87) Dennis Tichenor made the motion, seconded by Brett Dallman 4-0 pass

K9 Officer Apollo sworn into office

Executive Session

Kevin Loy made the motion to move into executive session, seconded by Brett Dallman 4-0 pass. Open Session will resume at 7:30pm. Called back to open session at 7:30pm.

Merit bonuses will be on a tiered scale, based upon yearly evaluation scores. Scale – 2.0-2.5 \$200, 2.5-3.0 \$300, 3.0-3.5 \$400, 3.5-4.0 \$500. Bret Frakes made the motion, seconded by Dennis Tichenor 4-0 pass

Reports

Public Works: Working on river project

Police: Chief Carrie and Apollo passed training, looking at K9 training being in office so it cuts down on travel and expense, ALERRT training at the school

Admin: SS4A final adoption plan Dec 18th, working with planning and zoning for the business district, helping with the river project, year end reports

Adjournment

Brett Dallman made the motion, seconded by Dennis Tichenor 4-0 pass. Meeting ended at 7:35pm

APPROVED: _____
Jeanette Shipley, Mayor

Attest: _____
Destiny Schrick, City Clerk



City of
VALLEY FALLS

Incorporated May 17, 1869

PUBLIC COMMENT POLICY

This is a business meeting of the governing body for the City of Valley Falls. We strive to run a smooth and efficient meeting.

Public Comment is limited to 3 minutes per person. Speakers shall state their name and address. This is intended for citizens to express their views. City Council Members will not engage in dialogue with the speaker. Belligerent, rude, and offensive speakers will be stopped immediately. Citizen should reach out to City Council Members to have personal discussion of their concerns outside of City Council Meetings.

Any comment for agenda items shall be taken only during the specific agenda item. All questions posed during public forum should be answered within the specific agenda item by any City Council Member or followed up as needed by staff in a timely manner during regular business hours following the meeting.

Citizens desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting & shall provide name and address, and the purpose or nature of the request. This request should be received by the City Administrator before Friday at noon preceding the meeting. No action or formal comment will be taken on such request at the council meeting. Staff will follow up in a timely manner during regular business hours following the meeting.



VALLEY FALLS, KANSAS

Safe Streets for All Action Plan

2024



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INTRODUCTION

Community Profile

Valley Falls is a charming small community located in northeastern Kansas, in Jefferson County. Nestled along the banks of the Delaware River, the town is approximately 30 miles northwest of the state's capital, Topeka, and about 50 miles from Kansas City. This strategic location places Valley Falls within reach of larger urban areas while maintaining its rural charm. Approximately 36% of the city's workforce commutes into town to work from neighboring small towns, and 58% commute outside of Valley Falls, largely to Topeka, KS (21%).

As of the latest American Community Survey (2022) Valley Falls has a population of 1,192 which is about a four percent increase over the past decade. The median age in the community is 47.2 years old, which is significantly older than the county (43.5) and the state of Kansas (36.0). Residents over 65 make up almost 26% of the population. However, Valley Falls also has a healthy mix of young families attending the Valey Fall School district. Children under 18 make up nearly 20% of the population. These two demographics highlight the significant vulnerable populations in Valley Falls.



Safe Streets for All (SS4A) Program Overview:

The Bipartisan Infrastructure Law established the Safe Streets and Roads for All (SS4A) program with \$5 billion in appropriated funds over five years (2022 – 2026). The program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The program supports the development of a Comprehensive Safety Action Plan (Action Plan) which is the foundation of the SS4A program.

Comprehensive Safety Action Plan

The purpose of this plan is to reduce or eliminate serious-injury and fatal crashes affecting all roadway users. Action Plans are meant to identify the most significant roadway safety concerns in a community and outline solutions. Communities must have an Action Plan in order to apply for implementation grants to carry out the identified strategies or countermeasures.

The program offers two types of grants after an Action Plan has been completed:

- Planning and Demonstration Activities
- Implementation

More information on each can be found through the U.S. Department of Transportation's website:

<https://www.transportation.gov/grants/SS4A>

The SS4A program is guided by the U.S. Department of Transportation's National Roadway Safety Strategy and their Vision Zero goal using a Safe Systems Approach.

Safe Systems Approach

The Safe Systems Approach is a holistic and comprehensive approach that provides a guiding framework to make places safer by focusing on human mistakes and human vulnerability with many redundancies in place for added protection. Safety programs are focused on infrastructure, human behavior, responsible oversight of the vehicle and transportation industry, and emergency response.

Principles of a Safe Systems Approach:

1. Death and Serious Injuries are Unacceptable

At its core, the Safe Systems Approach prioritizes the elimination of crashes that result in death or serious injury.

2. Humans Make Mistakes

Transportation systems can be designed and operated to accommodate certain types and levels of the inevitable human mistakes. This principle understands humans are not perfect and are bound to make mistakes



sometimes and the design of our roadways should do everything possible to mitigate them to prevent deadly crashes.

3. Humans are Vulnerable

Understanding the physical vulnerabilities of humans is critical to designing a transportation system that is human-centric to prevent death or serious injuries.

4. Responsibility is Shared

Designing a safe system requires collaboration and commitment from all stakeholders including government officials, industry, advocacy, researchers and the general public.

5. Safety is Proactive

Rather than waiting to react to crashes, proactive measures should be taken to identify and address potential or likely safety issues ahead of time.

6. Redundancy is Crucial

To minimize risk, it's important to reinforce safety components. This provides back-up if one part fails.

Implementation of the National Roadway Safety Strategy is arranged around five complementary objectives: Safer People, Safer Roads, Safer Vehicles, Safer Speeds, and Post-Crash Care.

LEADERSHIP COMMITMENT

As part of the requirements for an Action Plan, the City must make a commitment to either a Vision Zero goal or an ambitious percentage reduction of roadway fatalities and serious injuries.



Vision Zero is a global initiative aimed at eliminating all traffic fatalities and severe injuries while promoting safe, healthy, and equitable mobility for everyone. It emphasizes that traffic deaths and injuries are preventable and focuses on designing safer road systems, implementing effective policies, and encouraging community involvement to achieve zero traffic-related fatalities. It can also yield a more livable, sustainable, and equitable community through thoughtful and human-centric design.

Local Context and Need for Vision Zero in the Community

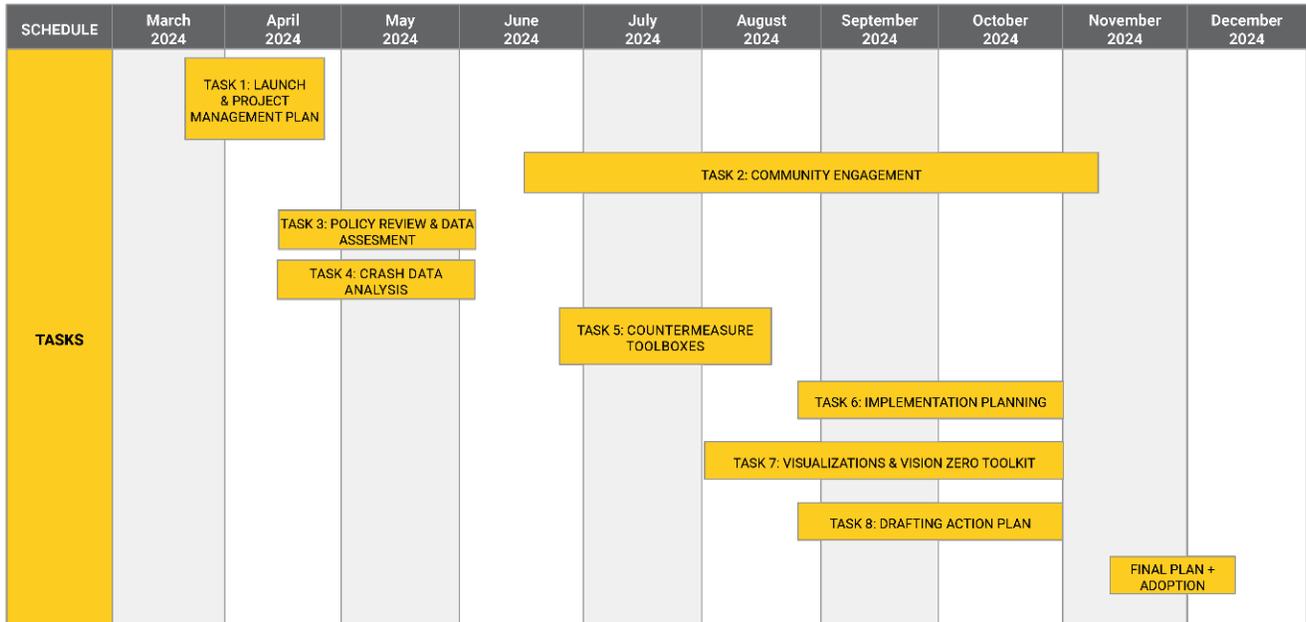
In our Kansas community, like many others across the nation, the road system has traditionally prioritized vehicular speed and throughput over safety, particularly for non-motorized users. This approach has led to a road environment that can be hostile and dangerous for pedestrians, cyclists, and others.

Valley Falls luckily has not experienced severe crashes in recent years, though in the spirit of the Safe Systems Approach, proactive measures can be taken to ensure this positive trend continues and Valley Falls remains successful at Vision Zero.

PLANNING PROCESS OVERVIEW

The project began with initial data and policy research to understand existing conditions and best practices. The project was announced to the public in June and meetings with the Steering Committee commenced along with a community survey. Countermeasure development continued throughout the process considering survey results and input from the Steering Committee and City staff. Finally, the draft recommendations were presented to the public and Steering Committee in October. After addressing feedback from the public, the final plan was presented to the City for official approval in December.

Valley Falls, KS | Safe Streets for All Action Plan | PROCESS DIAGRAM

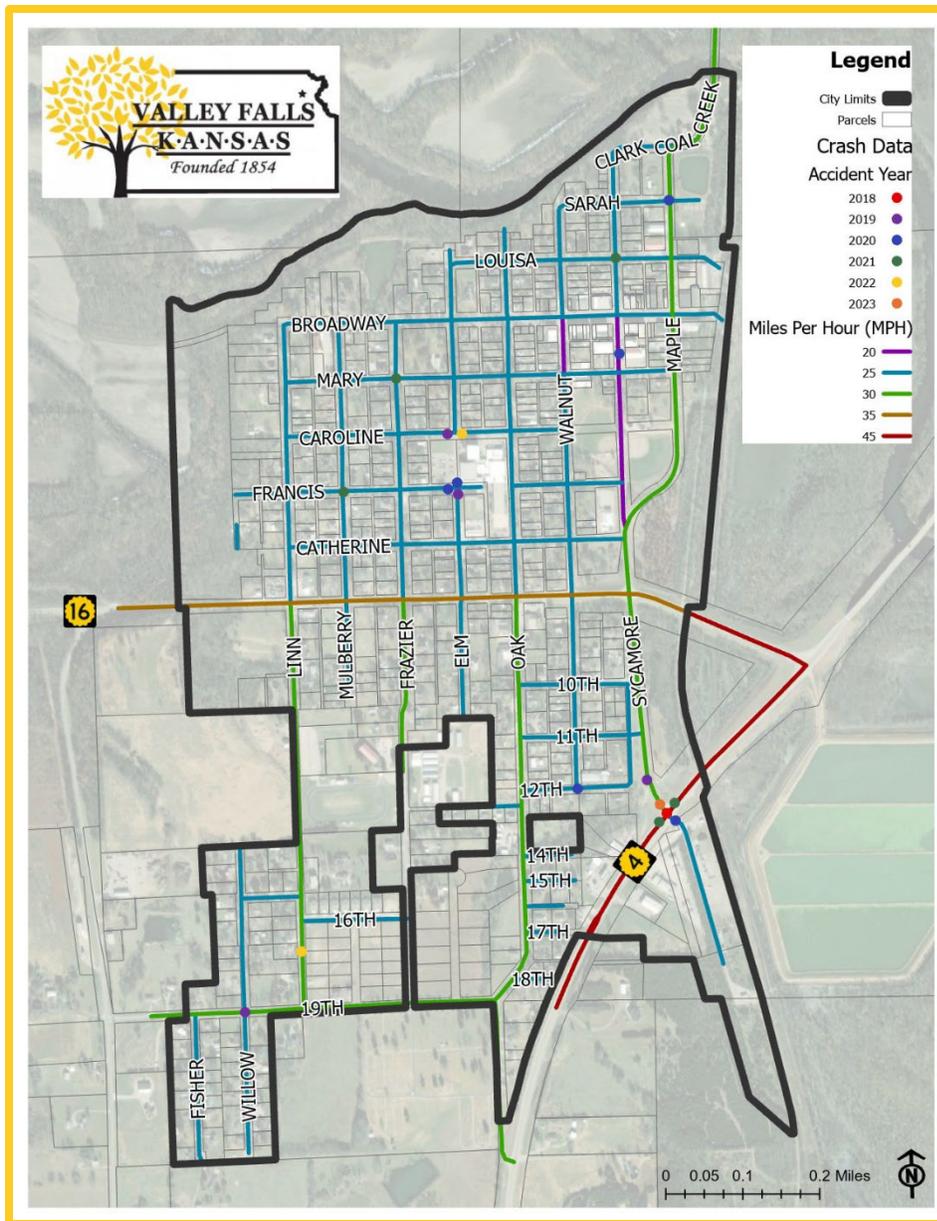


CRASH DATA ANALYSIS (2018-2023)

The analysis of crash data in Valley Falls, Kansas, from 2018 to 2023 reveals relatively few traffic incidents none of which resulted in death and only one involving a pedestrian. The data helps to identify patterns and contributing factors of accidents to create targeted measures to enhance road safety and reduce the frequency and severity of crashes.

Overview of Crash Data

The dataset comprises detailed records of nineteen traffic accidents, including the year, type of collision, location description, time of the incident, weather conditions, light conditions, speed limits, involvement of cyclists or pedestrians, contributing circumstances, and specific accident addresses. This comprehensive data allows for a thorough analysis of trends and risk factors associated with traffic incidents in Valley Falls. The full dataset and methodology can be found in the appendix of this plan.



Key Findings

Types of Collisions:

The most common type of collision involved other motor vehicles, frequently at angles or side impacts. This indicates intersections as high-risk areas. Collisions with parked motor vehicles were also noted, suggesting issues with roadside parking or driver attentiveness.

Location of Accidents:

Many accidents occurred at intersections (e.g., K004 HWY and Sycamore St, K016 HWY and Elm St). Intersections are critical points where traffic control measures

should be strengthened. Non-intersection roadways and roadside areas without shoulders are also featured in accident reports, highlighting the need for improved road infrastructure and clear markings.

Timing and Conditions:

Accidents occurred at various times of the day, with daylight conditions being the most common. However, incidents during dawn and under streetlights were also significant, indicating a need for better visibility measures. Weather conditions were predominantly clear, with no adverse conditions reported, suggesting that most accidents were likely due to human error or road conditions rather than weather-related factors.

Speed Limits:

Speed limits at accident sites varied, with some incidents occurring in higher speed zones (e.g., 45 mph). Speed management, including appropriate signage and enforcement, is crucial to reducing crash severity.

Contributing Circumstances:

Common contributing factors included disregarded signs/signals/markings (e.g., running a red light or stop sign) and right-of-way violations (e.g., failure to yield when merging onto a highway). These issues point to the need for better driver education and traffic law enforcement. Vehicle conditions, such as power train failures, were also noted, underscoring the importance of vehicle maintenance and safety checks.

STATE OF PRACTICE POLICY REVIEW

An extensive review of current city and local policy and plans along with best practices identified at the federal, state, and regional level was conducted to identify opportunities to improve how to prioritize and enhance safety.

City of Valley Falls Policy Summary

Valley Falls has had no prior major planning efforts in recent times. A review of current city code highlights the following measures:

- Presence of a school zone marked by flashing yellow beacons between the east edge of Walnut Street and the west edge of Elm Street on Phoebe/9th Street/Kansas Highway 16.
- Targeted enforcement near schools during peak times.
- Designated truck routes along KS Highway 4 and 16, Maple St. from Broadway to KS Highway 16, and Broadway St. from Maple St. to Broadway St.
- Parking restrictions.
- Sidewalk repair and standards guidelines.

Best Practices Literature and Policy Review

The policy review below encompasses a summary of best practices as identified by regional and national entities that should be considered and evaluated for need and feasibility of implementation. Best practices were reviewed across the 4-E's of traffic safety: Engineering, Equity, Enforcement, and Education.

Engineering

1. ***Road Diet Implementation*** ([Federal Highway Administration](#))
 - Evaluate corridors for road diets and other safety calming measures such as pedestrian crossing islands.
2. ***Improved Crosswalks*** ([Federal highway Administration](#))
 - Improve visibility of crosswalks to improve safety while crossing.
3. ***Traffic Calming Measures*** ([Federal Highway Administration](#))
 - Reduce driving speeds to reduce the potential collision likelihood and severity of impact.
 - Review high crash areas against current CIP projects.
 - Develop lists of priority locations for future CIPs.
 - Initiate roadway configuration reviews with engineering support.
 - Install rumble strips leading up to intersections with far sight distances to alert drivers of upcoming stop.

4. **Enhanced Street Lighting** ([Federal Highway Administration](#))
 - Increase visibility at intersections to reduce accidents due to poor lighting.
5. **Upgraded Traffic Signals** ([KDOT Strategic Highway Safety Plan](#))
 - Utilize the Traffic Engineering Assistance Program.

Equity

1. **Community Engagement Programs** ([Mid America Regional Council Transportation Safety Plan](#))
 - Create targeted outreach for vulnerable road users such as pedestrians, and young and older adult motorists.
 - Consider adopting executive policies to demonstrate support of best practices (Distracted driving ordinance, Vision Zero Policy).
2. **Accessibility Audits** ([AARP](#))
 - Regularly audit public spaces and transportation infrastructure for accessibility to ensure compliance with the Americans with Disabilities Act (ADA).
 - Develop and implement a safety corridor program.
3. **Equitable Enforcement Policies** ([Smart Growth America](#))
 - Utilize Complete Streets Guidelines to work towards friendly streets for all users including pedestrians and cyclists.
4. **Safe Routes to School** ([Safe Routes](#)) ([Safe Across](#))
 - Prioritize sidewalk connections near schools and key points of interest in town.
 - Launch a SafeAcross program to enhance pedestrian safety.
5. **Improve Access for Alternative Modes of Transportation** ([AARP](#)) ([Federal Highway Administration](#))

- Encourage the use of ride share programs, shuttle services, or carpooling.
- Improve bikes routes in the city to encourage the use of bicycles.

Enforcement

1. ***Speed Enforcement*** ([Federal Highway Administration](#))
 - Increase enforcement of traffic laws as well as improve speed limit sign visibility.
2. ***DUI Checkpoints*** ([National Highway Traffic Safety Administration](#))
 - Consider implementing publicized Sobriety Checkpoints.
3. ***Distracted Driving Laws*** ([National Highway Traffic Safety Administration](#)) ([KDOT Strategic Highway Safety Plan](#))
 - Increased enforcement of traffic laws.
 - Strategic enforcement at intersections with safety issues.
4. ***Commercial Vehicle Compliance*** ([Federal Highway Administration](#))
 - Enforce the use of and improve truck routes in cities to allow for better traffic flow.
5. ***Community Policing Initiatives*** ([Community Oriented Policing Services - Department of Justice](#))
 - Increase local police engagement to allow for education on traffic law and regulations.

Education

1. ***Road Safety Campaigns*** ([KDOT Strategic Highway Safety Plan](#))
 - Promote seatbelt usage through reminder signage.
 - Improve public awareness for non-motorized road users through educational campaigns and/or signage.
 - Develop educational material for new intersection or transportation infrastructure.

2. ***Driver Education Programs*** ([KDOT Strategic Highway Safety Plan](#))

- Create and deliver education campaigns that target factors in roadway departure crashes.

3. ***School-Based Traffic Safety Programs*** ([MARC](#)) ([KDOT Strategic Highway Safety Plan](#))

- Partner with the high school to educate students about driving safety through the SAFE (Seatbelts Are For Everyone) program.
- Encourage the high school to conduct a road safety and/or seatbelt survey of students.
- Improve data collection and analysis by conducting traffic counts of motorized and non-motorized traffic data.

4. ***Community Workshops*** ([KDOT Strategic Highway Safety Plan](#))

- Host community workshops to educate the community on safe driving policies or discuss priorities and solutions to challenges.
- Implement Local Traffic Safety Coalitions where community members familiar with local roads and neighborhoods can help resolve local issues.

5. ***Partner with KDOT for Program Implementation*** ([KDOT IKE program](#))

- Investigate programs such as Access Management, Drive to Zero, High-Risk Rural Roads, etc. for partnering opportunities with KDOT.

COMMUNITY ENGAGEMENT

Engaging with the community was paramount in determining the countermeasures of this plan and their prioritization. Community engagement took place in the form of website and social media updates, a Steering Committee, Community Survey, and Community Open House. Below is a summary of community engagement.

2024 ENGAGEMENT SCHEDULE											
	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	
Website Updates				[Yellow bar spanning Jun to Dec]							
Steering Committee Meetings				[Yellow box]		[Yellow box]		[Yellow box]			
Community Survey & Walk Audit					[Yellow bar spanning Jul to Aug]						
Public Meetings								[Yellow box: October 23rd]		[Yellow box: Council Adoption]	

Steering Committee

A steering committee was formed at the onset of the project. The committee included a diverse group of members representing the chamber, the school, council, and residents at-large. The committee met formally twice and attended the Community Open House to review the draft plan. The committee played an integral role in the project team’s understanding of the existing conditions through SWOT discussions, shaping the community survey, prioritizing countermeasures, identifying the Emphasis Areas, and ideation of projects.



A stand-out role the Steering Committee played was conducting a Walk Audit. This initiative assessed the walkability and safety of the transportation network in the three Emphasis Areas: Fraizer St, Broadway St, and surrounding the school. A full summary and documentation of the audits can be found in the appendix of this plan. The findings of the audit enhanced the existing data collected with true current conditions on the ground level. The audits also yielded a new perspective of the community for the committee members and spurred project recommendations.

Community Survey

A community survey was available and promoted for two months to gain public input on challenges, priorities, and preference for potential countermeasures. The survey was promoted through:

- City Facebook posts
- City website
- Local Newspaper
- 3rd Friday's Broadway Lights event
- Existing contact lists including the Chamber, Rotary club and Centenarian club.
- Flyer distribution
- Word of mouth and assistance from the Steering Committee

Optional demographic questions were included to help track participation compared to the community make-up while not deterring anyone from completing the survey. Paper copies of the survey were made available for those with technology barriers.

A full survey report can be found in the appendix of this plan. Key takeaways include:

- 64 total respondents.
- A strong community consensus for the importance of creating safer streets in Valley Falls. *90% of respondents believe it's important – very important.*
- A clear desire for improved sidewalk infrastructure and network. *The top two safety concerns were condition of sidewalks and lack of sidewalks. The number 1 solution to improve safety was to add or improve pedestrian infrastructure.*
- Priority for improving the pedestrian infrastructure around parks. *52% said they would like to be able to walk to parks but currently it's a challenge.*
- Some speeding concerns along Linn and near the school. *Speeding was the 3rd top traffic safety concern.*
- Significant visibility challenges were noted at Fraizer and K-16 (Phoebe St.). *A concentration of points were added to the map at the intersection noting both pedestrian crossing and vehicle visibility challenges due to the hill.*
- Residents' top 3 values for the brick streets are charm and character, safety, and durability.



Community Open House

The community at large was invited to an open house to review the draft countermeasures and projects. The meeting was advertised through similar channels as the survey. A brief overview presentation provided attendees with background information, survey results, and a high-level overview of the plan. Attendees then explored the drafted countermeasures and projects providing feedback and prioritization for projects. The open house format allowed attendees more flexibility to come and go at their convenience.



COUNTERMEASURE TOOLBOX

The following table identifies recommended countermeasures based on best practices and community input organized by the 4 E's of traffic safety.

Equity

Countermeasure	Priority	Timeframe
A) Conduct Accessibility Audits of public spaces and transportation infrastructure to ensure compliance with the Americans with Disabilities Act (ADA).	High Priority	Long-term (10+ years)
B) Develop and implement plans that ensure children from all neighborhoods have safe and accessible routes to school.	High Priority	Short-term (1-5 years)
C) Consider incorporating equity scoring based on more detailed demographic analysis and community input for targeted improvements such as in areas of lower income or where children and/or elderly populations are higher.	Low Priority	Long-term (10+ years)
D) Improve access for all members of the community to key destinations, trails, and neighborhoods along a safe, connected, and well-maintained transportation network.	High Priority	Long-term (10+ years)
E) Pursue grant opportunities for capital improvements including Safe Routes to School, Safe Streets for All Implementation, KDOT's Cost Share program, the Traffic Engineering Assistance Program, and the Build Kansas Matching Fund.	High Priority	Medium-term (5 - 10 years)

Rationale:

Most countermeasures in this equity category were deemed high priority by the steering committee. The highest priority was to increase safety around the school. Many students walk to and from school as well as to after-school sporting events. The limited or worn pedestrian infrastructure is a top priority to improve with some quicker fixes identified in the recommended projects for the School Emphasis Area.

Engineering

Countermeasure	Priority	Timeframe
F) Develop a Community Walkability Plan to fill sidewalk gaps and provide safer crossings, curb ramps and other improvements.	High Priority	Short-term (1-5 years)
G) Regularly track and analyze crash data to ensure the continued success of meeting Vision Zero and to develop a traffic safety performance measurement program.	Low Priority	Long-term (10+ years)
H) Incorporate where applicable measures from the FHWA's EDC5-Reducing Rural Roadway Departure initiative such as improved curve delineation, friction treatments in curves, rumble strips or barriers to reduce crash severity.	Low Priority	Long-term (10+ years)
I) Establish a brick streets policy for mobility safety and infrastructure management.	High Priority	Long-term (10+ years)

Rationale:

Walkability and the pedestrian infrastructure was identified as the top challenge from the onset of this plan and confirmed through the community survey and Walk Audits. Because of this, a priority next step for the community is to develop a Walkability Plan to focus on upgrading the pedestrian network more specifically. Valley Falls also has charming brick streets on Broadway St. downtown and Fraizer St. While the streets provide unique character and charm, the need for a brick streets policy was identified to ensure safety and good infrastructure management.

Education

Countermeasure	Priority	Timeframe
J) Initiate community conversations to enforce and strengthen property owner sidewalk maintenance in the community.	Low Priority	Long-term (10+ years)
K) Partner with the Valley Falls schools to participate in annual safety restraint enforcement campaigns.	Low Priority	Short-term (1-5 years)

Rationale:

Education countermeasures were identified as lower priority by the steering committee. The community currently enjoys minimal traffic incidents. Building ownership of sidewalk maintenance will take time, and as the community witnesses improvements from the city, may grow.

Enforcement

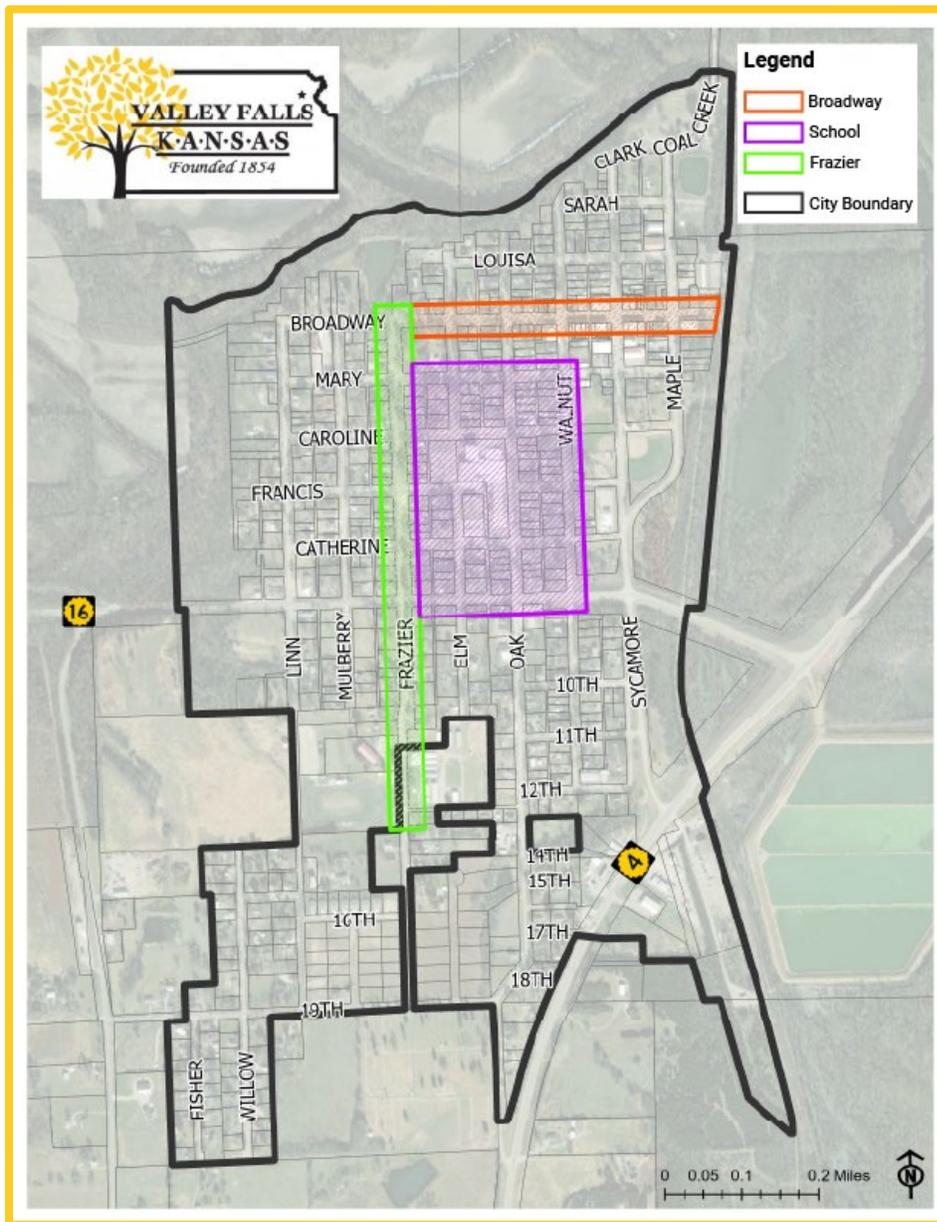
Countermeasure	Priority	Timeframe
L) Strengthen development requirements to require sidewalk connections and enhance the safety of intersections if applicable.	High Priority	Long-term (10+ years)
M) Promote strategic police enforcement in corridors and intersections with safety issues; including conducting speed studies where applicable.	High Priority	Short-term (1-5 years)

Rationale:

Valley Falls currently implements targeted enforcement in certain areas such as the school at peak times, which is recommended to continue. Strengthening development requirements was identified as an excellent way to reduce burden for a small local government.

Recommended Safety Projects

As a part of the planning process, key areas of focus, referred to as Emphasis Areas, were identified. These are areas of primary concern due to safety impact, infrastructure condition, and level of use. The areas are Frazier St., Broadway St., and around the school. Specific infrastructure projects for the Emphasis Areas are below with priority based on community feedback from the steering committee and open house.



Broadway

<i>Location:</i>	East side of Walnut Street: 5th Street to Broadway (connects with the School Area)
<i>Project Description:</i>	Install approximately 100 ft. of new sidewalk with applicable ADA ramps.
<i>Applicable Countermeasure(s):</i>	A, D, F
<i>Estimated Cost:</i>	\$2,000
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	Broadway Street in downtown Valley Falls
<i>Project Description:</i>	Remove approximately 700 ft of brick sidewalk and install new concrete sidewalk with applicable ADA ramps.
<i>Applicable Countermeasure(s):</i>	A, D, F, I
<i>Estimated Cost:</i>	\$36,800
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	Walnut Street to Maple Street and 3rd Street to 5th Street.
<i>Project Description:</i>	Install new crosswalks and applicable ADA ramps on all on all intersections.
<i>Applicable Countermeasure(s):</i>	A, D, F
<i>Estimated Cost:</i>	\$8,800
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	Broadway from Elm to Walnut
<i>Project Description:</i>	Install approximately 700 ft of new sidewalks with applicable ADA ramps along Broadway to connect City Park to Downtown.
<i>Applicable Countermeasure(s):</i>	D, F
<i>Estimated Cost:</i>	\$25,000
<i>Timeframe:</i>	Long-term (10+ years)

School

<i>Location:</i>	7 th Street and Oak Street
<i>Project Description:</i>	New school crosswalk with applicable signage.
<i>Applicable Countermeasure(s):</i>	B
<i>Estimated Cost:</i>	\$600
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	Midblock on Oak Street between 7 th Street and 8 th Street.
<i>Project Description:</i>	Remove mid-block crosswalk
<i>Applicable Countermeasure(s):</i>	B
<i>Estimated Cost:</i>	\$300
<i>Timeframe:</i>	Long-term (10+ years)
<i>Location:</i>	8 th Street and Oak Street
<i>Project Description:</i>	Install new school crosswalks, applicable ADA ramps, and signage on all four legs of the intersection
<i>Applicable Countermeasure(s):</i>	B
<i>Estimated Cost:</i>	\$9,800
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	8 th Street and Elm Street
<i>Project Description:</i>	Install missing school crosswalk, applicable ADA ramps, and signage; and install missing sidewalk links (approximately 400 ft) on both the east and west sides.
<i>Applicable Countermeasure(s):</i>	A, B, E
<i>Estimated Cost:</i>	\$16,400
<i>Timeframe:</i>	Long-term (10+ years)

<i>Location:</i>	Caroline from Oak and Walnut
<i>Project Description:</i>	Install approximately 400 ft of new sidewalks with applicable ADA ramps on north and south sides to increase safety from school to ball fields.
<i>Applicable Countermeasure(s):</i>	B, D, K
<i>Estimated Cost:</i>	\$15,000
<i>Timeframe:</i>	Long-term (10+ years)
<i>Location:</i>	Sycamore Street adjacent to the ball fields
<i>Project Description:</i>	New crosswalk and signage between ball fields
<i>Applicable Countermeasure(s):</i>	D
<i>Estimated Cost:</i>	\$600
<i>Timeframe:</i>	Long-term (10+ years)

Fraizer

<i>Location:</i>	City Park
<i>Project Description:</i>	Install approximately 700 ft of new sidewalks on north and south side; remove approximately 350 ft of brick sidewalk on east side on Fraizer and replace with new concrete sidewalk; install crosswalk and applicable ADA ramps on all four perimeter intersections.
<i>Applicable Countermeasure(s):</i>	A, D, I
<i>Estimated Cost:</i>	\$25,500
<i>Timeframe:</i>	Short-term (1-5 years)

Other

<i>Location:</i>	Highway K-16 and Oak Street
<i>Project Description:</i>	Install pedestrian crosswalk
<i>Applicable Countermeasure(s):</i>	D
<i>Estimated Cost:</i>	\$500
<i>Timeframe:</i>	Short-term (1-5 years)
<i>Location:</i>	Sycamore and Mary (5 th Street) Crosswalk
<i>Project Description:</i>	Install pedestrian crosswalk
<i>Applicable Countermeasure(s):</i>	D
<i>Estimated Cost:</i>	\$500
<i>Timeframe:</i>	Long-term (10+ years)

FUNDING & RESOURCES

Funding can be sought to implement the following aspects of this Action Plan:

1. **Infrastructure Improvements:** Expenses related to roadway materials or traffic calming, and pedestrian infrastructure like sidewalks and crosswalks.
2. **Enforcement and Policy Changes:** Costs for implementing speed limit changes and targeted law enforcement.
3. **Education and Awareness Campaigns:** Community outreach, school programs, and production of educational materials.
4. **Monitoring and Evaluation:** Funds for data collection, analysis, and reporting to assess progress.

Potential Funding Sources and Partnerships

1. Federal and State Grants

- **Transportation Alternatives (TA) Program:** Administered by the Kansas Department of Transportation (KDOT), the TA Program funds projects that enhance non-motorized transportation, including pedestrian and bicycle infrastructure.
- **National Highway Traffic Safety Administration (NHTSA):** Grants for road safety and traffic enforcement programs.
- **Safe Routes to School (SRTS) Program:** This program provides resources and funding to encourage and enable students in grades K–12 to walk, bike, or roll to school safely.

2. Local Government Funds

- **General Funds:** Allocation from the city or county budget for public safety and infrastructure.

- **Special Road and Street Fund:** Leveraging state-provided funds designated for local road improvements.

3. **Public-Private Partnerships**

- **Collaborations with Local Businesses:** Engage local businesses to sponsor specific projects or educational campaigns.
- **Community Foundations:** Partner with local foundations that focus on public health and safety for funding and support.

4. **Crowdfunding and Community Contributions**

- **Online Fundraising:** Utilize platforms like GoFundMe or Kickstarter for specific community-backed projects.
- **Local Fundraisers:** Organize community events to raise awareness and funds.

MONITORING AND EVALUATION

Methods for Tracking Progress

1. Data Collection and Analysis

- Regularly collect and analyze traffic incident data to assess changes in safety conditions. Consider conducting additional walk audits to monitor progress and assess new priority areas.
- Coordinate with law enforcement, healthcare facilities, and emergency services for comprehensive data on traffic incidents and outcomes.
- Use Geographic Information Systems (GIS) to monitor the effectiveness of infrastructure improvements. See provided recreation methodology in appendix.

2. Community Feedback Systems

- Implement and maintain feedback channels (such as surveys, public meetings, and comment forums) for community input on the plan's impact.

KEY PERFORMANCE INDICATORS (KPIs)

1. Reduction in Traffic Fatalities and Serious Injuries

- Monitor year-over-year changes in the number of fatalities and serious injuries resulting from traffic incidents to ensure the community maintains Vision Zero.

2. Infrastructure Improvement Implementation

- Track the completion and effectiveness of new traffic safety infrastructure projects.

3. Public Engagement and Education

- Evaluate the reach and impact of public awareness campaigns through participation rates and feedback.

Schedule for Regular Reporting and Plan Updates

1. Quarterly Reports

- Provide updates on ongoing actions, KPI progress, and immediate challenges or changes in strategy.

2. Annual Comprehensive Review

- Conduct a thorough annual review to assess yearly progress, reevaluate goals, and make adjustments to strategies as necessary.

3. Five-Year Strategic Review

- Every five years, undertake a comprehensive strategic review to assess long-term progress, evolving community needs, and changes in priorities.

4. Ongoing Stakeholder Engagement

- Regularly engage with stakeholders including businesses, the school, community organizations, and residents to gather input and share progress.



VALLEY FALLS, KANSAS

Appendix

2024





Valley Falls, KS Safe Streets for All

Crash Data Analysis for Valley Falls, Kansas (2018-2023)

Introduction

The analysis of crash data in Valley Falls, Kansas, from 2018 to 2023 reveals critical insights into traffic incidents, helping to inform strategies for the Safe Streets for All Action Plan. By understanding the patterns and contributing factors of these accidents, we can implement targeted measures to enhance road safety and reduce the frequency and severity of crashes.

Overview of Crash Data

The dataset comprises detailed records of nineteen traffic accidents, including the year, type of collision, location description, time of the incident, weather conditions, light conditions, speed limits, involvement of cyclists or pedestrians, contributing circumstances, and specific accident addresses. This comprehensive data allows for a thorough analysis of trends and risk factors associated with traffic incidents in Valley Falls.

Key Findings

Types of Collisions:

The most common type of collision involved other motor vehicles, frequently at angles or side impacts. This indicates intersections as high-risk areas. Collisions with parked motor vehicles were also noted, suggesting issues with roadside parking or driver attentiveness.

Location of Accidents:

Many accidents occurred at intersections (e.g., K004 HWY and Sycamore St, K016 HWY and Elm St). Intersections are critical points where traffic control measures should be strengthened. Non-intersection roadways and roadside areas without shoulders are also featured in accident reports, highlighting the need for improved road infrastructure and clear markings.

Timing and Conditions:

Accidents occurred at various times of the day, with daylight conditions being the most common. However, incidents during dawn and under streetlights were also significant, indicating a need for better visibility measures. Weather conditions were predominantly clear, with no adverse conditions reported, suggesting that most accidents were likely due to human error or road conditions rather than weather-related factors.



Speed Limits:

Speed limits at accident sites varied, with some incidents occurring in higher speed zones (e.g., 45 mph). Speed management, including appropriate signage and enforcement, is crucial to reducing crash severity.

Contributing Circumstances:

Common contributing factors included disregarded signs/signals/markings (e.g., running a red light or stop sign) and right-of-way violations (e.g., failure to yield when merging onto a highway). These issues point to the need for better driver education and traffic law enforcement. Vehicle conditions, such as power train failures, were also noted, underscoring the importance of vehicle maintenance and safety checks.



Valley Falls, KS Safe Streets for All

Summary of Valley Falls, KS Walk Audit

The Valley Falls Walk Audit aimed to assess the walkability, pedestrian safety, and infrastructure in key areas of the town to guide future improvements. The audit focused on identifying potential enhancements for safety, accessibility, and comfort for all users, including children, seniors, and individuals with disabilities. Below is a breakdown of the findings from three specific walk audit areas: Broadway Street, Fraizer Street, and the School Zone.

Broadway Street Walk Audit

- **Overall Condition:** The Broadway Street corridor exhibits significant wear and tear on both the road and sidewalks, with portions of the sidewalk being in particularly poor condition. Many intersections lack marked crosswalks and ADA-compliant ramps, and pedestrian safety features like crossing signals are largely absent.
- **Intersections:** Intersections like Broadway and Maple Street or Broadway and Walnut Street lack clear crosswalks, making pedestrian navigation unsafe. While stop signs are generally visible, the lack of ADA-compliant infrastructure presents challenges.
- **Sidewalks:** Many sidewalks are composed of brick and concrete but are misaligned, cracked, and interrupted by driveways or alleys, further decreasing walkability. The poor condition of the sidewalks, especially the mixed materials and vertical misalignments, presents safety hazards for pedestrians.

Fraizer Street Walk Audit

- **Overall Condition:** Fraizer Street experiences lighter traffic, and the road is in fair condition, with some signs of wear and tear. However, pedestrian infrastructure is still lacking in marked crosswalks and ADA-compliant ramps.
- **Intersections:** Similar to Broadway, the intersections along Fraizer Street, such as Fraizer and Mary Streets, also lack marked crosswalks and pedestrian signals, but stop signs are visible and reflective. The road condition is fair, with minor cracks and unevenness.

- **Sidewalks:** Some sections of sidewalks along Fraizer Street are in better condition than Broadway, with fewer interruptions, although some overgrowth and missing segments exist in specific areas, leading to inconsistent walkability. Cars parking on sidewalks are a noted issue, further obstructing pedestrian movement.
-

School Zone Walk Audit

- **Overall Condition:** The area around the school faces more significant challenges due to the high pedestrian traffic during school hours and a lack of adequate pedestrian infrastructure. Many roads, including Mary Street, are severely cracked, potholed, and poorly marked, contributing to hazardous conditions.
 - **Intersections:** Key intersections in the school zone, such as Elm and Caroline Streets, experience heavy traffic during school hours, yet they lack ADA ramps, pedestrian crossing signs, or push-button crossings. Stop signs are visible, but the absence of crosswalk markings adds to the risks.
 - **Sidewalks:** Sidewalks in the school zone are in very poor condition, often misaligned and heavily overgrown. Segments of the sidewalk are missing in many places, making it challenging for pedestrians, especially students, to navigate the area safely. The lack of continuous and safe sidewalks is a critical issue.
-

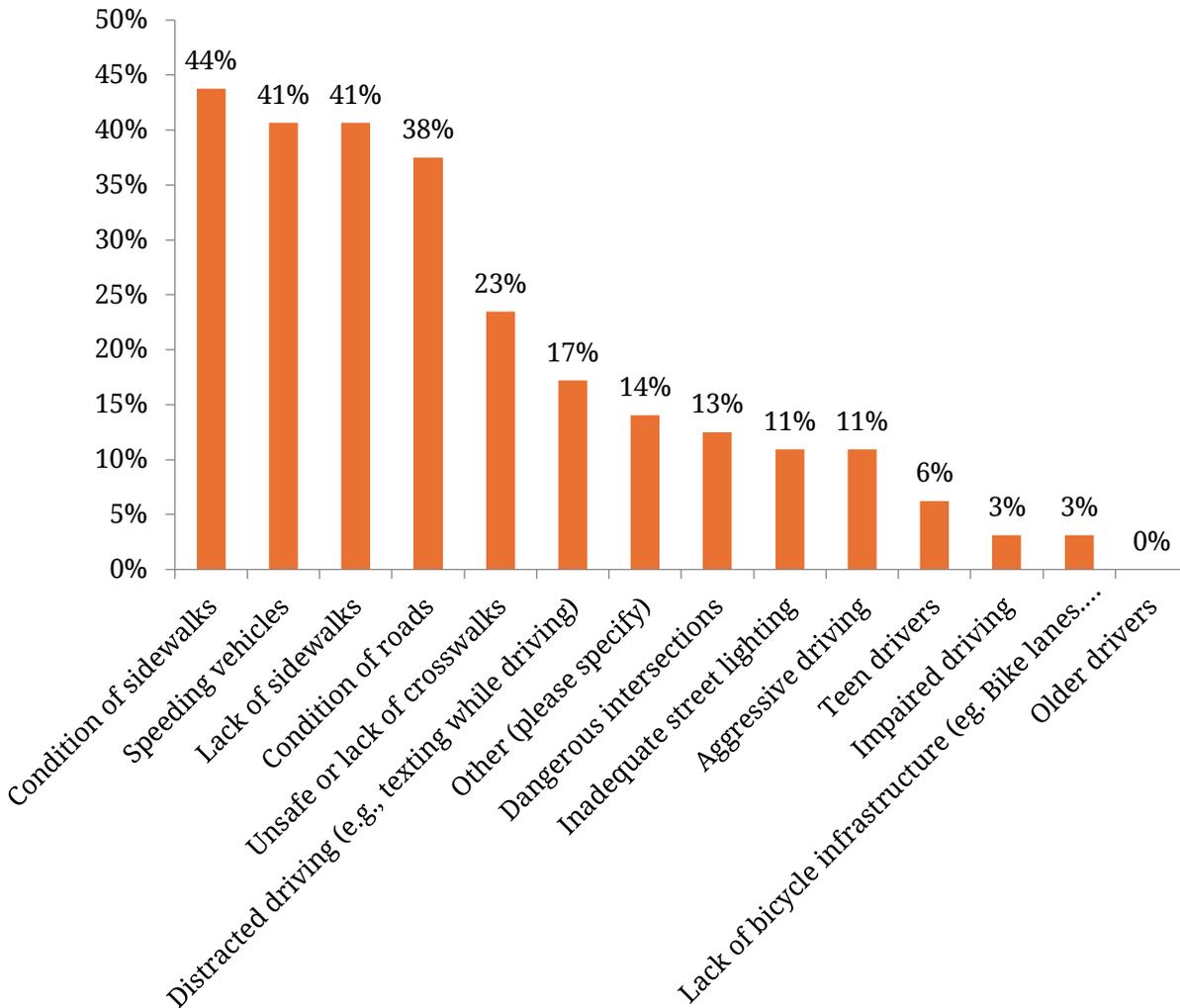
Conclusion:

Each walk audit area in Valley Falls demonstrates significant deficiencies in pedestrian infrastructure. The lack of marked crosswalks, ADA compliance, and continuous sidewalks are key issues across Broadway, Fraizer, and the school zone, with the school zone being particularly concerning due to heavy pedestrian traffic during school hours. These findings suggest an urgent need for improvements to ensure pedestrian safety and accessibility throughout the town.

Valley Falls, KS Safe Streets for All

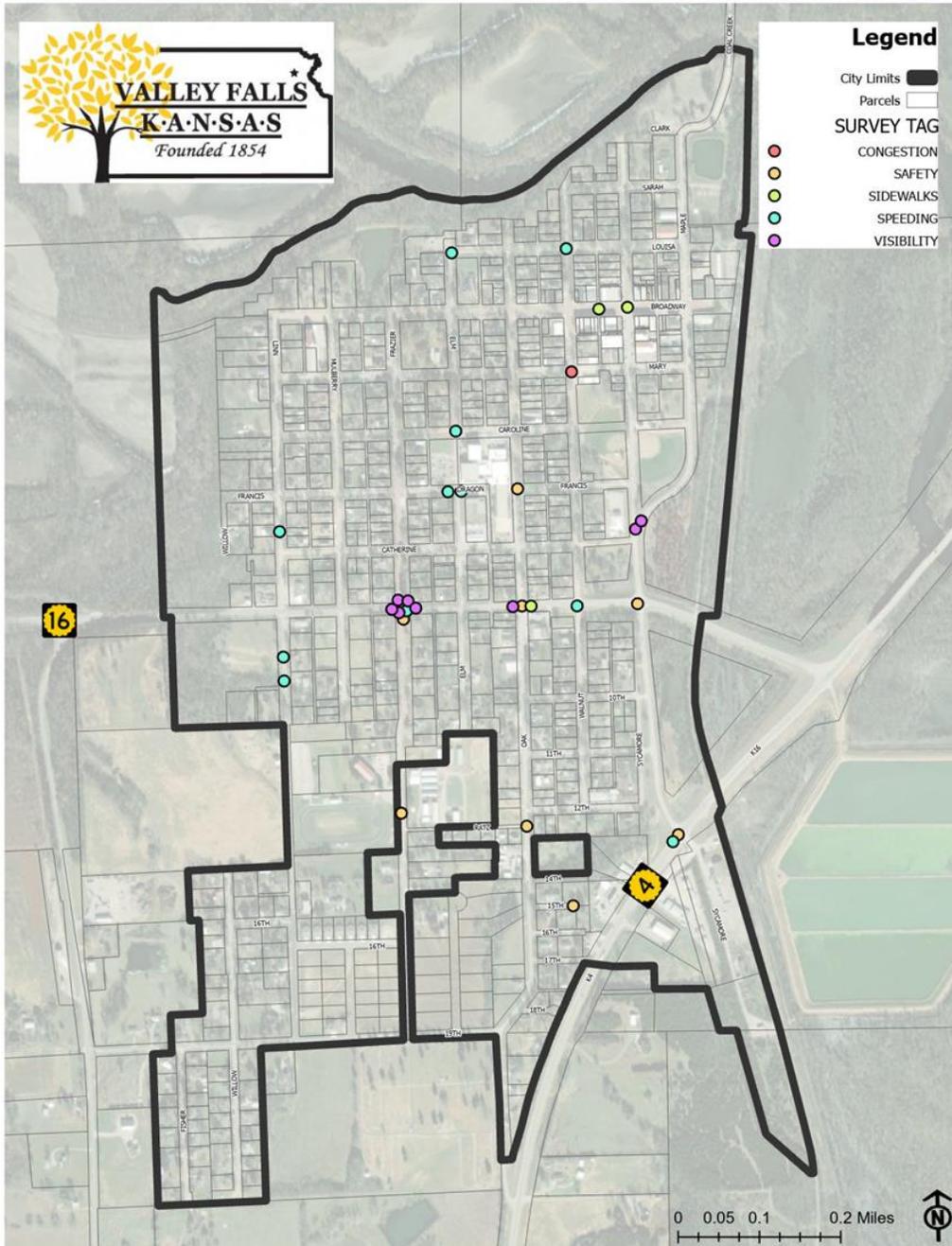
Community Survey Results

Q1. What are your top traffic safety concerns in Valley Falls? (Select up to 3)



Other responses: even younger drivers with farmers permits, narrow streets allowing parking on both sides, golf carts and children, ATV and off road vehicles, sidewalk cracks in front of the store front, too many police, crossing 16 Highway

Q2. Do you have a specific area of traffic safety concern in Valley Falls? If so, click the location on the map below



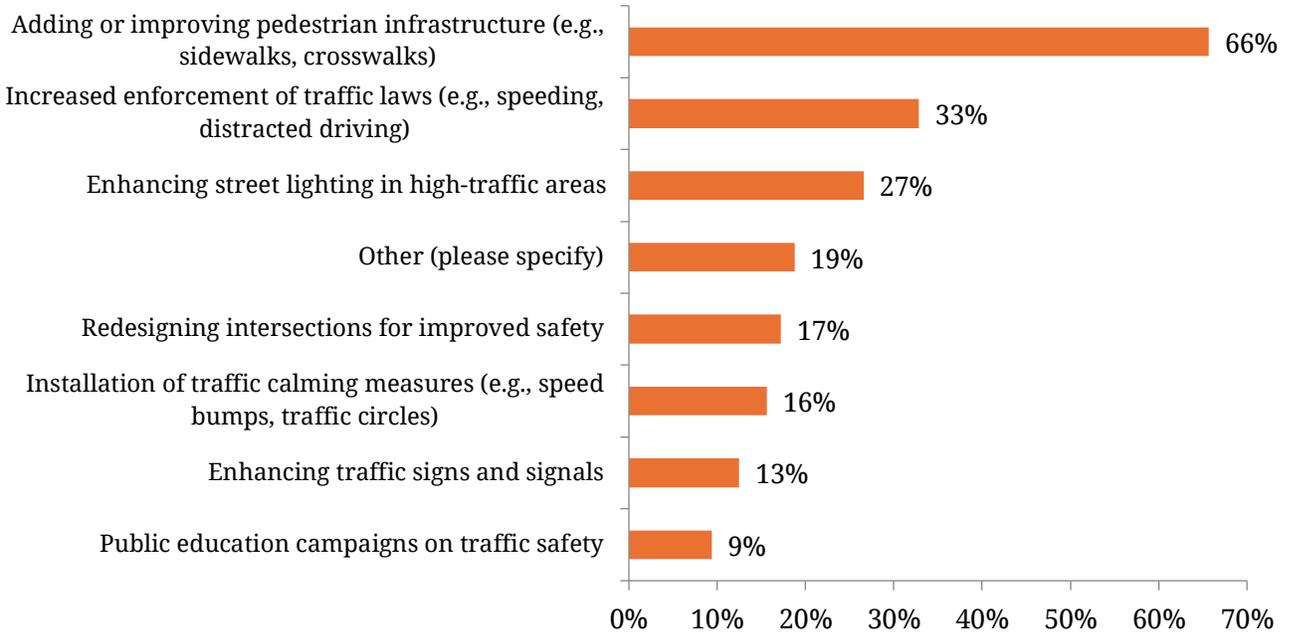
Q4. Please briefly explain your concern

- hard to see vehicles coming from south
- I just get nervous at blinker light hill because of the incline and the speed of K16 drivers, but it doesn't seem to be a problem for others. I just avoid it and go to a different intersection.
- Crosswalk missing at highway, very dangerous for students.
- Cars come up over the hill too quickly....watch for pedestrians.
- We live on the outskirts of the town so we get a lot of traffic. People are always speeding by and we have several home with young children. I am afraid one day someone is going to get hurt.
- You can't see vehicles coming up over the hill there from the west. It's terrible dangerous and it needs to either have the hill cut down or an actual traffic light. Not just the blinking light that people coming from the west pay no attention to.
- high school kid speeding out of the parking lot and onto Elm St
- No crosswalk. Speeding drivers. Drivers won't stop for kids trying to cross
- This is a dangerous intersection with speeding vehicles coming from both direction on 16 highway. Also, the north Frazier corner needs some road work. The asphalt is crumbling.
- Vehicles at Scott's often create traffic hazards where traffic cannot get through. Had to back up on at the stop sign so car could get through
- Frazier street is in bad shape
- I see lots of kids crossing this intersection. I know the school's track team and football teams cross here everyday when they walk from the school to the track and football field. Vehicles coming from the west to the top of this hill cannot see the kids walking across the highway.
- Since the school track was rubberized, there is no safe place for kids to ride their bikes and parents with stroller to walk.
- Kids speeding out of school parking lot and going wrong way down elm everyday to school parking lot
- some people yield, but a lot of people don't, and trees are in the way of view
- Sycamore and Broadway sidewalk is in horrible condition
- The traffic codes for this intersection are often not followed correctly; especially in regards to yields, stopping and speed.
- Stop sign isn't used and speeding
- I'd like to see sidewalks on Frazier. It's next to the school, park, and football field.
- At blinker light hard to know whether traffic is coming over hill on K16
- the hill is scary when you're pulling out
- speeding vehicles on the curve. No safe place to walk
- Wherever my truck is
- I think there should be a turn lane in the middle of K4 Hwy to people turning left onto Sycamore Street

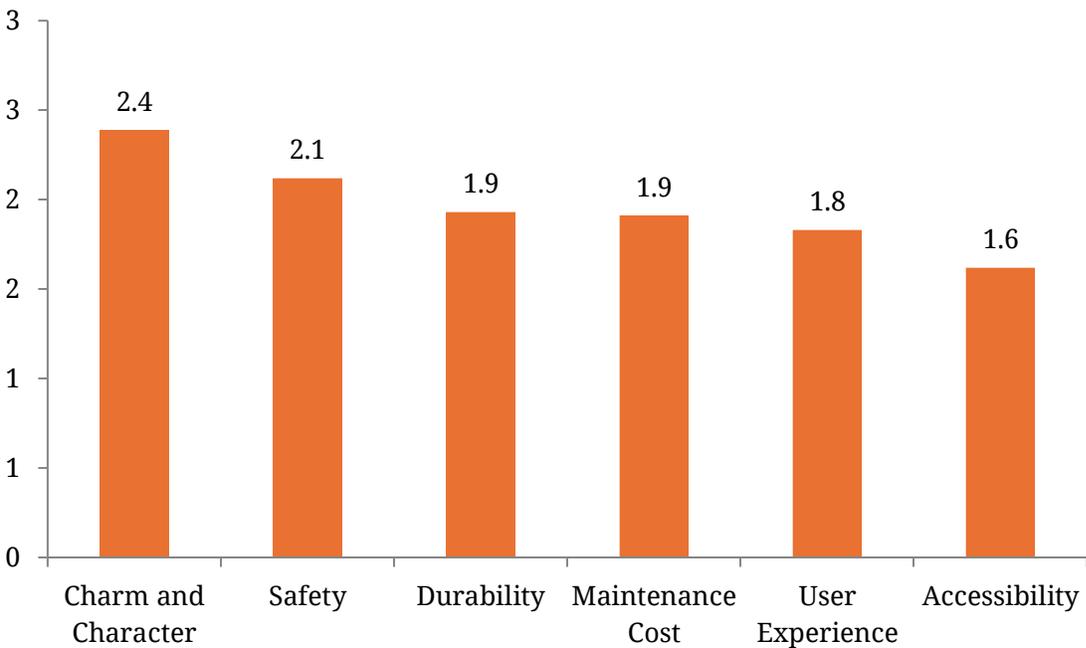


- I believe we should have better crosswalk markings and safety measures for kids crossing the highway to go to school
- Linn street is a raceway
- Not having a safe way for lawn mowers, golf carts and small side by sides a safe way to get from the end of 15th St to the Casey's General store for elderly or disabled persons
- Traffic on Linn Street seems to be moving quite fast
- Crosswalk at oak and k16
- I have a problem with the area around the school and on the highway before and after school
- Speeding vehicles on Linn st from broadway to 16hwy. There should be a stop sign at at least one of the intersections on Linn.
- Speeding along with cars coming on/off highway from both sides of the road.
- Blind spot coming over the hill. Kids use this intersection to cross the highway coming from the track field.
- Most of the vehicles passing this intersection aren't going anywhere NEAR 35 MPH.
- The roads are horrible. The trash trucks destroy the pavement at most places they pick up cans. Road repairs are filled with gravel.
- High school students leaving school and not looking for younger kids. They see how fast they can drive out of the parking lot.
- Off road vehicles crossing highway with disregard of driving laws
- All Street curbs and drains need cleaned and maintained. Bricks need repaired, potholes need repaired, sidewalks need redone especially downtown
- Crossing the highway on foot or vehicle is dangerous. Kids cross there for track & football
- Blind Hill / Intersection.
- The road is awful here. There are many parts of town where the roads are bad, but this part of Oak is terrible.

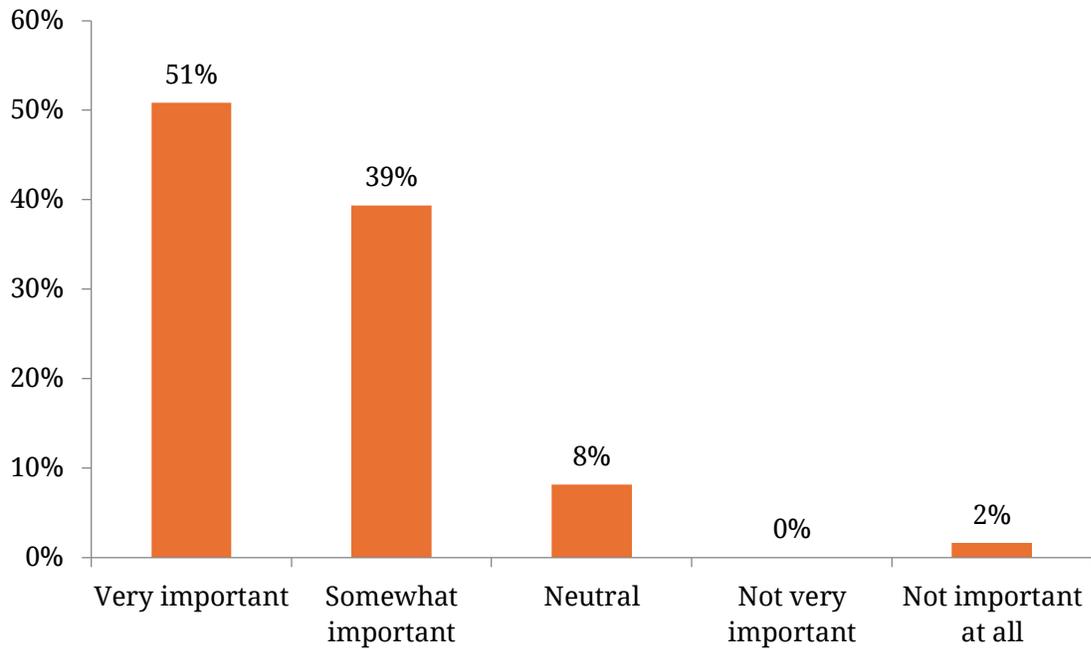
Q4. Which types of solutions do you believe would be most effective in improving traffic safety in Valley Falls? (Select up to 3)



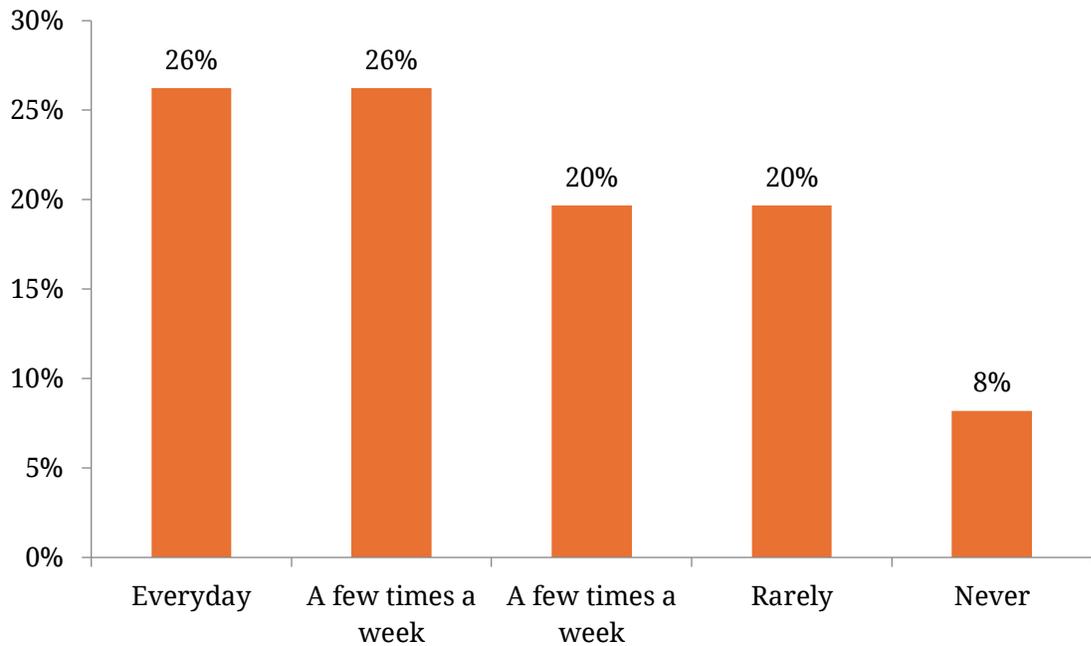
Q5. Ranked values of brick streets (weighted score)



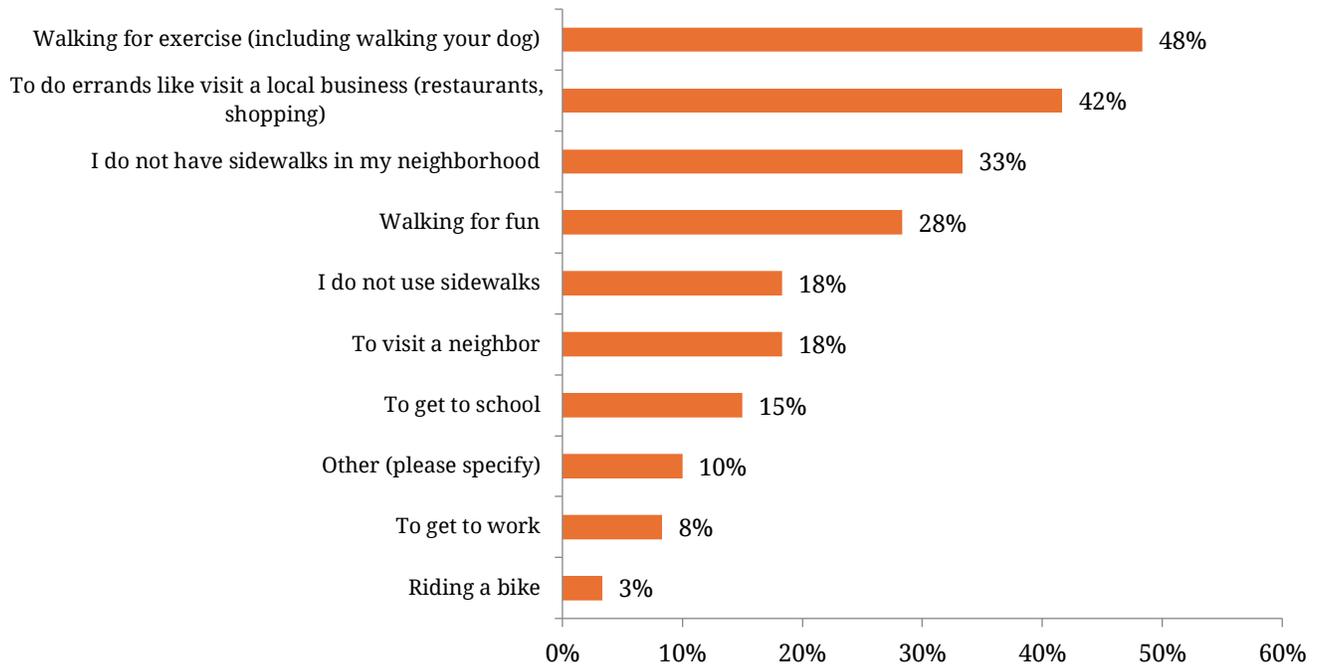
Q6. How important is it for Valley Falls to prioritize creating safer streets for pedestrians?



Q7. How often do you walk in Valley Falls?

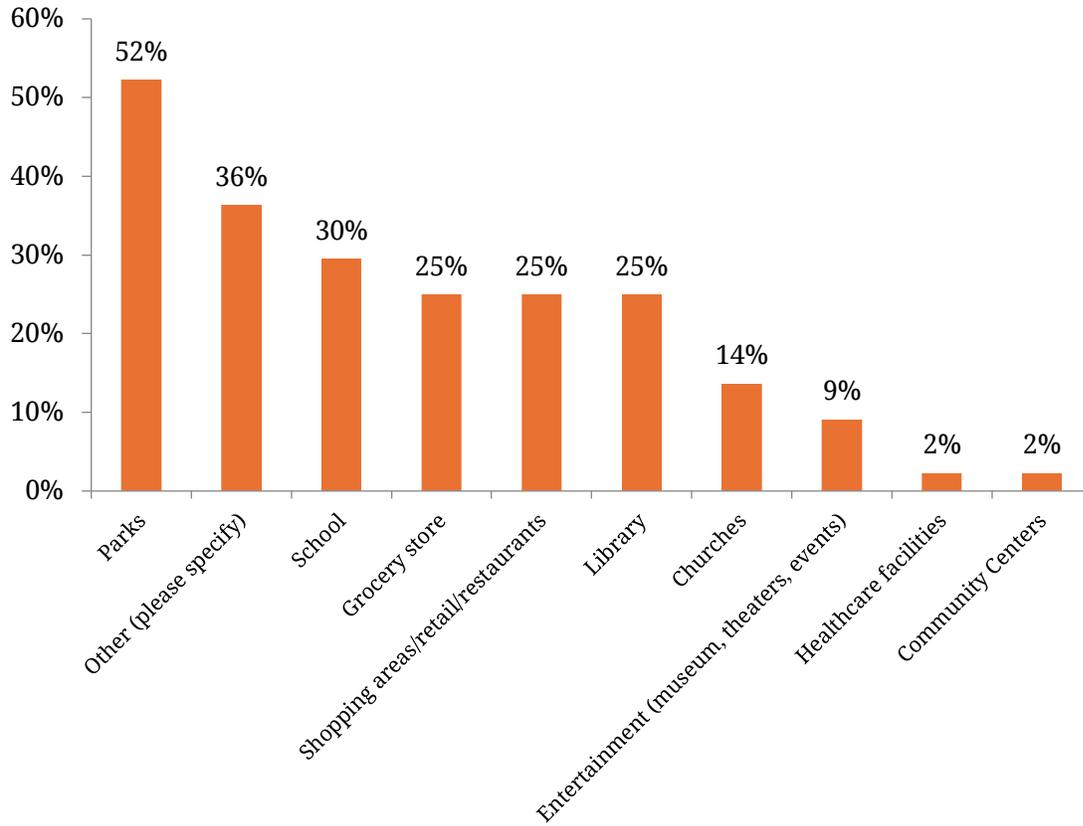


Q8. How do you currently use sidewalks? Check all that apply



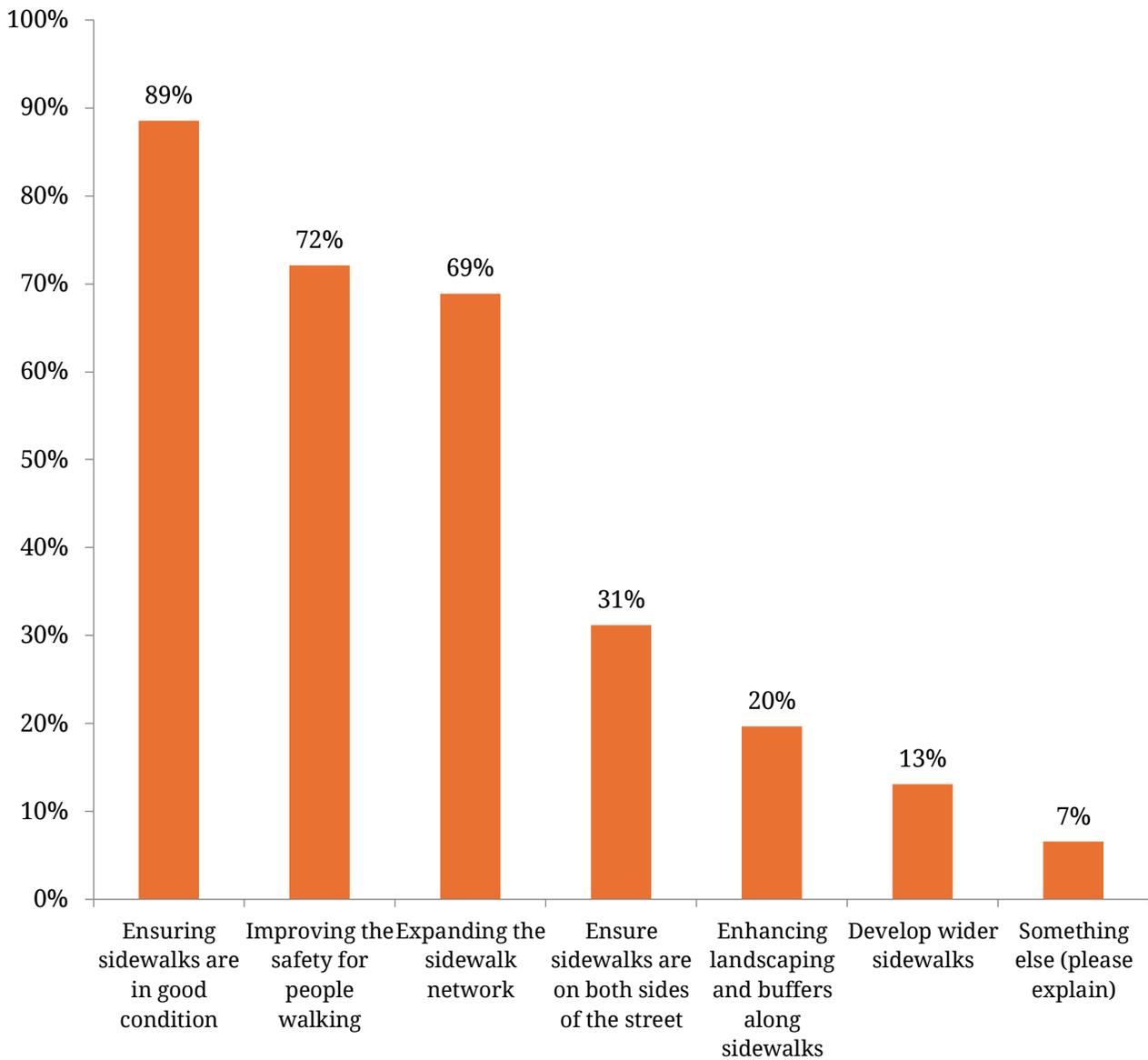
Other responses included: sidewalks are hard to use because they're inconsistent, not maintained, difficult for strollers and wheelchairs causing the need to walk in the road.

**Q9. Where would you like to be able to walk to, but it is currently a challenge?
Check all that apply**



Other answers included: ballfields, football field, the south side of town, down to the river, leading to Doodlebug Trail, around town in general, residential areas, walk in the street when needed but would prefer sidewalks, near K4 or K16.

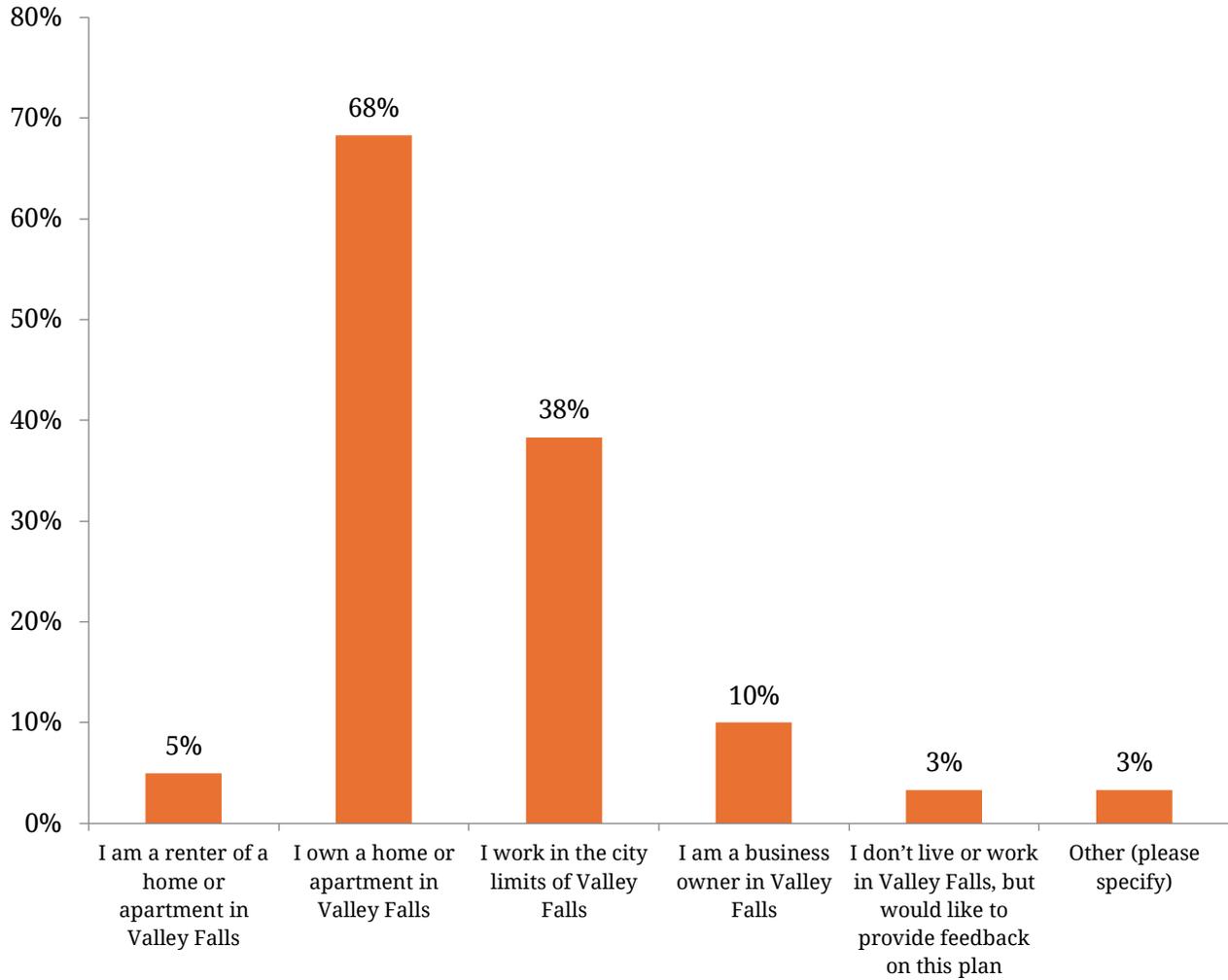
Q10. What are your top 3 priorities for sidewalks in Valley Falls?



Other responses included: along sycamore between K4 and K16 and vehicle convenience to pass by pedestrians that have a dedicated space rather than the street.

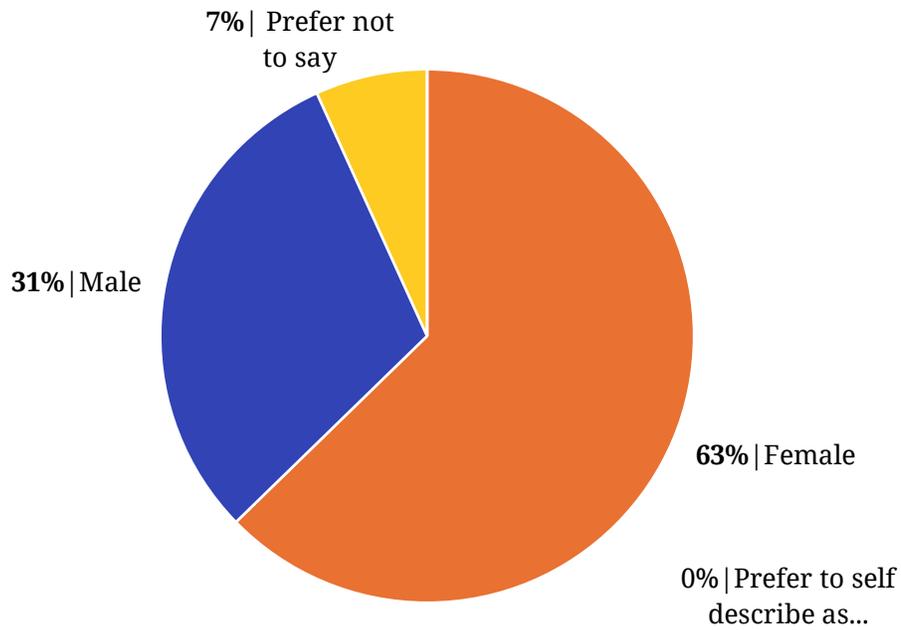
Demographics

Q11. Tell us from which of the following perspectives you are providing input (select all that apply):

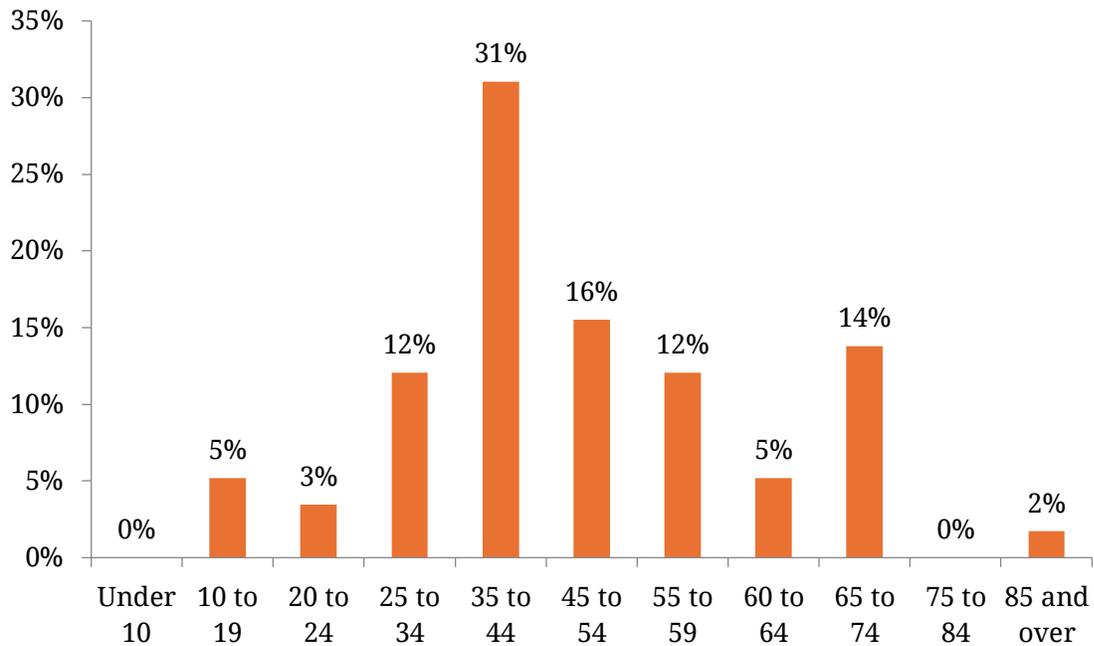


Other responses include: Living with parents who own a home in Valley Falls, do business in Valley Falls

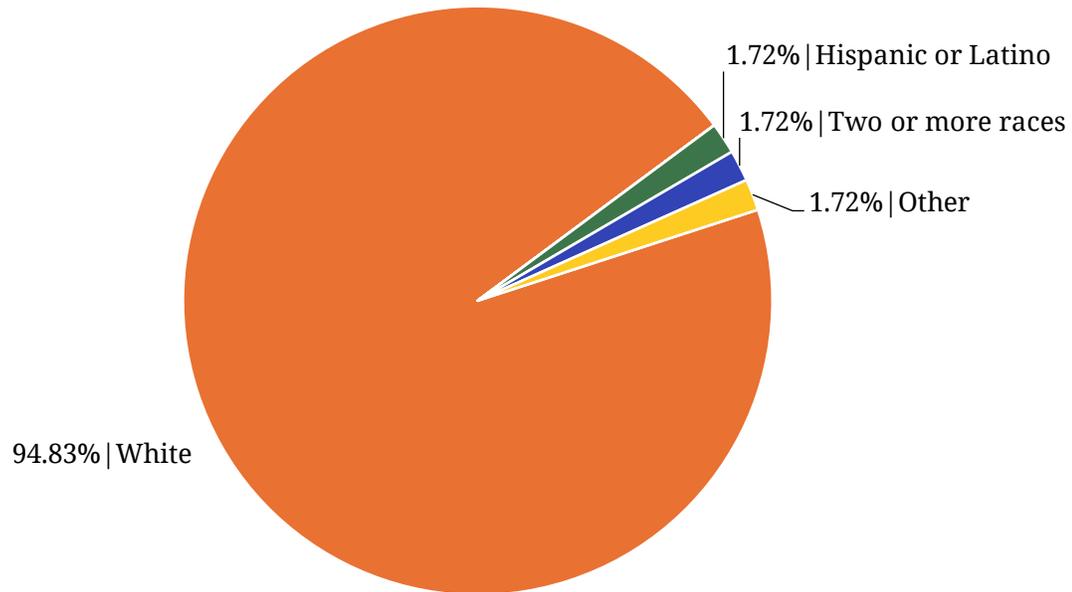
Q12. Do you identify as . . .



Q13. What is your age?



Q14. What is your ethnicity?



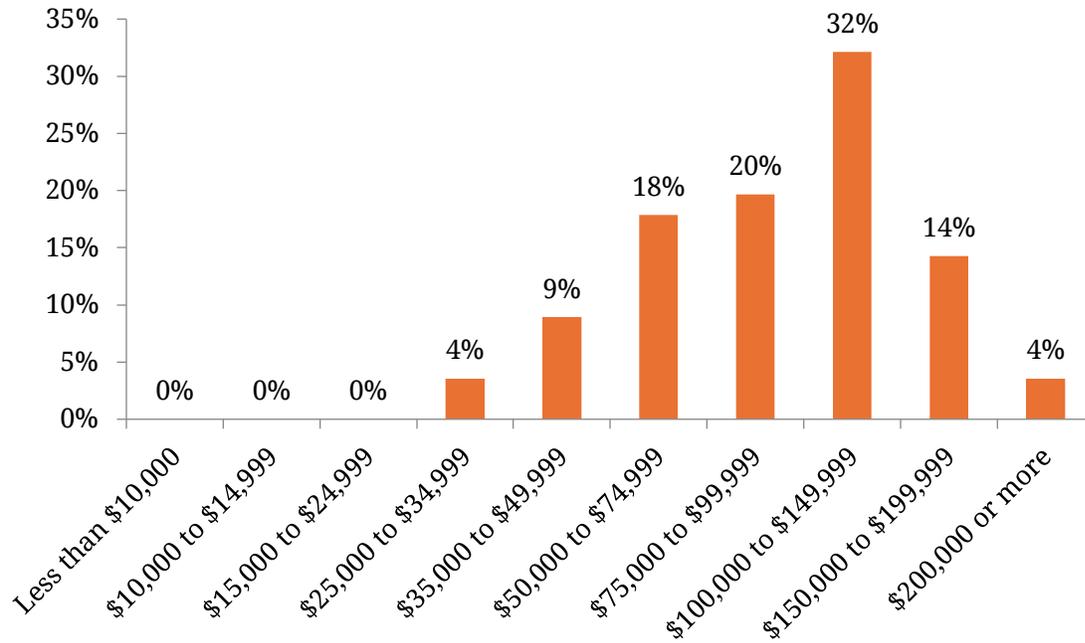
0% Black or African American

0% American Indian or Alaskan Native

0% Asian

0% Native Hawaiian or Pacific Islander

Q15. What is your total household income (before taxes)





Valley Falls, KS Safe Streets for All

Methodology to Recreate Annual Crash Distribution Using Available Data

To recreate the annual distribution of crashes for Valley Falls, Kansas, follow these steps. This methodology leverages resources efficiently and utilizes available tools such as GIS software for analysis.

Step 1: Obtain Crash Data

- State of Kansas Department of Transportation (KDOT): Request historical crash data from KDOT. This data typically includes details on the date, type, location, and contributing factors of each crash.
- Ensure you get data in a format that can be imported into GIS software, such as CSV or Excel files.

Step 2: Prepare the Data for Import

- Clean the data by checking for and correcting any missing or erroneous values.
- Standardize date formats and ensure all relevant columns (e.g., accident date, type, location) are correctly formatted.

Step 3: Import Data into GIS Software

- Use GIS software (e.g., QGIS, ArcGIS) to import the cleaned crash data.
- Create a point layer for the crash locations using latitude and longitude coordinates or address geocoding.

Step 4: Add Year Attribute

- Extract the year from the accident date and add it as an attribute in the GIS layer.

Step 5: Aggregate Data by Year

- Use GIS tools to group the crash data by year, counting the number of crashes each year.

Step 6: Calculate Annual Distribution

- Calculate the percentage distribution of crashes for each year within the GIS software.



Step 7: Create Visualizations

- Use GIS to create maps and charts that display the annual distribution of crashes. Examples include:
 - Heat Maps: Show crash density over time to identify high-risk areas.
 - Bar Charts: Display the number of crashes per year.
 - Pie Charts: Break down crashes by type, location, or contributing factors for specific years.

Step 8: Identify Trends and Patterns

- Analyze the annual data to identify any trends or patterns, such as increases or decreases in crashes over time.

Step 9: Compile Findings

- Compile the findings from the annual analysis into a report, highlighting key trends, patterns, and areas of concern.

Step 10: Recommendations

- Based on the analysis, provide recommendations for improving road safety. This could include targeted interventions for high-risk areas, traffic calming measures, improved signage, and public awareness campaigns.

Step 11: Implementation Plan

- Develop an implementation plan that outlines the steps and resources needed to put the recommendations into action. This may include working with local government, community organizations, and law enforcement.

By following this methodology, Valley Falls can efficiently recreate and analyze the annual distribution of crashes, even with limited resources. This approach leverages available data from KDOT and the powerful analytical capabilities of GIS software to inform and implement effective road safety strategies.



September 26, 2023

City of Valley Falls
417 Broadway
Valley Falls, KS 66088

SUBJECT: Letter of Conditions
Project Name: Sewer
CFDA NUMBER – 10.760

Agency Loan: \$2,925,000
CDBG: \$ 600,000

Dear Mayor Shipley:

This letter establishes conditions which must be understood and agreed to by you before further consideration may be given to your application. The loan will be administered on behalf of the Rural Utilities Service (RUS) by the State and Area staff of USDA Rural Development (RD), both of which are referred to throughout this letter as the Agency. Any changes in project cost, source of funds, scope of project, or any other significant changes in the project or applicant must be reported to and concurred with by the Agency by written amendment to this letter. This includes any significant changes in the Applicant’s financial condition, operation, organizational structure or executive leadership. Any changes made without Agency concurrence shall be cause for discontinuing processing of the application.

This letter does not constitute loan approval, nor does it ensure that funds are or will be available for the project. The funding is being processed on the basis of a loan not to exceed \$2,925,000. The loan will be considered approved on the date Form RD 1940-1, “Request for Obligation of Funds” is signed by the Agency approval official.

The applicant will ensure projects are completed in a timely, efficient, and economical manner. You must meet all conditions set forth under Section III – Requirements Prior to Advertising for Bids within 1 year of this letter.

If you do not meet the conditions of this letter, the Agency reserves the right to withdraw Agency funding.

If you agree to meet the conditions set forth in this letter and desire further consideration be

Rural Development • Kansas

Hays Office
2715 Canterbury Drive
Hays, KS 67601
Phone: (785) 628-3081, Ext. 4
Fax: (877) 470-3801

Iola Office
202 W. Miller Road
Iola, KS 66749
Phone: (620) 365-2901, Ext. 4
Fax: (877) 470-3801

Newton Office
1405 South Spencer Road
Newton, KS 67114
Phone: (316) 283-0370, Ext. 4
Fax: (877) 470-3801

Topeka Office
1303 SW First American Pl, Ste 100
Topeka, KS 66604
Phone: (785) 271-2700
Fax: (877) 470-3801

USDA is an equal opportunity provider, employer, and lender.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (PDF), found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.



given to your application, please complete and return the following forms within 5 days:

- Form RD 1942-46, "Letter of Intent to Meet Conditions"
- Form RD 1940-1, "Request for Obligation of Funds"

All parties may access information and regulations referenced in this letter at our website located at: [Water and Environmental Programs | Rural Development \(usda.gov\)](http://www.usda.gov/WaterandEnvironmentalProgramsRuralDevelopment)

The conditions are as follows:

SECTION I - PROJECT SCOPE

1. Project Description – Funds will be used for a system wide rehabilitation of the City's wastewater collection system including pipe rehabilitation, point repairs, pipe replacement, heavy pipe cleaning, manhole rehabilitation and replacement.

Facilities will be designed and constructed in accordance with sound engineering practices and must meet the requirements of Federal, State, and local agencies. The proposed facility design must be based on the Preliminary Engineering Report (PER), prepared by Professional Engineering Consultants dated September 2022, as concurred with by the Agency.

2. Project Funding – The Agency is offering the following funding for your project:

Agency Loan -	\$ 2,925,000
---------------	--------------

This offer is based upon the following additional funding being obtained.

CDBG	\$ 600,000
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TOTAL PROJECT COST -	\$ 3,525,000
----------------------	--------------

Any changes in funding sources following obligation of Agency funds must be reported to the processing official. Prior to loan closing, any increase in non-Agency funding will be applied as a reduction to Agency loan funds.

The applicant must certify that they have exhausted all other funding avenues and have no pending funding considerations from any other sources. Further, the applicant must certify that they do not intend to apply anywhere else for funding for this project. If, after obligation of Agency funds, other funding becomes available, the Agency reserves the right to deobligate any and all funding for this project and to re-underwrite. This may result in the offering of a different funding package to for this project.

Prior to advertisement for construction bids, you must provide evidence of applicant contributions and other funding sources. This evidence should include a copy of the commitment letter. Agency funds will not be used to pre-finance funds committed to the project from other sources.



3. Project Budget – Funding from all sources has been budgeted for the estimated expenditures as follows:

<u>Project Costs:</u>		<u>Total Budgeted:</u>
Development – Phase 1	\$1,205,580	
Development – Phase 2	\$1,141,330	
Engineering Fees	\$ 626,560	
Includes:		
PER & System Evaluation – Phase 1		\$130,000
PER – Phase 2		\$ 2,700
Design – Phase 1		\$106,100
Design – Phase 2		\$112,940
Resident Project Inspection – Phase 1		\$141,650
Resident Project Inspection – Phase 2		\$133,170
Interest - Interim	\$ 101,839	
Legal Fees	\$ 145,000	
Grant Admin – Phase 1	\$ 35,000	
Grant Admin – Phase 2	\$ 35,000	
Contingency Phase 1	\$ 120,558	
Contingency Phase 2	\$ 114,133	
TOTAL		\$3,525,000

Project feasibility and funding will be reassessed if there is a significant change in project costs after bids are received. Obligated loan funds not needed to complete the proposed project will be deobligated. If actual project costs exceed the project cost estimates, an additional contribution by the Owner may be necessary. An “Amended Letter of Conditions” will be issued for any changes to the total project budget.

4. Project Timeline – To ensure that the project proceeds in a timely manner, key processing milestones have been established in accordance with the PER or other Agency approved documentation. **Projects should be completed and Agency funds fully disbursed within three years of obligation.** By agreeing to the terms herein, you agree to comply with the milestones identified below. If, for any reason, one or more of the milestones cannot be met, you must notify the Agency in writing at least 30 days prior to the referenced date. Should your final completion date become more than three years after obligation the written request will follow the procedures outlined in Section VI of this letter, including the submission of not less than 90 days prior to the benchmark. The correspondence must contain a valid explanation as to why the milestone cannot be met and include a proposed revised project completion schedule. If the Agency agrees to the modification, a written confirmation will be issued. The Agency reserves the right to de-obligate loan funds, or take other appropriate action, if the established or amended deadlines are not met.



<u>Milestone</u>	<u>Date</u>
Start Design	1/22/2024
Review CCTV & Determine Rehabilitation	3/7/2024
Complete Plans	7/18/2024
Initial Advertisement for Bids	8/1/2024
Award Contract(s)/Initiate Construction	9/30/2024
Final Completion	2/27/2025

SECTION II – RATES & TERMS

5. Interest Rates and Loan Terms – The interest rate will be the lower of the rate in effect at the time of loan approval or the time of loan closing, unless you request otherwise. Should the interest rate be reduced, the payment will be recalculated to the lower amount. The payment due date will be established as the day that the loan closes.

Your loan will be scheduled for repayment over a period of 40 years. Payments will be equal annual amortized installments, beginning one year after closing. For planning purposes, use a 2.125% interest which provides for an annual payment of \$109,308. The precise payment amount will be based on the interest rate at which the loan is closed and may be different than the one above.

6. Security – The loan will be secured by a General Obligation bond with first lien position in the amount of \$2,925,000. The bond will be fully registered as to both principal and interest in the name of the “United States of America, Acting through the United States Department of Agriculture.” Bond Counsel will be utilized in preparation of these documents.

The bond and any ordinance or resolution relating thereto must not contain any provision in conflict with the Agency Loan Resolution, applicable regulations, or associated laws. There must be no defeasance or refinancing clause in conflict with the graduation requirements of 7 U.S.C. 1983.

Additional security requirements are contained in RUS Bulletin 1780-27, “Loan Resolution (Public Bodies)”. A draft of all security instruments, including draft bond resolution, must be reviewed and concurred in by the Agency prior to advertising for bids. Bond/loan resolutions must be duly adopted and executed prior to loan closing.

7. Reserves – Reserves must be properly budgeted and set aside to maintain the financial viability and sustainability of any operation. Reserves are important to fund unanticipated emergency repairs, to assist with debt service should the need arise, and for the replacement of assets which have a useful life less than the repayment period of the loan. The following reserves are required to be established as a condition of this loan:

- a. **Short-Lived Asset Reserve** –You must establish a short-lived asset reserve fund. Based on the PER, you must deposit at least \$9,715 into the short-lived asset reserve fund annually for the life of the loan to pay for repairs and/or replacement of major system



assets. It is your responsibility to assess your facility's short-lived asset needs on a regular basis and adjust the amount deposited to meet those needs.

SECTION III – REQUIREMENTS PRIOR TO ADVERTISING FOR BIDS

8. Organization – The Bond Counsel transcripts of proceedings must show that your organization is a duly incorporated public body and has continued legal existence. Your organization must have the authority to own, construct, operate, and maintain the proposed facility, as well as for borrowing money, pledging security and raising revenues.

9. Suspension and Debarment Screening – You will be asked to provide information on the principals of your organization. Agency staff must conduct screening for suspension and debarment of the entity, as well as its principals through the Do Not Pay Portal.

Principal –

- i. An officer, director, owner, partner, principal investigator, or other person within a participant with management or supervisory responsibilities related to a covered transaction; or
- ii. A consultant or other person, whether or not employed by the participant or paid with federal funds, who –
 1. Is in a position to handle federal funds;
 2. Is in a position to influence or control the use of those funds; or,
 3. Occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction. (2 CFR §180.995)

10. Environmental Requirements – At the conclusion of the proposal's environmental review process, specific action(s) were determined necessary to avoid or minimize adverse environmental impacts. As outlined in the Environmental Report (ER) dated March 24, 2023, the following actions are required for successful completion of the project and must be adhered to during project design and construction:

Wetlands

This project will repair the existing infrastructure short-term with limited disturbance and will restore/reseed vegetation.

Environmental Consequences

As per Kevin Heit, the city and its contractor will review the Technical Guidance document attached and ensure all waste is disposed of properly.

Erich Glave, Bureau of Environmental Field Services, commented that construction near the Delaware or Walnut should exercise good pollution prevention measures.

Water Resources

The Kansas Water Office did not have any issues of major concern, but noted given proximity of the proposed project to the Delaware River and occasional flooding caused by the reservoir backing up, measures must be put in place during the project to prevent any contaminants from entering the areas of surface water.



Transportation

Prior to construction, the area engineer will be contacted regarding the need for a highway use permit. KDOT will be notified prior to any work performed within highway ROW.

The project, as proposed, has been evaluated to be consistent with the National Environmental Policy Act. Other Federal, State, tribal, and local laws, regulations and/or permits may apply or be required. If the project or any project element deviates from or is modified from the originally approved project, additional environmental review may be required.

11. Engineering Services – You have been required to complete an Agreement for Engineering Services, which should consist of the Engineers Joint Contract Documents Committee (EJCDC) documents as indicated in RUS Bulletin 1780-26, “Guidance for the Use of EJCDC Documents on Water and Waste Projects with RUS Financial Assistance,” or other approved form of agreement. The Agency will provide concurrence prior to advertising for bids and must approve any modifications to this agreement.

12. Contract Documents, Final Plans, and Specifications- All development will be completed by contract in accordance with applicable provisions of RUS Instruction 1780, Subpart C – Planning, Designing, Bidding, Contracting, Constructing and Inspections, (copy available upon request), and in compliance with all statutory requirements. You are responsible to share this with your engineer before pre-design.

- a. The plans and specifications and all proposals required by law must be approved by KDHE.
- b. In preparing final design and providing service to the planned project area, you and your engineer will comply with all zoning and planning requirements of the appropriate governing bodies where service is to be provided.
- c. The Agency will need to concur in the plans and specifications prior to advertising for bids. The Agency may require an updated cost estimate if a significant amount of time has elapsed between the original project cost estimate and advertising for bids.
- d. The use of any procurement method other than competitive sealed bids must be requested in writing and approved by the Agency.
- e. The contract documents must consist of the EJCDC construction contract documents as indicated in RUS Bulletin 1780-26 or other Agency-approved forms of agreement.

13. Build America, Buy America (BABAA) Requirements- Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:



- a. all iron and steel permanently installed in the project are produced in the United States-- this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- b. all manufactured products permanently installed in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- c. all construction materials permanently installed are manufactured in the United States— this means that all manufacturing processes for the construction material occurred in the United States.

The BABAA requirement applies to the entirety of an infrastructure project even if only a portion of the project is funded by Federal funds.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

When the Federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

- a. applying the domestic content procurement preference would be inconsistent with the public interest;
- b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.



A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

Definitions

“Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

Owners are ultimately responsible for compliance with the evidence standards as outlined in the Build America Buy America (BABAA) appendix to this Letter. Owners are required to maintain records as specified in their loan agreement, but in all cases, they should maintain records for a minimum of three years after the final expenditure report. Minimum records include certifications from manufacturers, the architect/engineer, and the prime contractor. Supporting documentation includes purchasing records and notes and photos taken by the Resident Project Representative (RPR). Further guidance regarding certifications will be provided by the Agency.

14. Legal Services –A legal services agreement is required with your attorney and bond counsel, if applicable, for any legal work needed in connection with this project. The agreement should stipulate an hourly rate for the work, with a “not to exceed” amount for the services, including reimbursable expenses. RUS Bulletin 1780-7, “Legal Services Agreement,” or similar format may be used. The Agency will provide concurrence prior to advertising for bids. Any changes to the fees or services spelled out in the original agreement must be reflected in an amendment to the agreement and have prior Agency concurrence.

15. Property Rights - Prior to advertising for bids, you and your legal counsel must furnish satisfactory evidence that you have adequate continuous and valid control over the lands and rights-of-way needed for the project. Acquisitions of necessary land and rights must be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Such control over the lands and rights will be evidenced by the following:

- a. **Right-of-Way Map** – Your engineer will provide a map clearly showing the location of all lands and rights-of-way needed for the project. The map must designate public and private lands and rights and the appropriate legal ownership thereof.
- b. **Form RD 442-20, “Right-of-Way Easement”** – This form, or similar format, may be used to obtain any necessary easements for the proposed project.
- c. **Form RD 442-21, “Right-of-Way Certificate”** – You will provide a certification on this form that all right-of-way requirements have been obtained for the proposed project.
- d. **Form RD 442-22, “Opinion of Counsel Relative to Rights-of-Way”** – Your attorney will provide a certification and legal opinion on this form addressing rights-of-way, easements, and title.
- e. **Preliminary Title Work (Title Opinion)** – When applicable, your attorney or title company will provide a preliminary title opinion for any property related to the facility, currently owned and to be acquired, along with copies of deeds, contracts or options for purchasing said property. Form RD 1927-9, “Preliminary Title Opinion,” may be used.
- f. **Title Insurance**– When applicable, your attorney or title company will secure an Owners’ Title Insurance policy on all real estate to be acquired in connection with this project. This policy should be in an amount equal to the market value of the property as improved.

The approving official may waive title defects or restrictions, such as utility easements, that do not adversely affect the suitability, successful operation, security value, or transferability of the facility. Any such waivers must be provided by the approving official in writing prior to closing or the start of construction, whichever occurs first.

You are responsible for the acquisition of all property rights necessary for the project and for determining that prices paid are reasonable and fair. The Agency may require an appraisal by an independent appraiser or Agency employee in order to validate the price to be paid.

16. System Policies, Procedures, Contracts, and Agreements – The facility must be operated on a sound business plan which involves adopting policies, procedures, and/or ordinances outlining the conditions of service and use of the proposed system. Mandatory connection policies should be used where enforceable. The policies, procedures, and/or ordinances must contain an effective collection policy for accounts not paid in full within a specified number of days after the date of billing. They should include appropriate late fees, specified timeframes for disconnection of service, and reconnection fees. A draft of these policies, procedures, and/or ordinances must be submitted for Agency review and concurrence, along with the documents below, before closing instructions may be issued unless otherwise stated.



- a. **Conflict of Interest Policy** – Prior to obligation of funds, you must certify in writing that your organization has in place up-to-date written standards of conduct covering conflict of interest. The standards of conduct must include disciplinary actions in the event of a violation by officers, employees, or agents of the borrower. The standards identified herein apply to any parent, affiliate or subsidiary organization of the borrower that is not a state or local government, or Indian Tribe. Policies and accompanying documents shall be furnished to Rural Development upon request.

You must also submit a disclosure of planned or potential transactions related to the use of Federal funds that may constitute or present the appearance of personal or organizational conflict of interest. Disclosure must be in the form of a written letter signed and dated by the applicant's official. A negative disclosure in the same format is required if no conflicts are anticipated.

Sample conflict of interest policies may be found at the National Council of Nonprofits website, <https://www.councilofnonprofits.org/tools-resources/conflict-of-interest>, or in Internal Revenue Service Form 1023, Appendix A, "Sample Conflict of Interest Policy," at <http://www.irs.gov/pub/irs-pdf/i1023.pdf>. Though these examples reference non-profit corporations, the requirement applies to all types of Agency borrowers.

Assistance in developing a conflict of interest policy is available through Agency-contracted technical assistance providers if desired.

- b. **Contracts for Other Services/Lease Agreement** – Drafts of any contracts or other forms of agreements for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility, must be submitted to the Agency for review and concurrence prior to advertising for bids.

Fully executed copies of any policies, procedures, ordinances, contracts, or agreements above must be submitted prior to loan closing, with the exception of the conflict of interest policy, which must be in place prior to obligation of funds.

17. Closing Instructions – The Agency will prepare closing instructions as soon as the requirements of the previous paragraphs are complete, as well as a draft of the security instrument(s). Both your bond and legal counsel must comply with these instructions when closing the Agency loan.

18. System Users – This letter of conditions is based upon your indication at application that there will be at least 501 residential users and 53 non-residential users on the existing system when construction is completed.

Before the Agency can agree to the project being advertised for construction bids, you must certify that the number of users indicated at application are currently using the system or signed up to use the system once it is operational.



If the actual number of existing and/or proposed users that have signed up for service is less than the number indicated at the time of application, you must provide the Agency with a written plan on how you will obtain the necessary revenue to adequately cash flow the expected operation, maintenance, debt service, and reserve requirements of the proposed project (e.g., increase user rates, sign up an adequate number of other users, reduce project scope, etc.). Similar action is required if there is cause to modify the anticipated flows or volumes presented following approval.

If you are relying on mandatory connection requirements, you must provide evidence of the authorizing ordinance or statute along with your user certification.

19. Construction Account – A separate construction account is not required for project funds. However, the recipient must be able to separately identify, report and account for all Federal funds, including the receipt, obligation and expenditure of funds, in accordance with 2 CFR 200.305. These funds must be deposited in a bank with Federal Deposit Insurance Corporation (FDIC) insurance coverage. **If the balances at the financial institution where federal funds will be deposited exceeds the FDIC insurance coverage, the excess amount must be collaterally secured up to 100 percent of the highest amount of funds expected to be deposited in the account at any one time, per the Department of Treasury regulations and requirements.**

20. Interim Financing – The Agency’s policy is to utilize interim financing for all loans exceeding \$500,000. Prepayment penalties on interim financing are not allowed. Borrowers are required to seek interim financing initially from private or cooperative lenders if funds can be borrowed at reasonable interest rates on an interim basis from those sources for the construction period. The fact that a commercial lender’s rates are higher than current Agency interest rates does not necessarily mean that the commercial rate is not reasonable.

21. Proposed Operating Budget – You must establish and/or maintain a rate schedule that provides adequate income to meet the minimum requirements for operation and maintenance (O and M), debt service, and reserves. Prior to advertising for bids, you must submit a proposed annual operating budget to the Agency, as well as your proposed rate schedule. The operating budget should be based on a typical year cash flow after completion of the construction phase and should be signed by the appropriate official of your organization. Form RD 442-7, “Operating Budget,” or similar format may be utilized for this purpose. It is expected that O and M expenses will change over each successive year and user rates will need to be adjusted on a regular basis.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system. This assistance is available free to your organization. If you are interested, please contact our office for information.

22. Permits –The owner or responsible party will be required to obtain all applicable permits for the project, prior to advertising for bids. The consulting engineer must submit written evidence that all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.



23. Risk and Resilience Assessment/Emergency Response Plan (RRA/ERP) –The Agency requires all financed water and wastewater systems to have a RRA/ERP in place. New water or wastewater systems must provide a certification that an ERP is complete prior to the start of operation, and a certification that an RRA is complete must be submitted within one year of the start of operation. Borrowers with existing systems must provide a certification that an RRA/ERP has been completed prior to advertising for bids. Technical assistance is available in preparing these documents at no cost to you.

Before funds are drawn, you should have in place a cybersecurity plan, a supply chain plan, and a plan to comply with cybersecurity requirements of the National Institute of Science and Technology and the Cybersecurity and Infrastructure Security Administration. These items should be addressed in the RRA/ERP.

The RRA/ERP documents themselves are not submitted to the Agency. The RRA/ERP must address potential impacts from natural disasters and other emergency events. It should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. The documents should be reviewed and updated every five years at a minimum.

24. Bid Authorization - Once all the conditions outlined in Section III of this letter have been met, the Agency will authorize you to advertise the project for construction bids. Such advertisement must be in accordance with applicable State statutes.

SECTION IV - REQUIREMENTS PRIOR TO START OF CONSTRUCTION

25. Disbursement of Agency Funds - Agency funds will be disbursed electronically into the construction account as they are needed. SF 3881, “ACH Vendor/Miscellaneous Payment Enrollment Form,” must be completed and submitted to the Agency prior to commencement of construction.

The order of disbursement is as follows: 1) Applicant contribution, 2) other funding sources, 3) interim financing or Agency loan funds, and 4) Agency grant funds. Interim financing or Agency loan funds will be expended after all other funding sources unless a written agreement is reached with all other funding sources on how funds are to be disbursed prior the first disbursement.

26. Bid Tabulation – Immediately after bid opening, you must provide the Agency with the bid tabulation and your engineer’s evaluation of bids and recommendations for contract awards. If the Agency agrees that the construction bids received are acceptable, adequate funds are available to cover the total project costs, and all the requirements of Section III of this letter have been satisfied, the Agency will authorize you to issue the Notice of Award.

- a. **Cost Overruns** – If bids are higher than expected, or if unexpected construction problems are encountered, you must utilize all options to reduce cost overruns. Negotiations, redesign, use of bidding alternatives, rebidding or other means will be considered prior to commitment of subsequent funding by the Agency. Any requests for



subsequent funding to cover cost overruns will be contingent on the availability of funds. Cost overruns exceeding 20 percent of the development cost at time of loan approval or where the scope of the original purpose has changed will compete for funds with all other applications on hand as of that date.

- b. **Excess Funds** - If bids are lower than anticipated at time of obligation, excess funds must be deobligated prior to start of construction except in the cases addressed in this paragraph. In cases where the original PER for the project included items that were not bid, or were bid as an alternate, the State Office official may modify the project to fully utilize obligated funds for those items. Amendments to the PER, ER, and Letter of Conditions may be needed for any work not included in the original project scope. In all cases, prior to start of construction, excess funds will be deobligated. Excess funds do not include contingency funds as described in this letter.

27. Suspension and Debarment Screening – In accordance with 2 CFR Part 180, Subpart C, as a condition of the transaction and the responsibilities to persons at the next lower tier with whom you enter into transactions, you must conduct screening for suspension and debarment of lower tier recipients (e.g., vendors, contractors, etc.).

28. Contract Review – Your attorney will certify that the executed contract documents, including performance and payment bonds, if required, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with 7 CFR 1780.61(b).

Once your attorney has certified that they are acceptable, the contract documents will be submitted to the Agency for concurrence. Construction cannot commence until the Agency has concurred in the construction contracts.

29. Final Rights of Way – Your attorney or title company must furnish a separate final title opinion or Title Insurance Policy on all real property related to the facility, now owned and to be acquired for this project, as of the day of loan closing or start of construction, whichever occurs first. Form RD 1927-10, “Final Title Opinion” may be used.

If any of the right-of-way forms listed previously in this letter contain exceptions that do not adversely affect the suitability, successful operation, security value, or transferability of the facility, the approving official must provide a written waiver prior to the issuance of the Notice to Proceed.

30. Insurance and Bonding Requirements - Prior to the start of construction or loan closing, whichever occurs first, you must acquire and submit to the Agency proof of the types of insurance and bond coverage for the borrower shown below. The use of deductibles may be allowed, providing you have the financial resources to cover potential claims requiring payment of the deductible. The Agency strongly recommends that you have your engineer, attorney, and insurance provider(s) review proposed types and amounts of coverage, including any exclusions and deductible provisions. It is your responsibility and not that of the Agency to assure that adequate insurance and fidelity bond coverage is maintained.



- a. **General Liability Insurance** – Include vehicular coverage.
- b. **Workers’ Compensation** – In accordance with appropriate State laws.
- c. **Guaranty or Fidelity Insurance**—Coverage for all persons who have access to funds, including persons working under a contract or management agreement. Coverage may be provided either for all individual positions or persons, or through “blanket” coverage providing protection for all appropriate employees. Each position is to be insured in an amount equal to the maximum amount of funds expected to be under the control of that position at any one time. The minimum coverage allowed will be an amount equal to the total annual debt service payment on the Agency loans. The coverage may be increased during construction based on the anticipated monthly advances.
- d. **National Flood Insurance** - If the project involves acquisition or construction in a designated special flood area, the community in which the acquisition or construction is situated must be currently participating in the national flood insurance program. Additionally, if the project involves acquisition or construction in designated special flood or mudslide prone areas, a flood insurance policy must be in place at the time of loan closing.
- e. **Real Property Insurance** – Fire and extended coverage will normally be maintained on all structures except reservoirs, pipelines and other structures if such structures are not normally insured, and subsurface lift stations except for the value of electrical and pumping equipment. The Agency will be listed as mortgagee on the policy when the Agency has a lien on the property. Prior to the acceptance of the facility from the contractor(s), you must obtain real property insurance (fire and extended coverage) on all facilities identified above.

The Agency is to be listed as “Other Insured” so as to receive notifications on all insurance, regardless of security. Insurance types described above are required to be continued throughout the life of the loan. See Section VII.

31. Initial Civil Rights Compliance Review – The Agency will conduct an initial civil rights compliance review of the borrower prior to loan closing or start of construction, whichever occurs first, in accordance with 7 CFR 1901, Subpart E. You are expected to comply with the completion of the review, including the furnishing of any documents, records, or other applicable material.

SECTION V – REQUIREMENTS PRIOR TO CLOSING

32. Interim Financing. Interim financing is being used. Generally, loan closing will occur near the end of construction when interim funds are fully disbursed. Documents detailed above from Sections II and III regarding security, electronic payments (Form 3550-28), and system policies, procedures, contracts, and agreements must be adopted and/or executed and submitted to the Agency prior to loan closing.

33. Electronic Payments – Payments will be made through an electronic preauthorized debit system. You will be required to complete Form RD 3550-28, “Authorization Agreement for Preauthorized Payments,” for all new and existing indebtedness to the Agency prior to loan closing.



34. Other Requirements – All requirements contained in the Agency’s closing instructions, as well as any requirements of your bond counsel and/or attorney, must be met prior to loan closing.

- a. **System for Award Management.** You will be required to maintain a Unique Entity ID (UEI) and maintain an active registration in the System for Award Management (SAM) database. Renewal can be completed online at: <http://sam.gov>. This registration must be renewed and revalidated every 12 months for as long as there is an active loan, grant, or guaranteed loan with the Agency.

To ensure the information is current, accurate and complete, and to prevent the SAM account expiration, the review and updates must be performed within 365 days of the activation date, commonly referred to as the expiration date. The registration process may take up to 10 business days. (See 2 CFR Part 25 and the “Help” section at <http://sam.gov>).

- b. **Litigation.** You are required to notify the Agency within 30 days of receiving notification of being involved in any type of litigation prior to loan closing or start of construction, whichever occurs first. Additional documentation regarding the situation and litigation may be requested by the Agency.
- c. **Certified Operator.** Evidence must be provided that your system has or will have a certified operator, as defined by applicable State or Federal requirements, available prior to the system becoming operational, or that a suitable supervisory agreement with a certified operator is in effect.

SECTION VI – REQUIREMENTS DURING CONSTRUCTION AND POST CONSTRUCTION

35. Construction Completion Timeframe – Following the benchmarks established in Section I, Item 4, Project Timeline, all projects should be completed and Agency funds fully disbursed within three years of the date of obligation. If funds are not disbursed within three years of obligation and you have not already done so per Section I, Item 4, you must submit a written request for extension of time to the Agency with adequate justification of the circumstances, including any beyond your control. The request must be submitted at least 90 days prior to the end of the three-year timeframe and include a revised estimated date of completion. The Agency will typically only allow one extension. Subsequent requests for waivers beyond the initial extension or requests that exceed five years from the initial date of obligation will be submitted to the RUS, Water and Environmental Programs for consideration. The Agency retains the right to de-obligate any loan monies, or take other appropriate action, related to unliquidated funds that exceed the timeframes above and are not under an active extension.

36. Resident Inspector(s) – Full-time inspection is required unless you request an exception. Such requests must be made in writing and the Agency must provide written concurrence. Inspection services are to be provided by the consulting engineer unless other arrangements are requested in writing and concurred with by the Agency. A resume of qualifications of any



resident inspector(s) will be submitted to the owner and Agency for review and concurrence prior to the pre-construction conference. The resident inspector(s) must attend the preconstruction conference.

37. Preconstruction Conference – A preconstruction conference will be held prior to the issuance of the Notice to Proceed. The consulting engineer will review the planned development with the Agency, owner, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the owner and Agency.

38. Inspections - The Agency requires a preconstruction conference, pre-final, final, and warranty inspections. Your engineer will schedule a warranty inspection with the contractor and the Agency before the end of the one-year warranty period to address and/or resolve any outstanding warranty issues. The Agency will conduct an inspection with you of your records management system at the same time and will continue to inspect the facility and your records system every three years for the life of the loan. See Section VII of this letter.

39. Change Orders – A Change Order must be submitted for all modifications to the approved scope of work, including existing contracts. This includes non-physical modifications such as any time extension requests. Prior written Agency concurrence is required for all Change Orders.

40. Payments – Prior Agency concurrence is required for all invoices and requests for payment before Agency funds will be released. Requests for payment related to a contract or service agreement will be signed by the owner, project engineer, and contractor or service provider prior to Agency concurrence. Invoices not related to a construction contract or service agreement will include the owner's written concurrence.

41. Use of Remaining Funds – As stated above, applicant contribution and connection or tap fees will be the first funds expended in the project. Funds remaining after all costs incident to the basic project have been paid or provided will be handled as follows:

- a. Funds remaining after the applicant contribution and connection fees may be considered in direct proportion to the amounts of funding obtained from each source. The use of Agency funding will be limited to eligible loan purposes, provided the use will not result in major changes to the original scope of work and the purpose of the loan remains the same.
- b. Under no circumstances is it appropriate to use remaining funds as contributions to a new project outside the scope of the funded project.
- c. Loan funds that are not needed will be cancelled (de-obligated) prior to loan closing.

42. Technical, Managerial and Financial Capacity - It is required that members of the Board of Directors, City Council members, trustees, commissioners and other governing members possess the necessary technical, managerial, and financial capacity skills to consistently comply with pertinent Federal and State laws and requirements. It is recommended members receive training within one year of appointment or election to the governing board, and a refresher training for all governing members on a routine basis. The content and amount of training should



be tailored to the needs of the individual and the utility system. Technical assistance providers are available to provide this training for your organization, often at no cost. Contact the Agency for additional information.

43. Reporting Requirements Related to Expenditure of Funds -- An annual audit under 2 CFR 200 is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

All audits are to be performed in accordance with 2 CFR Part 200, as adopted by USDA through 2 CFR Part 400. Further guidance on preparing an acceptable audit can be obtained from the Agency. The audit must be prepared by an independent licensed Certified Public Accountant, or a State or Federal auditor if allowed by State law and must be submitted within 9 months of your fiscal year end. Both the audit and accompanying management report must be submitted for review.

If an audit is required, you must enter into a written agreement with the auditor and submit a copy of that agreement to the Agency prior to the advertisement of construction bids. The audit agreement may include terms and conditions that the borrower and auditor deem appropriate; however, the agreement should include the type of audit to be completed, the time frame in which the audit will be completed, and how irregularities will be reported.

SECTION VII – SERVICING REQUIREMENTS DURING THE TERM OF THE LOAN

44. Prepayment and Extra Payments - Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of borrower, with no penalty.

Security instruments, including bonding documents, must contain the following language regarding extra payments, unless prohibited by State statute:

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of borrower. Refunds, extra payments and loan proceeds obtained from outside sources for the purpose of paying down the Agency debt, shall, after payment of interest, be applied to the installments last to become due under this note and shall not affect the obligation of borrower to pay the remaining installments as scheduled in your security instruments.

45. Annual Financial Reporting/Audit Requirements – You are required to submit an annual financial report at the end of each fiscal year. The annual report will be certified by the appropriate organization official, and will consist of financial information, a current rate schedule, and listing of board members with their terms. Financial statements must be prepared on an accrual basis of accounting in accordance with generally accepted accounting principles (GAAP). The annual report will include separate reporting for each water and waste disposal facility, and itemized cash accounts by type (debt service, short-lived assets, etc.) under each facility. All records, books and supporting material are to be retained for three years after the



issuance of the annual report. Technical assistance is available, at no cost, with preparing financial reports.

The type of financial information that must be submitted is specified below:

- a. **Audits** – An audit under the Single Audit Act is required if you expend \$750,000 or more in Federal financial assistance per fiscal year. The total Federal funds expended from all sources shall be used to determine Federal financial assistance expended. Expenditures of interim financing are considered Federal expenditures.

See Section VI for additional information regarding audits.

- b. **Financial Statements** – If you expend less than \$750,000 in Federal financial assistance per fiscal year, you may submit financial statements in lieu of an audit which include, at a minimum, a balance sheet and an income and expense statement. You may use Form RD 442-2, “Statement of Budget, Income and Equity,” and 442-3, “Balance Sheet,” or similar format to provide the financial information. The financial statements must be signed by the appropriate borrower official and submitted within 60 days of your fiscal year end.

46. Annual Budget and Projected Cash Flow - Thirty days prior to the beginning of each fiscal year, you will be required to submit an annual budget and projected cash flow to this office. The budget must be signed by the appropriate borrower official. Form RD 442-2, “Statement of Budget, Income and Equity,” or similar format may be used.

Technical assistance is available at no cost to help you evaluate and complete a rate analysis on your system, as well as completing the annual budget.

47. Graduation - By accepting this loan, you are also agreeing to refinance (graduate) the unpaid loan balance in whole, or in part, upon request of the Government. If at any time the Agency determines you can obtain a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms, you will be requested to refinance. Your ability to refinance will be assessed every other year for those loans that are five years old or older.

48. Security/Operational Inspections – The Agency will inspect the facility and conduct a review of your operations and records management system and conflict of interest policy every three years for the life of the loan. You must participate in these inspections and provide the required information.

49. System for Award Management. You will be required to maintain a Unique Entity ID (UEI) and maintain an active registration in the System for Award Management (SAM) database. Further information can be found at paragraph 33 of this letter.

50. Risk and Resiliency Assessment/Emergency Response Plan (RRA/ERP) – The RRA/ERP is further outlined under Section III of this letter. You will be required to submit a certification to the servicing office every five years that the RRA/ERP is current and covers all sites related to



the facility. The RRA/ERP documents themselves are not submitted to the Agency. The RRA/ERP must address potential impacts from natural disasters and other emergency events. It should include plans to address impacts of flash flooding in areas where severe drought or wildfires occur. Technical assistance is available in preparing these documents at no cost to you.

51. Insurance. – Insurance requirements are further outlined in Section IV of this letter. You will be required to maintain insurance on the facility and employees as previously described in this letter for the life of the loan.

52. Statutory and National Policy Requirements – As a recipient of Federal funding, you are required to comply with U.S. statutory and public policy requirements, including but not limited to:

- a. **Section 504 of the Rehabilitation Act of 1973** – Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Agency financial assistance.
- b. **Civil Rights Act of 1964** – All borrowers are subject to, and facilities must be operated in accordance with, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and 7 CFR 1901, Subpart E, particularly as it relates to conducting and reporting of compliance reviews. Instruments of conveyance for loans and/or grants subject to the Act must contain the covenant required by Paragraph 1901.202(e) of this Title.
- c. **The Americans with Disabilities Act (ADA) of 1990** – This Act (42 U.S.C. 12101 et seq.) prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, public accommodations, facilities, and telecommunications.
- d. **Age Discrimination Act of 1975** – This Act (42 U.S.C. 6101 et seq.) provides that no person in the United States shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- e. **Limited English Proficiency (LEP) under Executive Order 13166** - LEP statutes and authorities prohibit exclusion from participation in, denial of benefits of, and discrimination under Federally-assisted and/or conducted programs on the ground of race, color, or national origin. Title VI of the Civil Rights Act of 1964 covers program access for LEP persons. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance, free of charge. You must take reasonable steps to ensure that LEP persons receive the language assistance necessary to have meaningful access to USDA programs, services, and information your organization provides. These protections are pursuant to Executive Order 13166 entitled, “Improving Access to Services by Persons with Limited English Proficiency” and further affirmed in the USDA Departmental Regulation 4330-005, “Prohibition Against National



Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA.”

- f. **Controlled Substances Act** - Even though state law may allow some activities, as a recipient of Federal funding, you are subject to the Controlled Substances Act. Specific questions about the Controlled Substances Act should be directed to the Servicing Official who will contact the Office of General Counsel, as appropriate.

53. Compliance Reviews and Data Collection – Agency financial programs must be extended without regard to race, color, religion, sex, national origin, marital status, age, or physical or mental handicap. You must display posters (provided by the Agency) informing users of these requirements, and the Agency will monitor your compliance with these requirements during regular compliance reviews.

The Agency will conduct regular compliance reviews of the borrower and its operation in accordance with 7 CFR Part 1901, Subpart E, and 36 CFR 1191, Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines. Compliance reviews will typically be conducted in conjunction with the security inspections described in this letter.

If beneficiaries (users) are required to complete an application or screening for the use of the facility or service that you provide, you must request and collect data by race (American Indian or Alaska Native, Asian, Black or African American, White); ethnicity (Hispanic or Latino, Not Hispanic or Latino); and by sex. The Agency will utilize this data as part of the required compliance review.

SECTION VIII – REMEDIES FOR NON-COMPLIANCE

Non-compliance with the conditions in this letter or requirements of your security documents will be addressed under the provisions of Agency regulations, statutes, and other applicable policies.

We look forward to working with you to complete this project. If you have any questions, please contact me at 785-271-2731 or by e-mail at Austin.Masters@usda.gov

Sincerely,

Austin Masters
Loan Specialist

Appendix A

Build America, Buy America Evidence Standards

Manufacturers

For each item to which BABAA applies (every item permanently installed on the project, except for aggregate and aggregate binding materials), a manufacturer's certification letter or other document demonstrating compliance is required. It must, at a minimum, identify the item being certified (short written description as well as part number, if applicable) and affirm that the item complies with BABAA. This document must be signed by an authorized company representative.

Architects and Engineers

Compliance with BABAA will be spelled out in agreements for services, construction contracts, and procurement contracts. Generally, the A/E contract should include, as a basic service, obtaining and maintaining all BABAA documentation (particularly manufacturers' certifications) during construction, which shall be transferred to the Owner upon completion of the project. The architect or engineer will need to certify to this action at the project's end.

Resident Project Representative / Resident Inspector

As part of their duties, Resident Project Representative/Resident Inspector should be instructed to verify items delivered to the site and installed are accompanied by documentation of compliance with BABAA. They should photograph items as appropriate. RPR/RI daily logs and photographs will become part of the construction record and can be used as supporting information during audits, providing evidence for items that are buried or otherwise inaccessible.

Contractors

Construction contract(s) must include a requirement to procure and install only items that comply with BABAA or are subject to an approved waiver. Contractors must provide manufacturers' certifications for all BABAA compliant items to the responsible party before a request for reimbursement to the Agency is made. At completion, the contractor will be required to certify that all items used on the contract complied with BABAA and that all manufacturers' certifications were provided.



City of Valley Falls

Established 1854

COUNCIL MEETING DATE: December 18, 2024

INVOICES IN THE TOTAL AMOUNT OF: \$109,820.73

APPROVED:

STATE OF KANSAS

COUNTY OF JEFFERSON

I hereby certify that the attached bills are just and correct and that the amount therein is actually due and owing according to law.

Approved by:

City Administrator

Subscribed and sworn to before me this _____ day of December 2024

City Clerk

GL ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK#	CHECK DATE
100-050-2010	EFTPS	FED/FICA TAX	471.89	22073857	12/18/24
100-050-2020	EFTPS	FED/FICA TAX	1,297.36	22073857	12/18/24
100-050-2020	EFTPS	FED/FICA TAX	456.36	22073867	12/18/24
100-050-2030	KSDOR PAYROLL	STATE TAX	323.76	22073858	12/18/24
100-050-2030	KSDOR PAYROLL	STATE TAX	35.49	22073868	12/18/24
100-050-2040	KPERS	KPERS TIER III	1,304.13	22073859	12/18/24
100-050-2040	KPERS	KPERS TIER III	484.95	22073869	12/18/24
100-050-2040	KPERS457	KPERS ROTH	232.00	22073860	12/18/24
100-050-2050	AFLAC CAFETERIA	AFLAC	242.58	22073861	12/18/24
100-110-5140	GIANT COMMUNICATIONS	Phone	42.80	24128	12/13/24
100-110-5190	GWORKS	Annual License	4,967.00	24122	12/05/24
100-110-5190	MIDWEST OFFICE TECHNOLOGY	11/14/24-12/13/24	153.83	24132	12/13/24
100-110-5190	WERRING LAW LLC	City Attorney Services	1,000.00	24136	12/13/24
100-120-5140	AT&T	office @ hand	39.45	24124	12/13/24
100-120-5140	GIANT COMMUNICATIONS	Phone	42.80	24128	12/13/24
100-120-5340	JP COOKE CO	dog tags	81.50	24131	12/13/24
100-130-5190	WERRING LAW LLC	City Prosecutor Services	500.00	24136	12/13/24
100-160-5140	GIANT COMMUNICATIONS	Phone	42.78	24128	12/13/24
200-200-5950	FOLEY CAT EQUIPMENT	Long Reach rental	14,634.63	24127	12/13/24
200-200-5950	FOLEY CAT EQUIPMENT	Long Reach Pickup	450.00	24138	12/16/24
200-200-5950	HEINEN PHE	Final River Bore Payment	24,540.00	24139	12/16/24
200-200-5950	MID STATES MATERIALS LLC	rock	6,578.28	24123	12/05/24
720-050-2010	EFTPS	FED/FICA TAX	178.42	22073857	12/18/24
720-050-2020	EFTPS	FED/FICA TAX	531.46	22073857	12/18/24
720-050-2020	EFTPS	FED/FICA TAX	87.38	22073867	12/18/24
720-050-2030	KSDOR PAYROLL	STATE TAX	151.61	22073858	12/18/24
720-050-2030	KSDOR PAYROLL	STATE TAX	12.98	22073868	12/18/24
720-050-2040	KPERS	KPERS TIER III	564.76	22073859	12/18/24
720-050-2040	KPERS	KPERS TIER III	92.84	22073869	12/18/24
720-050-2040	KPERS457	KPERS ROTH	14.00	22073860	12/18/24
720-050-2050	AFLAC CAFETERIA	AFLAC	109.47	22073861	12/18/24
720-720-5130	CHAD SPENCER	Clothing allowance	206.99	24125	12/13/24
720-720-5140	GIANT COMMUNICATIONS	Phone	42.80	24128	12/13/24
720-720-5140	KANSAS GAS	NATURAL GAS	105.65	22073826	12/08/24
720-720-5180	CORE & MAIN	18PVC SDR51 PIPE WHT X260	1,008.00	24126	12/13/24
720-720-5180	EMC INSURANCE	SidebySide Ins. ExcavIns	558.00	24137	12/16/24
720-720-5180	FOLEY CAT EQUIPMENT	fan switch	38.46	24127	12/13/24
720-720-5180	HEINEN REPAIR SERVICE, Inc	Hose	71.75	24129	12/13/24
720-720-5190	GWORKS	Annual License	4,967.00	24122	12/05/24
720-720-5190	HOLLIS TRUCK LINE LLC	Crane Mats x13	1,200.00	24130	12/13/24
720-720-5190	WERRING LAW LLC	Water Access Issue	2,887.50	24136	12/13/24
720-720-5950	UMB-KANSAS CITY	5 35ft poles, transfer wire	5,288.70	24134	12/13/24
730-050-2010	EFTPS	FED/FICA TAX	178.44	22073857	12/18/24
730-050-2020	EFTPS	FED/FICA TAX	531.38	22073857	12/18/24
730-050-2020	EFTPS	FED/FICA TAX	87.32	22073867	12/18/24
730-050-2030	KSDOR PAYROLL	STATE TAX	151.60	22073858	12/18/24
730-050-2030	KSDOR PAYROLL	STATE TAX	12.99	22073868	12/18/24
730-050-2040	KPERS	KPERS TIER III	564.74	22073859	12/18/24
730-050-2040	KPERS	KPERS TIER III	92.83	22073869	12/18/24
730-050-2040	KPERS457	KPERS ROTH	14.00	22073860	12/18/24
730-050-2050	AFLAC CAFETERIA	AFLAC	109.47	22073861	12/18/24
730-730-5140	GIANT COMMUNICATIONS	Phone	42.80	24128	12/13/24
730-730-5140	KANSAS GAS	NATURAL GAS	105.65	22073826	12/08/24
730-730-5170	QUADIENT	postage	443.00	24133	12/13/24

CLAIMS REPORT
Check Range: 12/05/2024-12/18/2024

GL ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK#	CHECK DATE
730-730-5190	GWORKS	Annual License	4,967.00	24122	12/05/24
740-740-5190	WASTE MANAGEMENT	Trash Service	11,953.04	24135	12/13/24
		Accounts Payable Total	95,293.62		
		Utility Refund Checks			
		Refund Checks Total			
		Payroll Checks	14,527.11		
		Report Total	109,820.73		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
100	GENERAL FUND	20,221.39
200	CAPITAL IMPROVEMENT	46,202.91
720	WATER UTILITY	21,130.09
730	SEWER UTILITY	10,313.30
740	SOLID WASTE (TRASH)	11,953.04

	TOTAL FUNDS	109,820.73

TREASURER'S REPORT
CALENDAR 12/2024, FISCAL 12/2024

FUND#	TITLE	LAST MONTH CASH BALANCE	REVENUES	EXPENSES	LIABILITY BALANCE	THIS MONTH CASH BALANCE
100	GENERAL FUND	16,450.76	644.25	.00	117,037.89	6,464.55
120	Police Donations	380.00	.00	.00	.00	380.00
150	Parks & Recreation	958.90	.00	.00	6,364.00	11,769.10
160	POOL RESERVE	1,189.79	.00	.00	5,830.40	1,189.79
200	CAPITAL IMPROVEMENT	47,746.68	.00	.00	154,032.12	1,103.78
300	SPECIAL HWY & STREETS	106,934.50	.00	.00	82,154.66	106,934.50
400	EQUIPMENT RESERVE	15,426.71	110,000.00	.00	726.71	125,426.71
500	BOND & INTEREST	412,424.23	75,000.00	.00	401,990.49	487,424.23
600	RHID	129,969.13	.00	.00	77,999.21	129,969.13
720	WATER UTILITY	210,186.57	19,344.06	.00	93,593.33	93,987.80
721	WATER RESERVE	40,498.34	50,000.00	.00	40,498.34	90,498.34
730	SEWER UTILITY	333,520.61	14,635.48	.00	58,250.70-	117,122.31
731	SEWER RESERVE	139,683.20	50,000.00	.00	139,683.20	189,683.20
740	SOLID WASTE (TRASH)	104,649.98	8,434.69	.00	69,307.73	101,131.63
790	INSURANCE RESERVE	.00	.00	.00	.00	.00
<hr style="border-top: 1px dashed black;"/>						
	Report Total	1,560,019.40	328,058.48	.00	1,130,967.38	1,463,085.07



City of
VALLEY FALLS

Incorporated May 17, 1854

City Administrator Report
City Council December 18, 2024

Daily Operations:

- Assist Citizens with service payments & questions.
- Citizen Notification System—Hopefully, the setup will be completed soon. We will post information on the City website and social media on how to sign up for the Everbridge system if you haven't already.
- Working on grant documentation for grants currently in progress.
 - a. ARPA - all money has been obligated. All cash except for the 2nd half payment of the river boring has been expended.
 - b. SS4A—Once we receive a final invoice from Shockey Consulting, I will submit it for reimbursement and start the close-out process.
 - c. LSSE—I have completed all of the paperwork and am waiting on a narrative from Carrie to submit.
 - d. KDOT innovative grant (radar signs)—We have the equipment and need to install it. I am working on the reimbursement paperwork to submit to the state.
- Working with the Planning & Zoning Committee to schedule a meeting for the central business district hearing.
- Working on year-end procedures to start the close-out process on financials for 2024.
 - a. The 2024 budgeted transfers have been completed for the Water & Sewer Department
 - b. I am watching the General Fund cash before the end of the year to make the budgeted transfers.
 - c. I have reviewed the yearly financials and budget with the auditor as of December 11th.
- I worked with Public Works to complete the projects at the Delaware River. We will have an insurance claim on the rented excavator, as a couple of engine shields/doors were dented when pulling the trees from the river. A wiring harness was also cut on the boom.
- Destiny has been appointed as the Chamber Treasurer.
- Destiny and I attended a Demo with Enable My City, an accounting software for cities. While their software is less expensive than our current software, their company is in its infancy. It will take several years of production before it is considered a feasible option. We will continue to look at options & report back to the council.
- The City of Valley Falls, Fire Department, and Emergency Management will host a storm spotter safety talk at the Kendall Community Hall on Thursday, March 27th, at 6:30 p.m.

CITY OFFICE

417 Broadway • Valley Falls, Kansas 66088-1200
Phone 785-945-6612 • Fax 785-945-3341

Total Grant:		American Rescue Plan Act						
Entity	Description	Remaining Amount	Invoice #	Invoice Date	Check #	Check Date	Revenue Replacement	
		\$20,411.40	16144	12/22/2021	22825	1/19/2022	Yes	
gWorks	Accounting Software							
Heinen P-H-E	RV Park Electrical Update	\$ 3,440.00	7182022	7/18/2022	23087	8/3/2022	Yes	
Hollis Truck Line LLC	Rock Hauling	\$ 1,050.00	20240569	4/4/2024	23826	4/5/2024	Yes	
Jefferson County Roads	Tube for Lake Entrance	\$ 373.60	2024-13	4/4/2024	23827	4/5/2024	Yes	
Mid States Materials LLC	Rock for Entrance	\$ 2,464.42	138387	4/4/2024	23830	4/5/2024	Yes	
Fireside Concrete (Burdiek)	Concrete Lake Spillway	\$ 11,000.00	661877	8/26/2024	24017	8/28/2024	Yes	
Lansing Motor Sports	2024 Massimo T Boss 560	\$ 10,399.00	20240903	9/3/2024	24024	9/3/2024	Yes	
ValveKing	Ductile Iron Water Valves	\$ 1,069.86	3932	9/17/2024	22073832	10/23/2024	Yes	
Hendricks Investments LLC	72" Forestry Drum Mulcher	\$ 9,279.00	22000006216	9/10/2024	24037	9/10/2024	Yes	
Amazon	UTV Sprayer	\$ 265.99	113-8945977-6949802	10/1/2024	22073792	11/5/2024	Yes	
Amazon	UTV Sprayer Pw Cable / Facility Locks	\$ 476.57	113-7005320-8296216	10/1/2024	22073792	11/5/2024	Yes	
Amazon	Facility Locks	\$ 1,962.94	113-0932993-8921001	10/1/2024	22073792	11/5/2024	Yes	
PEC	Lake Survey	\$ 11,000.00	706906 & 707130	8/26/2024	24081	10/25/2024	Yes	
MCM Atchison	Blocks for Bunkers	\$ 3,260.00	677642	10/29/2024	24107	11/18/2024	Yes	
Jim's Trailers	Tilt Bed Trailer 14K LBS	\$ 9,200.00	invoice	10/16/2024	24112	11/20/2024	Yes	
Champlin Tire	8 8' Benches for Broadway, Trail, Lake	\$ 4,952.00	Quote	10/2/2024	24055	10/8/2024	Yes	
Heinen PHE	River Boring	\$ 49,080.00	Bid	10/2/2024	24061	10/7/2024	Yes	
Global Industrial	4 Trash Cans for Broadway	\$ 2,706.21	25525122	10/23/2024	22073842	11/23/2024	Yes	
Menards	Spring Line Repairs Pipe	\$ 7,399.97	56025276	10/23/2024	22073842	11/23/2024	Yes	
Heinen Repair Services	Grapple Bucket	\$ 2,528.00	9624-Grapple	9/6/2024	24029	9/9/2024	Yes	
Amazon	Forklift Safety Cage	\$ 439.99	113-6709363-4118601	10/30/2024	22073856	12/2/2024	Yes	
Mid-States Materials LLC	Rock at Boat Ramp/Lake Crossing	\$ 8,228.33	147629 & 147903	10/31/2024	24106 & 24123	11/18/2024 & 12/05/2024	Yes	
Foley Equipment	Remove silt & trees & clean lagoon	\$ 15,084.63	R22833 R22833-02	11/15/2024	24127	12/13/2024	Yes	
		\$176,071.91						

Amount	ARPA Disbursements Date	Method
\$ 87,458.86	7/14/2021	ACH
\$ 520.32	10/27/2021	ACH
\$ 87,979.18	6/13/2022	ACH
\$ 175,958.36		



City of
VALLEY FALLS

Incorporated May 17, 1869

Public Works Report
December 18, 2024

Water:

- Finished removing debris from the river and piling it on the bank will take several more weeks to accomplish hauling off the removed debris.
- Repaired the river weir and made the low point near the access ramp we created for ease of repairs moving forward.
- Fixed a water leak on Blue Mound Rd. We will be moving the water meter to the property line in the future currently it is next to the home.
- The boring crew has started to bore under the river.

Sewers

- We will start the discharge from the lagoons after the first of the year and go through the end of March.

Streets:

- Nothing to report.



City of
VALLEY FALLS

Incorporated May 17, 1869

Police Department Report
December 18, 2024

- Arranging with Willows to set up training for the department. January is National Stalking Awareness Month.
- We have received the drugs from KHP for canine training. Officer Rivera and I are working on getting the training set up here for our department.
- December 31st several other agencies with their canines will be in Valley Falls for training. They will be in town most of the day. We are waiting on the school to approve using an area and also using an empty residence once permission is granted.
- Attended a meeting with Sheriff Merchant in Brown County to extend the DAWN services to his community.

Calls for service:

12/15 Welfare check	12/07 Traffic stop
12/10 Juvenile call	12/07 Traffic stop
12/13 Criminal Threat	12/07 Traffic stop
12/12 Suspicious activity	12/07 Traffic stop
12/12 Traffic stop	12/07 DUI arrest
12/14 Traffic complaint	12/06 Traffic stop
12/14 Traffic stop	12/06 Traffic stop
12/12 Traffic stop	12/06 Traffic stop
12/12 Traffic stop	12/06 DUI arrest
12/14 Assist agency	12/05 Traffic stop
12/14 Traffic stop	12/05 Traffic stop
12/14 Traffic stop	12/05 Traffic stop
12/06 Case follow up	12/05 Traffic stop
12/04 VIN inspection	
12/08 Traffic stop	
12/03 VIN inspection	

EXECUTIVE SESSION MOTIONS

There is no standard format for the motion to recess into executive session which will apply to all situations. Because the statutory language requires the motion contain both the "justification" and the "subjects" to be discussed, the motion should include the statutory reason for recessing into executive session and a more specific description of the topic for discussion.

1. **Statutory reason for non –elected personnel needs a more specific reason which could be Individual employee's performance**

I move the city council recess into executive session to discuss an individual employee's performance pursuant to the **non-elected personnel** matter exception, K.S.A. 75-4319 (b) (1) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at ____PM.

2. **Statutory reason for Attorney – Client privilege needs a more specific reason which could be discuss contract, Litigation, Claim, or other such more specific item.**

I move the city council recess into executive session to discuss a claim pursuant to **Attorney – Client privilege** matter exception, K.S.A. 75-4319(b)(2) to include: the City Attorney and (people to participate besides governing body.) The open meeting will resume in the city council room at ____PM.

3. **For employer-employee negotiations a more specific description could be salary.**

I move the city council recess into executive session to discuss salary pursuant to **employer-employee negotiations** matter exception, K.S.A. 75-4319(b) (3) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at ____PM.

4. **For property acquisition matters a more specific description could be purchase cost.**

I move the city council recess into executive session to preliminary discuss purchase cost pursuant to **property acquisition** matter exception, K.S.A. 75-4319(b)(6) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at ____PM.

K.S.A. 75-4319. Closed or executive meetings; conditions; authorized subjects for discussion; binding action prohibited; certain documents identified in meetings not subject to disclosure. (a) Upon formal motion made, seconded and carried, all bodies and agencies subject to the open meetings act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include a statement of (1) the justification for closing the meeting, (2) the subjects to be discussed during the closed or executive meeting and (3) the time and place at which the open meeting shall resume. Such motion, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion. (b) No subjects shall be discussed at any closed or executive meeting, except the following:

- (1) Personnel matters of nonelected personnel;
- (2) consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship;
- (3) matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the body or agency;
- (4) confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
- (5) matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;
- (6) preliminary discussions relating to the acquisition of real property;