

**CITY OF HIGHLAND, KANSAS
SPECIAL COUNCIL MEETING
CITY HALL
October 19, 2020
11:00 A.M.**

COUNCIL MEMBERS PRESENT: Greg Delzeit, Dan Collins, and Terry Gibson

COUNCIL MEMBER ABSENT: Rocky Ruhnke and Marty Allen

CITY EMPLOYEES PRESENT: City Clerk Joann Karn

GUESTS PRESENT: Via Zoom: Shelly Underwood, Midwest Assistance Program.

PRESIDING: Mayor Charles Batchelder

Mayor Batchelder opened the public hearing at 11:00 a.m. regarding a proposed loan in the amount not to exceed \$2,000,000 to be taken by the City from the Kansas Department of Health and Environment. The City has made preliminary application to KDHE for the Loan, the proceeds of which will be used by the City to finance certain modifications and improvement to the City's water supply and distribution system, and to pay interest during construction of the Project.

Ms. Underwood, MAP, provided further information regarding the nature and scope of the Project, the source of revenues pledged to secure the Loan, the City's financial information, the City's water conservation plan, environmental impact information which could qualify for a categorical exclusion, the proposed Loan documents, and the schedule of rates proposed to enable the City to meet its financial obligations for the Loan.

At 11:04 a.m., Terry Gibson moved and Greg Delzeit seconded a motion to close the public hearing and open the special meeting. Motion carried 3-0

Greg Delzeit moved and Dan Collins seconded a motion to adopt Resolution Number 2020-08, a resolution authorizing the completion of an application to the Kansas Department of Health and Environment regarding a loan from the Kansas Public Water Supply Loan Fund and the EPA Certification Regarding Lobbying, KDHE Project #3062. Motion carried 3-0 (See attachments)

Terry Gibson moved and Greg Delzeit seconded a motion to adjourn at 11:06 a.m. Motion carried 3-0

Mayor

City Clerk

RESOLUTION NO. 2020-08

A RESOLUTION AUTHORIZING THE COMPLETION OF AN APPLICATION TO THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT REGARDING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND

WHEREAS, the City of Highland, Kansas (the “City”) is a duly incorporated city of the 3rd class organized under the laws of the state of Kansas (the “State”) which operates a public water supply and distribution system (the “System”); and

WHEREAS, the City Council (the “Governing Body”) of the City has heretofore determined in to be in the best needs of the customers of the System to undertake certain modifications and improvements (the “Project”) to the System; and

WHEREAS, the pursuant to K.S.A. 65-163c *et seq.* (the “Act”), the Kansas Department of Health and Environment (“KDHE”) administers the Kansas Public Water Supply Loan Fund (the “Fund”) from which loans are made to certain qualified Municipalities (as said term is defined in the Act) to finance modification and improvements to public water supply systems; and

WHEREAS, the City has heretofore made an application to KDHE for a loan in an amount not to exceed \$2,000,000.00 (the “Loan”) to finance the Project; and

WHEREAS, the Governing Body has conducted a public hearing this date on the advisability of proceeding with the completion of the application for the Loan and desires to authorize the appropriate officials of the City to accomplish the completion process.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HIGHLAND, KANSAS, AS FOLLOWS:

Section 1. Loan Application. The Mayor and City Clerk of the City are hereby authorized to cause to be prepared and to execute a Loan Application, including all attachments thereto (jointly, the “Application”); in substantially the form presented to the Governing Body this date, in order to provide financing for the Project. The Application shall be forwarded to KDHE as soon as possible.

Section 2. Further Proceedings. The Mayor and City Clerk and the other officers and representatives of the city are hereby authorized and directed to take such other action as may be necessary to complete the Application and to coordinate processing of a loan agreement for the Loan (the “Loan Agreement”); provided that the authorization to execute the Loan Agreement shall be subject to further resolution of the Governing Body.

Section 3. Further Authority. This Resolution shall be in full force and effect from and after its adoption.

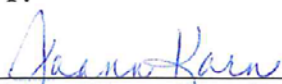
Adopted by the Governing Body of the City of Highland, Kansas on October 19, 2020.

(SEAL)



Charles Batchelder, Mayor

ATTEST:



Joann Karn, City Clerk

3062

KDHE PROJECT #

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Charles Batchelder- Mayor

Typed Name & Title of Authorized Representative



Signature and Date of Authorized Representative