

CITY OF VALLEY CENTER

FINAL AGENDA

FEBRUARY 14, 2013

THE CITY COUNCIL SHALL HOLD ITS REGULAR MEETINGS IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN, BEGINNING AT 7:00 P.M.

February 19, 2013

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
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15. **GOVERNING BODY REPORTS** p 135
16. **ADJOURN**

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.

At anytime during the regular City Council meeting, the City Council may meet in executive session for consultation concerning several matters (real estate, litigation, non-elected personnel and security).

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at cityclerk@valleycenter-ks.gov or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit www.valleycenter-ks.gov or call (316) 755-7310.

APPROVAL OF AGENDA

RECOMMENDED ACTION:

Staff recommends motion to approve the agenda as presented / amended.

CLERK'S AGENDA

A. MINUTES:

Attached are the Minutes from the February 5, 2013 Regular City Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the Minutes of the February 5, 2013 Regular Council Meeting Minutes as presented / amended.

REGULAR COUNCIL MEETING
FEBRUARY 05, 2013
CITY HALL
121 S. MERIDIAN

Mayor McNown called the meeting to order at 7:00 p.m. with the following members present: Judith Leftoff, Lou Cicirello, Terry Ishman, Harrison Gerling, Marci Maschino, Lionel Jackson, Kate Jackson, and Al Hobson.

Members Absent: None

Staff Present: Joel Pile, City Administrator
Kristine Polian, City Clerk
Jose Santiago, Assistant City Clerk
Mark Hephner, Chief of Police
Lonnie Tormey, Fire Chief
Warren Utecht, Community Development Director
Richard Dunn, City Superintendent
Neal Owings, Parks and Public Buildings Superintendent
Mike Kelsey, City Engineer
Barry Arbuckle, City Attorney

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

L. Jackson moved, second by K. Jackson, to approve the Agenda as presented. Vote yea: Unanimous. Motion carried.

CLERK'S AGENDA

A. MINUTES – JANUARY 15, 2013 REGULAR CITY COUNCIL MEETING

Cicirello moved, second by Ishman, to approve the Minutes of the January 15, 2013 Regular Council Meeting as presented. Vote yea: Unanimous. Motion carried.

B. APPROPRIATION ORDINANCE – 02/05/2013

Hobson moved, second by K. Jackson, to approve the February 05, 2013 Appropriation Ordinance as presented. Vote yea: Unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS – None

PUBLIC FORUM - None

APPOINTMENTS – None

COMMITTEES, COMMISSIONS – None

OLD BUSINESS**A. ORDINANCE 1254-13; AUTHORIZING STORMWATER DRAINAGE IMPROVEMENT PROJECT, 2ND READING**

An Ordinance authorizing and providing for the construction of Stormwater Drain Improvements in the City; and authorizing the issuance of General Obligation Bonds of The City to pay the costs thereof.

- Ordinance 1254-13

Maschino moved, second by L. Jackson, to adopt Ordinance 1254-13, authorizing and providing for the construction of Stormwater Drain Improvements in the City; and authorizing the issuance of General Obligation Bonds of The City to pay the costs thereof, for 2nd reading. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Marci Maschino, Lionel Jackson, and Al Hobson. Opposed: Harrison Gerling and Kate Jackson. Motion carried.

NEW BUSINESS**A. ORDINANCE 1255-13; AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2013-1, 1ST READING**

An Ordinance authorizing and providing for the issuance of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas.

- Ordinance 1255-13

Pile stated the next step after Ordinance 1254-13 2nd reading was authorized and approved by the Governing Body, is to adopt Ordinance 1255-13 for the issuance of General Obligation Refunding and Improvement Bonds, Series 2013-1, 1st reading.

Maschino moved, second by L. Jackson, to adopt Ordinance 1255-13, authorizing and providing for the issuance of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas, for 1st reading. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Harrison Gerling, Marci Maschino, Kate Jackson, Lionel Jackson, and Al Hobson. Opposed: Harrison Gerling. Motion carried.

B. RESOLUTION 610-13:

[Moved to February 19, 2013 Meeting]

C. 2013 TAX ABATEMENT REVIEW

- Retro Systems Abatement
- National Plastics Color Inc. Abatement

Cicirello moved, second by K. Jackson, to approve motion to renew Retro System Abatement Request for 2013. Vote Yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Harrison Gerling, Marci Maschino, Lionel Jackson, and Kate Jackson. Al Hobson abstained himself since he is employed at one of these companies. Motion carried.

Cicirello moved, second by K. Jackson, to approve motion to renew National Plastic Abatement Request for 2013. Vote Yea: Unanimous. Motion carried.

CONSENT AGENDA - None

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR UTECHT

Utecht supplied Councilmembers with the adopted Zoning regulations and the minutes to the Pride Committee.

Utecht stated: 1) A motion in the minutes was a recommendation to build a pedestrian trail in Wetland Park; there are no difficulties that have been found that would prevent the City from building a trail along the easterly edge of Wetland Park. Utecht will bring a comprehensive report to the Council at the next meeting in February for consensus of the project so they can move ahead with trail clearance by the end of February. 2) Thursday, February 7, 2013 at 7:00 AM the last Pedestrian & Bicycle Facilities Master Plan Steering Committee will review and comment on the draft plan; a public open house has been scheduled at City Hall from 6-7 PM on February 19, 2013. And, 3) Casey's is coming to Valley Center; we are reviewing their site plan and a public hearing for the rezoning of one lot will be held on February 26, 2013.

GOVERNING BODY REPORTS

MAYOR MCNOWN

McNown congratulated Councilmembers refiling their nominations and those who declared their intentions to run in the coming elections.

COUNCILMEMBER CICIRELLO

Cicirello stated he noticed new businesses coming to Valley Center and told Utecht to keep up the good work.

Hobson moved, second by K. Jackson, to adjourn the meeting. Vote yea: Unanimous. Motion carried.

Meeting adjourned at 7:34 PM

Jose A. Santiago, Assistant City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for February 19, 2013 as prepared by City Staff.

February 19, 2013 Appropriation

Total	\$ 153,148.77
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RECOMMENDED ACTION:

Staff recommends motion to approve the February 19, 2013 Appropriation Ordinance as presented / amended.

VENDOR SET: 02 City of Valley Center

BANK: * ALL BANKS

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0009	VERIZON WIRELESS SERVICES, LLC							
C-CHECK	VERIZON WIRELESS SERVICE	VOIDED	V 2/01/2013			043481		120.17CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS	0.00		
	VOID CREDITS	120.17CR	120.17CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: *	TOTALS:	1	0.00	0.00	0.00
BANK: *		TOTALS:	1	0.00	0.00	0.00

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0098	VALLEY CENTER POSTMASTER							
I-UTILITY POSTAL FUN	UTILITY POSTAL FUNDS	R	1/31/2013	6,000.00		043480		6,000.00
0009	VERIZON WIRELESS SERVICES, LLC							
I-2856452614	DEC 2012 SRVCS	V	2/01/2013	120.17		043481		120.17
0009	VERIZON WIRELESS SERVICES, LLC							
M-CHECK	VERIZON WIRELESS SERVICEVOIDED	V	2/01/2013			043481		120.17
0083	KHP PARTNERS PROGRAM							
I-ORDER DATE 9-28-12	NEW VESTS	R	2/01/2013	1,858.52		043482		1,858.52
0196	P E C							
I-00510228	DEC 2012 RETAINER	R	2/01/2013	904.91		043483		904.91
0299	PITNEY BOWES INC							
I-3961042-JA13	POSTAGE MACHINE RENTAL	R	2/01/2013	195.74		043484		195.74
0417	H & H ADMINISTRATORS, LLC							
I-DEC 2012	DEC 2012 FSA&COBRA ADMIN	R	2/01/2013	181.00		043485		181.00
0239	A T & T KANSAS							
C-12-3997	REVERSAL-AMT REVISED	R	2/01/2013	3,286.31		043487		
I-12-3997 \$3286.31	REVERSAL VOIDED	R	2/01/2013	3,286.31		043487		
I-3167552075 040 9	VALLEY CREEK PUMP STATION	R	2/01/2013	55.56		043487		
I-3167553507 922 7	DES SUBSTATION	R	2/01/2013	59.96		043487		
I-3167557303 720 9	AT&T 01/09-02/08/2013	R	2/01/2013	1,651.39		043487		1,766.91
0085	LAURIE B WILLIAMS							
I-BJE201302065076	CASE # 09-14039	R	2/08/2013	55.00		043488		
I-GJB201302065076	CASE # 11-13654	R	2/08/2013	172.00		043488		227.00
0210	SECURITY BENEFIT							
I-SCB201302065076	DEFERRED COMPENSATION	R	2/08/2013	63.00		043489		63.00
0313	VANTAGEPOINT TRANS AGENTS							
I-ICM201302065076	RETIREMENT 457 DEFERRED COMP	R	2/08/2013	65.00		043490		65.00
0372	U S DEPT OF EDUCATION							
I-JED201302065076	CASE #- S447705160	R	2/08/2013	175.37		043491		175.37
0421	FAMILY SUPPORT PAYMENT CENTER							
I-JHC201302065076	CASE # 11LWAD00059	R	2/08/2013	67.00		043492		67.00

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0006	AT&T							
I-12-4041	\$914.23 JAN 25 THRU FEB 24, 2013	R	2/08/2013	914.23		043493		914.23
0009	VERIZON WIRELESS SERVICES, LLC							
I-2862653513	VERIZON WIRELESS JAN 2013	R	2/08/2013	560.14		043494		560.14
0069	KANSAS DEPT REVENUE							
I-002-0239 1 000 (7)	4TH QTR 2012 FEES	R	2/08/2013	2,477.59		043495		2,477.59
0077	KANSAS OFFICE OF THE TREASURER							
I-JAN 2013 FEES	JAN 2013 FEES	R	2/08/2013	1,139.50		043496		1,139.50
0078	KRWA - KANSAS RURAL WATER ASSO							
I-2013 MEMBERSHIP	2013 DUES	R	2/08/2013	920.00		043497		920.00
0081	KDHE-BUREAU OF WATER							
I-S-LA16-0036	2013 PERMIT FEES	R	2/08/2013	60.00		043498		60.00
0084	KMIT-KS MUNICIPAL INSURANCE							
I-13-141	2013 WORKERS' COMP INS	R	2/08/2013	68,326.00		043499		68,326.00
0092	TYLER TECHNOLOGIES INC							
I-025-61361	FEB 2013 MONTHLY FEES	R	2/08/2013	205.00		043500		205.00
0106	KANSAS MUNICIPAL JUDGES							
I-G KEITH DUES 2013	2013 KMJA ANNUAL DUES	R	2/08/2013	25.00		043501		25.00
0109	KANSAS STATE FIREFIGHTERS							
I-KSFFA 2013 DUES	2013 MEMBERSHIP FEES	R	2/08/2013	86.00		043502		86.00
0114	ANDALE FARMERS CO-OP							
I-447537	CITY % CROP FERT-77TH	R	2/08/2013	838.99		043503		838.99
0168	DRS. CRUM AND TODD, PA							
I-05052010 -4	RESTITUTION FOR ADDISON	R	2/08/2013	10.00		043504		10.00
0190	MIZE HOUSER & COMPANY P.A.							
I-35889-00041845	2012 CONSULTING & AUDIT	R	2/08/2013	2,800.00		043505		2,800.00
0198	P S I							
I-1301045-IN	JAN 2013 NETWORK SRVCS	R	2/08/2013	1,350.00		043506		1,350.00
0254	CITY OF WICHITA							
I-273174 162006	12/14/12-1/16/13 SRVCS	R	2/08/2013	30,176.06		043507		30,176.06

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0306	SEDGWICK COUNTY							
I-1800035836	JAN 2013 JAIL HOUSING FEE	R	2/08/2013	817.19		043508		817.19
0315	WASTE MANAGEMENT OF WICHITA							
I-5786078-2738-8	JANUARY 2013 SRVCS	R	2/08/2013	28,453.62		043509		28,453.62
0382	LEEKERS FAMILY FOODS							
I-05052010 -4	RESTITUTIONS	R	2/08/2013	100.00		043510		100.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	29	150,883.94	0.00	150,763.77
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	120.17	120.17	0.00

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: APBK	TOTALS:	29	150,763.77	0.00	150,763.77
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VENDOR SET: 03 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0012	JASON EASLEY							
	I-CRIMINAL PROCEDURE TUITION CENTRAL CHRISTIAN	R	2/01/2013	1,200.00		043486		1,200.00
0003	CATHERINE A. SEXTON							
	I-FEB'13 SR COORDIN FEB/2013 SR COORDINATOR	R	2/08/2013	1,125.00		043511		1,125.00
0028	MARK HEPHNER							
	I-M HEPHNER-KACP2013 KACP CONF PER DIEM TOPEKA	R	2/08/2013	60.00		043512		60.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3	2,385.00	0.00	2,385.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 03	BANK: APBK	TOTALS:	3	2,385.00	0.00	2,385.00
BANK: APBK	TOTALS:		32	153,148.77	0.00	153,148.77
REPORT TOTALS:			33	153,148.77	0.00	153,148.77

SELECTION CRITERIA

VENDOR SET: * - All
VENDOR: ALL
BANK CODES: All
FUNDS: All

CHECK SELECTION

CHECK RANGE: 043480 THRU 043512
DATE RANGE: 0/00/0000 THRU 99/99/9999
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: NO
PRINT STATUS: * - All

CLERK'S AGENDA

C. TREASURER'S REPORT for YTD DECEMBER 2012:

RECOMMENDED ACTION:

Staff recommends motion to receive and file the YTD December 2012 Treasurer's Report.

CITY OF VALLEY CENTER
YTD TREASURERS REPORT
AS OF: DECEMBER 31ST, 2012

FUND	BEGINNING CASH BALANCE	Y-T-D REVENUES	Y-T-D EXPENSES	CASH BASIS BALANCE	NET CHANGE OTHER ASSETS	NET CHANGE LIABILITIES	ACCURAL ENDING CASH BALANCE
010-GENERAL FUND	345,152.98	2,120,022.71	2,237,065.31	228,110.38	55,330.25	61,567.45	234,347.58
020-SPECIAL PARKS AND REC	14,056.54	3,922.94	617.00	17,362.48	0.00	(617.00)	16,745.48
030-SPECIAL ALCOHOL AND DRUGS	14,056.50	3,626.94	0.00	17,683.44	0.00	0.00	17,683.44
110-EMPLOYEE BENEFITS	109,271.49	641,532.18	591,359.49	159,444.18	(66,427.00)	(64,966.13)	160,905.05
111-FLEXIBLE SPENDING ACCT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
125-FIRE VEHICLE REPLACEMENT	640.30	0.00	0.00	640.30	0.00	0.00	640.30
126-BUILDING EQUIP RESERVE	111,177.90	0.00	0.00	111,177.90	0.00	0.00	111,177.90
127-EQUIPMENT RESERVE	203,443.98	52,673.98	33,601.27	222,516.69	0.00	3,447.82	225,964.51
128-PUBLIC WORKS BUILDING	8,627.24	0.00	0.00	8,627.24	0.00	0.00	8,627.24
140-LIBRARY	16,457.48	227,127.00	220,628.69	22,955.79	(5,663.00)	(5,663.00)	22,955.79
150-SPECIAL HIGHWAY	359,339.86	785,181.98	755,298.22	389,223.62	(6,712.80)	18,909.90	414,846.32
160-EMERGENCY EQUIPMENT	113,406.76	50,125.34	57,902.24	105,629.86	(1,260.00)	(1,113.73)	105,776.13
210-PAYROLL CLEARING	37.62	0.00	0.00	37.62	0.00	0.00	37.62
220-ACTIVE AGING	4,914.68	5,000.00	5,000.00	4,914.68	0.00	0.00	4,914.68
225-PARK BEAUTIFICATION FUND	3,152.23	34.33	0.00	3,186.56	0.00	0.00	3,186.56
230-BUSINESS IMPROVEMENT DIST	1,143.50	0.00	0.00	1,143.50	0.00	0.00	1,143.50
240-D.A.R.E.	3,332.93	828.57	0.00	4,161.50	0.00	0.00	4,161.50
245-VETERANS FLAG REWARD FUND	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-DRUG TAX DISTRIBUTION	5,346.73	0.00	0.00	5,346.73	0.00	0.00	5,346.73
260-LAW ENFORCE BLOCK GRANT	2,500.00	0.00	0.00	2,500.00	0.00	0.00	2,500.00
280-ADSAP	2,559.80	150.00	0.00	2,709.80	0.00	0.00	2,709.80
340-CAPITAL IMPROVEMENT FUND	3,354.07	0.00	0.00	3,354.07	0.00	0.00	3,354.07
350-CAPITAL PROJECTS FUND	572,268.89	2,344,037.72	2,325,269.47	591,037.14	0.00	(120,285.59)	470,751.55
410-BOND & INTEREST	77,746.42	2,173,012.76	1,702,060.75	548,698.43	767,632.53	767,632.53	548,698.43
610-WATER OPERATING	351,720.31	1,495,327.07	1,405,736.87	441,310.51	4,881.71	(5,257.48)	431,171.32
611-METER DEPOSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
612-STORMWATER UTILITY FUND	22,539.00	46,977.56	40,089.57	29,426.99	3,534.75	(559.92)	25,332.32
613-SOLID WASTE UTILITY	41,273.90	375,882.56	342,791.49	74,364.97	2,329.45	(27,782.34)	44,253.18
614-WATER MAINTENANCE RESERVE	7,780.37	0.00	0.00	7,780.37	0.00	0.00	7,780.37
615-WATER IMPROVEMENT FUND	146,497.48	0.00	0.00	146,497.48	0.00	0.00	146,497.48
616-WATER LOAN PRIN & INT	130,195.37	0.00	97,140.55	33,054.82	0.00	0.00	33,054.82
617-07 WATER LOAN P & I	42,297.85	0.00	39,972.17	2,325.68	0.00	0.00	2,325.68
619-WATER SURPLUS RESERVE	529,089.02	274.51	36,296.13	493,067.40	0.00	34,744.00	527,811.40
620-SEWER OPERATING	86,508.11	1,115,326.78	916,480.50	285,354.39	(7,075.17)	(26,210.91)	266,218.65
621-SEWER OPERATION & MAINT	14,795.22	0.00	0.00	14,795.22	0.00	0.00	14,795.22
623-07 SEWER LOAN P & I	20,216.74	302,680.40	322,897.14	0.00	0.00	0.00	0.00
625-1993 SEWER BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
626-1993 SEWER BOND P & I	0.00	0.00	0.00	0.00	0.00	0.00	0.00
627-1993 SEWER DEPRECIATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
628-SEWER SURPLUS RESERVE	197,969.01	16,221.03	15,550.00	198,640.04	0.00	0.00	198,640.04
629-1997 SEWER BOND P & I	0.00	0.00	0.00	0.00	0.00	0.00	0.00
630-1997 SW BOND DEPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00
631-1997 SW BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
633-2001 SW BOND P & I	138,753.31	0.00	0.00	138,753.31	0.00	0.00	138,753.31
634-2001 SW REV BOND DEPR	0.00	0.00	0.00	0.00	0.00	0.00	0.00
635-2001 SW BOND RESERVE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GRAND TOTAL	3,701,623.59	11,759,966.36	11,145,756.86	4,315,833.09	746,570.72	633,845.60	4,203,107.97

*** END OF REPORT ***

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

COMMITTEES, COMMISSIONS

A. ITEMS FOR COUNCIL REVIEW:

- Pedestrian & Bicycle Facilities Master Plan, February 7, 2013 Minutes
- Valley Center Recreation Commission
 - February 11, 2013 Agenda
 - January 14, 2013 Minutes

City of Valley Center

Pedestrian and Bicycle Facilities Master Plan

Steering Committee Meeting Minutes

February 7, 2013

7:00 A.M.

- 1) Introductions
 - Don Boskin-Planning Commission
 - Bill Christian-WAMPO
 - Mitch Coffman-PEC
 - Ronald Colbert Sr.-Planning Commission
 - Terry Ishman-Council Member
 - Jake Jackson-Council Member
 - Mike Kelsey-PEC
 - Shelly Kirkpatrick Resident-at-Large
 - Neil Owing-Parks and Public Buildings
 - Warren Utecht (Coordinator)-Community Development
 - Matt Vogt-Police
 - Rick White-School District
- 2) Purpose of Today's Meeting
 - Mr. Coffman provided an overview of the purpose of the meeting. He advised the following:
 - Review the draft Pedestrian and Bicycle Facilities Master Plan
 - Provide comments on draft Plan
 - Discuss next steps
- 3) Review of draft Pedestrian and Bicycle Facilities Master Plan
 - Mr. Coffman provided an overview of the contents of the draft Plan.
 - The committee discussed and provided input on the draft Plan. The following comments were made:
 - Page 1: reference recent citizen survey results in Introduction.
 - Page 5: emphasize age distribution, focusing on the growing segment of young and old.
 - Page 5: include most recent population growth rate.
 - Page 5: include percent of children bused to school and those who walk or bike (if data is available).
 - Page 10: There was consensus among the committee that the existing conditions analysis was accurate. The committee agreed that sidewalks in the older part of Valley Center could use improvement, especially when considering disabled users. However,

sidewalks were in good condition in the newly developed areas and where sidewalks were recently constructed. No changes needed.

- Page 13: discussed usage characteristics and vehicular traffic conditions, focusing on the areas near schools. Speeding is more of an issue on the side streets, not necessarily on Meridian. The school zones do not have much speeding. No changes needed.
- Page 15: railroad crossings are viewed as a barrier, but how will they be treated? Mr. Coffman advised that, based on the content of the draft Plan, no new crossings are being proposed except for along the east side of Meridian. It will be left up to those engineering the crossing (or improvements to existing crossings) to construct safe crossings and include appropriate accommodations and safety features. No changes needed.
- Page 16: reference recent citizen survey results in the Local Desire section.
- Page 20: make modifications to Future Facilities Map as follows:
 - Change Emporia from 85th to 81st to Priority 1.
 - Remove east/west Priority 3 segment south of Fieldstone.
 - Remove north/south Priority 3 segment from Fieldstone to existing sidewalk (at culverts) south of Fieldstone.
 - Change Fieldstone from Clover Lane to Goff to Priority 3.
 - Change Clover Lane from Fieldstone to Goff to Priority 2.
 - Make appropriate changes to rest of document to ensure consistency with changes listed above.
- Page 23: clarify that sales tax proceeds could be an eligible expense for sales tax revenue, not that there would be an increase in sales tax.
- Page 23: it was determined to not add in changes to curfew or make changes to the verbiage under the use of city parks. No changes needed.
- Page 26: add in verbiage to state that an area platted as a reserve could include pedestrian and bicycle facilities as an eligible use, similar to that of open space.
- General comments:
 - The committee was in agreement with recommendations contained within the draft Plan.
 - The committee was in agreement with presenting facility type options, without recommendations on facility types at specific locations. They were good with showing on-street facilities as an option.

4) Next Steps

- Mr. Coffman advised that the changes will be made to the draft Plan based on committee direction.
- The public open house is scheduled for February 19, 2013 at City Hall.
- The draft Plan will go to the Planning Commission for recommendation on February 26, 2013.
- The recommended Plan will be presented to City Council at one of their March meetings, depending upon the outcome at the Planning Commission meeting.

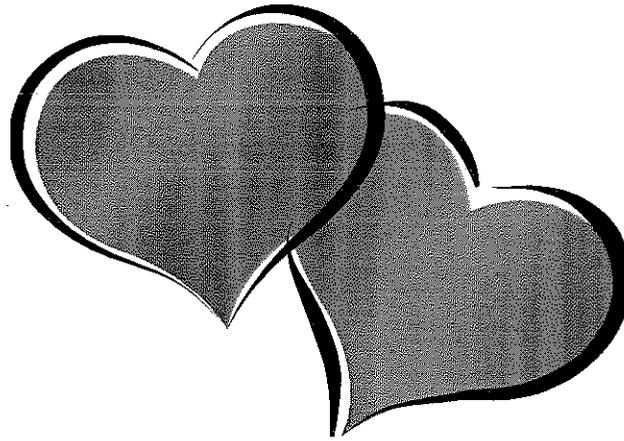
Valley Center Recreation Commission



Meeting



VCRC Office – 117 North Park



Monday

February 11, 2013

6:00 p.m.



Valley Center Recreation Commission

Monday – February 11, 2013

6:00 p.m.

Agenda

ROLL CALL AND RECORD OF ATTENDANCE

ADDITIONS OR DELETIONS TO THE AGENDA

APPROVAL OF THE MINUTES

- January 14, 2012 - Regular Meeting

REPORT OF THE MONTHLY PURCHASES AND EXPENDITURES

REPORT OF THE BOOKKEEPER

PETITIONS AND COMMUNICATIONS

REPORT OF THE DIRECTOR

COMMISSION REPORTS

UNFINISHED BUSINESS

- Recreation facilities project.
- Sportsmanship banners.

NEW BUSINESS

AS MAY ARISE

ADJOURNMENT

Next Recreation Commission Board Meeting – March 11, 2013 @ 6:00 p.m.

Valley Center Recreation Commission

Minutes from the January 14, 2013 meeting

ROLL CALL AND RECORD OF ATTENDANCE

Jeff Isaacs, Barry Hager, Bruce Williams and Steve Geddes. David Mellinger and Rod Jackson were absent.

ADDITIONS OR DELETIONS TO THE AGENDA

ADOPTION OF THE AGENDA

Motion by Bruce Williams to accept the agenda. Motion seconded by Jeff Isaacs. Motion carried 3-0.

APPROVAL OF THE MINUTES

Motion by Jeff Isaacs to approve the minutes from the 12/10/12 regular meeting. Motion seconded by Barry Hager. Motion carried 3-0.

REPORT OF THE MONTHLY PURCHASES AND EXPENDITURES

Motion by Bruce Williams to approve checks 15802 – 15847, 19351 – 19363, 19371 – 19379 (void – 19334), AmericaFunds – 12/07/12 & 12/19/12, KDOR – 12/07/12 & 12/19/12, and EFTPS – 12/07/12, 12/19/12 & 12/20/12. Motion seconded by Jeff Isaacs. Motion carried 3-0.

REPORT OF THE BOOKKEEPER

PETITIONS & COMMUNICATIONS

Motion by Barry Hager to accept the proposal from Josh Mullen to land farm the land east of the McKay-Petrie Sports Complex, at a rate \$10.00 per acre. The length of the proposal is dependent upon the time frame for development land – road / parking / sports fields. Motion seconded by Bruce Williams. Motion carried 3-0.

REPORT OF THE DIRECTOR

The report of the Director was reviewed.

COMMISSION REPORTS

UNFINISHED BUSINESS

Minutes of 01/14/13

Page 2

NEW BUSINESS

Motion by Bruce Williams to spend up to \$600.00 on a television to replace the 20 year old television that was used for coach/parent/sports official education. Motion seconded by Jeff Isaacs. Motion carried 3-0.

AS MAY ARISE

ADJOURNMENT

Motion by Barry Hager to adjourn the meeting. Motion seconded by Jeff Isaacs. Motion passed 3-0.

Report of the November Purchases and Expenditures

February 11, 2013

Payroll

15848 - 15868

General

19364 - 19370

(19371 through 19379 were December business)

19380 - 19392

AmericaFunds – 01/03/12, 01/16/13 & 01/31/13

KDOR – 01/03/13, 01/7/13, 01/16/13 & 01/31/13

EFTPS – 01/03/12, 01/16/13, 01/16/13 & 01/31/13

KDOL – 01/14/13

2/7/13 at 11:38:59.27

Page: 1

Valley Center Recreation Commission
Check Register
For the Period From Jan 1, 2013 to Jan 31, 2013

Filter Criteria includes: Report order is by Check Number.

Check #	Date	Payee	Cash Account	Amount
015848	1/4/13	RANDI R. BLACK	10001	775.68
015849	1/4/13	MICHAEL A. DUNN	10001	81.85
015850	1/4/13	ERICA DUNN	10001	20.08
015851	1/4/13	SANDY J. GEDDES	10001	92.35
015852	1/4/13	STEVEN R. GEDDES	10001	1,903.80
015853	1/4/13	JORDYN HEINZ	10001	20.08
015854	1/4/13	KERRI A. HOLDING	10001	80.73
015855	1/4/13	KAYLEE MOSS	10001	120.63
015856	1/4/13	TROY SNOW	10001	1,064.69
015857	1/4/13	TEAGAN WILSON	10001	20.08
015858	1/18/13	RANDI R. BLACK	10001	789.63
015859	1/18/13	JASON BOBBITT	10001	29.32
015860	1/18/13	KRISTY BRENEMAN	10001	20.08
015861	1/18/13	SHANNON CROW	10001	14.54
015862	1/18/13	WESLEY CROW	10001	29.78
015863	1/18/13	LINDSAY GEDDES	10001	135.35
015864	1/18/13	SANDY J. GEDDES	10001	92.35
015865	1/18/13	STEVEN R. GEDDES	10001	2,012.06
015866	1/18/13	KERRI A. HOLDING	10001	30.47
015867	1/18/13	JORDYN HEINZ	10001	14.54
015868	1/18/13	TROY SNOW	10001	1,183.45
19364	1/4/13	AMERICAN CPR TRAIN	10001	568.31
19365	1/4/13	COX COMMUNICATIO	10001	327.95
19366	1/4/13	CULLIGAN OF WICHIT	10001	8.19
19367	1/4/13	DISCOVER	10001	1,980.20
19368	1/4/13	SAM'S CLUB	10001	344.60
19369	1/4/13	T-MOBILE	10001	120.71
19370	1/4/13	WASTE MANAGEMEN	10001	97.61
19380	1/9/13	CENTRAL SECURITY G	10001	60.00
19381	1/16/13	CREATIVE BUSINESS	10001	583.45
19382	1/16/13	FIRST NATIONAL BAN	10001	80.27
19383	1/16/13	HSBC RETAIL SERVICE	10001	200.50
19384	1/16/13	JOHN DEERE FINANCI	10001	749.07
19385	1/16/13	HSBC RETAIL SERVICE	10001	200.50

Valley Center Recreation Commission

Check Register

For the Period From Jan 1, 2013 to Jan 31, 2013

Filter Criteria includes: Report order is by Check Number.

Check #	Date	Payee	Cash Account	Amount
19386	1/16/13	KANSAS GAS SERVICE	10001	225.63
19387	1/16/13	WESTAR ENERGY	10001	1,277.25
19388	1/31/13	CARD SERVICES	10001	480.62
19389	1/31/13	DISCOVER	10001	579.95
19390	1/31/13	OFFICIAL COMMUNIC	10001	64.48
19391	1/31/13	T-MOBILE	10001	118.41
19392	1/31/13	COX COMMUNICATIO	10001	331.42
AMF 1162013	1/16/13	AMERICAN FUNDS SE	10001	198.77
AMF 13113	1/31/13	AMERICAN FUNDS SE	10001	194.38
AMFS 132013	1/3/13	AMERICAN FUNDS SE	10001	189.67
EFTPS 1162013	1/16/13	EFTPS	10001	1,382.22
EFTPS 13113	1/31/13	EFTPS	10001	1,349.99
EFTPS 132013	1/3/13	EFTPS	10001	1,301.30
KDOL 1142013	1/14/13	KANSAS DEPT OF LAB	10001	34,981.37
KDOR 1162013	1/16/13	KANSAS DEPARTMEN	10001	174.18
KDOR 123112	1/7/13	KANSAS DEPARTMEN	10001	26.52
KDOR 13113	1/31/13	KANSAS DEPARTMEN	10001	163.00
KDOR 132013	1/3/13	KANSAS DEPARTMEN	10001	159.14
eftps123112	1/6/13	EFTPS	10001	181.00
Total				<u><u>57,031.70</u></u>

ASSETS

Current Assets		
CASH - CHECKING	\$	1,823,438.60
MEMORIAL SAVINGS CINDY		2,434.23
		1,825,872.83
Total Current Assets		
Property and Equipment		
		0.00
Total Property and Equipment		
Other Assets		
		0.00
Total Other Assets		
Total Assets	\$	1,825,872.83

LIABILITIES AND CAPITAL

Current Liabilities		
FED P/R TAXES PAYABLE	\$	681.82
KS P/R TAXES PAYABLE		164.99
UNEMPL TAXES PAYABLE		433.42
		1,280.23
Total Current Liabilities		
Long-Term Liabilities		
		0.00
Total Long-Term Liabilities		
Total Liabilities		
Capital		
Beginning Balance Equity		(5,558.07)
RETAINED EARNINGS (GEN FUND)		1,755,213.44
RETAINED EARNING (EMPL BENEFIT)		(6,158.41)
Net Income		81,095.64
		1,824,592.60
Total Capital		
Total Liabilities & Capital	\$	1,825,872.83

**VALLEY CENTER REC COMMISSION
PROGRAMS STATEMENT**

	MONTHLY INCOME	YTD INCOME	MONTHLY EXPENSES	YTD EXPENSES	PROGRAM YTD PROFIT
GENERAL FUND					
INCOME:					
AD VALOREM - GEN	248326.37	265310.67	0.00	0.00	0.00
MOTOR VEHICLE - GEN	14796.81	44590.52	0.00	0.00	0.00
DELINQUENT - GEN	3342.00	5044.57	0.00	0.00	0.00
INTEREST INCOME	128.13	835.60	0.00	0.00	0.00
MISC INCOME	0.00	2417.63	34.98	80.13	0.00
SCHOLARSHIPS	0.00	0.00	0.00	0.00	1000.00
PERSONNEL:					
DIRECTOR OF REC	0.00	0.00	5092.50	38517.34	66109
ASST DIR OF REC	0.00	0.00	2033.26	13631.46	38946
DIR OF SPORTS FACILITIES	0.00	0.00	2760.31	21900.18	29945
BOOKKEEPER	0.00	0.00	0.00	901.26	2200
PART-TIME OFFICE	0.00	0.00	0.00	42.34	725
PART-TIME MAINT	0.00	0.00	0.00	2828.60	5400
JANITORIAL	0.00	0.00	200.00	1500.00	2600
ADMINISTRATION:					
FRINGE BENEFITS	0.00	0.00	0.00	0.00	1000
POSTAGE	0.00	0.00	0.00	737.49	1175
AUDIT	0.00	0.00	0.00	0.00	4400
LEGAL	0.00	0.00	0.00	35.84	5000
WORKSHOP/CONF	0.00	0.00	0.00	496.53	500
ADVERTISING	0.00	0.00	0.00	5015.25	8000
PRINTING	0.00	0.00	149.15	219.15	550
NON-LIABILITY INS	0.00	0.00	0.00	16024.45	15600
DUES/SUBSCRIP	0.00	0.00	0.00	61.00	1000
OFFICE EQUIP	0.00	0.00	163.99	775.04	2000
OFFICE SUPPLIES	0.00	0.00	263.85	1380.11	4000
MISCELLANEOUS	0.00	0.00	183.14	2481.01	3900
REPAIRS/SERVICE	0.00	0.00	80.48	1856.84	2900
RECREATION SUPPLIES	0.00	0.00	597.52	1644.32	6900
PROFESSIONAL ED	0.00	0.00	0.00	0.00	0
CONTRIBUTIONS	0.00	0.00	1020.10	1973.66	2300
FIRST AID SUPPLIES	0.00	0.00	49.81	49.81	525
UTILITIES:					
OFFICE ELECTRIC	0.00	0.00	926.37	2379.83	3500
COMPLEX ELECTRIC	0.00	0.00	350.88	2171.83	5675
OFFICE GAS	0.00	0.00	225.63	467.81	1200
OFFICE TRASH	0.00	0.00	0.00	99.86	170
COMPLEX TRASH	0.00	0.00	97.61	745.46	2200
OFFICE TELEPHONE	0.00	0.00	226.97	792.77	1300
COMPLEX RESTROOMS	0.00	0.00	0.00	0.00	0
COMPLEX TELEPHONE	0.00	0.00	62.32	217.62	350
COMPLEX SECURITY	0.00	0.00	140.27	509.10	1750

**VALLEY CENTER REC COMMISSION
PROGRAMS STATEMENT
1/31/2012**

	MONTHLY INCOME	YTD INCOME	MONTHLY EXPENSES	YTD EXPENSES	PROGRAM YTD PROFIT
RENTAL:					
COPIER MAINT AGREEMENT	0.00	0.00	0.00	462.00	875
FAX/INTERNET/CABLE	0.00	0.00	315.56	1104.43	1990
POSTAGE MACHINE LEASE	0.00	0.00	0.00	310.48	525
CELLULAR PHONE LEASE	0.00	0.00	239.12	990.36	1700
JANITORIAL:					
JANITORIAL SUPPLIES	0.00	0.00	81.86	162.21	975
JANITORIAL EQUIP	0.00	0.00	0.00	72.18	125
MAINTENANCE:					
EQUIP PURCHASES	0.00	0.00	239.98	5741.05	22000
EQUIP REPAIRS	0.00	0.00	159.69	4307.47	7500
GAS & OIL	0.00	0.00	794.89	5423.64	15000
GRASS SEED	0.00	0.00	0.00	2992.00	7500
CONTRACTED MOWING	0.00	0.00	0.00	0.00	0.00
FERTILIZER & HERBICIDES	0.00	0.00	0.00	2587.41	18600
INSECT/GRUB CONTROL	0.00	0.00	0.00	0.00	6900
SHALE/AG LIME	0.00	0.00	0.00	4337.27	7000
SUPPLIES	0.00	0.00	597.49	4066.60	7000
TOOLS	0.00	0.00	125.90	1363.77	7500
IRRIGATION SUPPLIES/REPAIRS	0.00	0.00	0.00	4543.37	25000
LIGHT REPAIRS	0.00	0.00	0.00	0.00	1500
FENCE/BACKSTOP REPAIR	0.00	0.00	0.00	0.00	2000
PARKING LOT	0.00	0.00	0.00	0.00	5000
PEST SERVICE	0.00	0.00	0.00	330.00	1600
CAPITAL OUTLAY:					
CAPITAL OUTLAY PROJECT	0.00	0.00	245.62	20557.51	1830662
CONTINGENCY/UNEMCUMBERED CASH					
TAX LIABILITY:					
UNEMPL TAXES	0.00	0.00	34992.24	35191.89	650
FICA TAXES	0.00	0.00	831.39	9805.43	18000
HEALTH INSURANCE	0.00	0.00	0.00	20006.55	43000
RETIREMENT	0.00	0.00	357.82	1968.04	3500
FED P/R TAXES PAYABLE	0.00	0.00	1530.88	351.82	0
KS P/R TAXES PAYABLE	0.00	0.00	189.52	1240.81	0
UNEMPL TAXES PAYABLE	0.00	0.00	-10.87	-491.66	0
RETIREMENT PAYABLE	0.00	0.00	75.00	75.00	0
ACCRUED PAYROLL	0.00	0.00	0.00	0.00	0
SALES TAX PAYABLE	0.00	0.00	0.00	-579.02	0
ENDING CASH					0
	266593.31	318198.99	55425.23	246456.70	2258922.00

VALLEY CENTER REC COMMISSION
PROGRAMS STATEMENT
1/31/2012

PROGRAM	MONTHLY INCOME	YTD INCOME	MONTHLY EXPENSES	YTD EXPENSES	PROGRAM YTD PROFIT
BASEBALL			0.00		
LEAGUE	622.00	1467.24	0.00	7498.81	-6031.57
CONCESSIONS	0.00	689.06	0.00	1165.76	-476.70
FLAG FOOTBALL	0.00	1215.00	0.00	1030.89	184.11
INTRO TO VB	0.00	875.00	0.00	536.23	338.77
KARATE	129.00	899.00	22.00	539.85	359.15
INTRO TO KARATE	10.00	542.50	99.00	853.50	-311.00
BASKETBALL LEAGUE	50.00	5998.00	709.95	4380.77	1617.23
TENNIS/VCRC	0.00	0.00	0.00	503.85	-503.85
AYSO SOCCER	0.00	217.50	0.00	37.76	179.74
DANCE	0.00	0.00	0.00	0.00	0.00
MOVIE TIME	0.00	0.00	0.00	98.81	-98.81
TUMBLING	0.00	350.00	0.00	100.00	250.00
YOUTH EDUCATION	0.00	345.00	89.95	997.00	-652.00
CRAFTS	0.00	114.50	0.00	235.56	-121.06
ADULT EDUCATION	0.00	260.00	0.00	495.30	-235.30
DUNN MEMORIAL	0.00	0.00	0.00	0.00	0.00
CHEERLEADING	0.00	330.00	0.00	350.01	-20.01
LATE/OUT OF DISTRICT	5.00	-30.00	0.00	0.00	-30.00
FALL FESTIVAL GOLF	0.00	5220.00	0.00	5554.86	-334.86
SWIMMING POOL	0.00	11150.95	0.00	32273.35	-21122.40
SWIMMING LESSONS	350.00	1927.80	0.00	2617.82	-690.02
SWIM POOL CONCESSIONS	0.00	4932.12	0.00	3339.92	1592.20
AQUA EXERCISE	0.00	505.25	0.00	524.92	-19.67
WATER ZUMBA	0.00	375.00	0.00	361.80	13.20
NYSCA COACHES TRAINING	0.00	0.00	27.52	994.31	1675.00
UMPIRE/REFEREE TRAINING	0.00	0.00	180.53	1458.10	4250.00
SPORTSMANSHIP PROGRAM	0.00	0.00	512.50	1589.96	3300.00
COACH BACKGROUND	0.00	0.00	0.00	0.00	500.00
	1166.00	37383.92	1641.45	67539.14	-16387.85

**VALLEY CENTER REC COMMISSION
PROGRAMS STATEMENT
1/31/2012**

	MONTHLY INCOME	YTD INCOME	MONTHLY EXPENSES	YTD EXPENSES	PROGRAM YTD PROFIT
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EMPLOYEE LIABILITIES

INCOME:

UNENCUMBERED CASH					3505.00
AD VALOREM - EMPL	38230.67	40040.12	0.00	0.00	67432.00
MOTOR VEHICLE - EMPL	2349.47	7007.96	0.00	0.00	9255.00
DELINQUENT - EMPL	502.87	753.54	0.00	0.00	1363.00

LIABILITIES EXP:

BUSINESS AUTO POLICY	0.00	0.00	0.00	3946.00	3000
GENERAL LIABILITY	0.00	0.00	0.00	317.00	2600
PUBLIC OFFICIALS LIABILITY	0.00	0.00	0.00	1767.00	1775
WORKMAN'S COMP	0.00	0.00	0.00	2860.00	2400

Report of the Director

February 11, 2013

Karate: Mr. Heinitz has 7 students for the month of February.

Introduction to Karate: Ms. Holding is not holding class this month. She had several work/certification commitments for her full-time job that were held on 3 of the 4 Saturdays in the month.

3rd & 4th Grade Basketball: We've had a few minor "situations" but nothing got out of hand.

5th & 6th Grade Basketball: As you know, a parent was ejected from a game on February 2nd. This is the first ejection we have experience in basketball in probably 10 years. Because of this incident, the parent/coach confrontation back in January and some minor situations in both divisions, I held a meeting with all coaches this past Thursday and explained our expectations for the remainder of the season and how we will proceed so that we can get through the next 3 weeks on a positive note.

T-Ball, baseball & Softball: Registration for baseball & softball began January 28th. As it is every year, registration is slow. We will probably take close to 75% of the registration (about 300) during the last two weeks of registration. The T-ball registration begins on February 18th.

Swimming Pool: Randi has set up a meeting with Joel Pile and Neal Owings on February 12th to start planning for the 2013 season. I will keep you abreast of what transpires.

Touch a Truck: This event will be held on April 13th, sometime in the morning. Randi will be sending out about 20 invitations to companies to see if they can bring a "vehicle / piece of equipment" for this event.

FYI - Kristy Breneman and Sierra Archer are too busy to team any classes for us this spring. We are looking for instructions for dance, tumbling and cheerleading.

Unfinished Business

February 11, 2013

Recreational Facilities (information item): Don and the folks at PEC (City's Engineering firm) are still working on revised numbers based on development of the soccer field area (which would include the road and a 75 stall parking lot). As I mentioned in an earlier e-mail, several "metal building" companies have been contacted to see if using this type of a system would be feasible for housing the Rec/Wellness Center. Don is working on "room dimensions" so that I can send these to the companies which will allow them to give us some preliminary numbers. Based on these numbers, you will need to decide if this would be worth pursuing, which would include fine-tune their number, include as much inside work as they are capable of providing as well as giving you a "concept picture" of what their building would look like.

Sportsmanship banners (action item): I contacted 4 companies that print vinyl banners. Here are the numbers that they quoted us:

EgraF-X - 3' x 5' banner - \$53.00 each / 4' x 8' banner - \$112.00 each

XPress - 3' x 5' banner - \$60.00 each / 4' x 8' banner - \$128.00

Signs Designs - 3' x 5' banner - \$90.00 each / 4' x 8' banner - \$192.00

Fast Signs - 3' x 5' banner - \$98.00 each / 4' x 8' banner - \$211.00

We estimate that we will need 6 of the 3' x 5' banners and 8 of the 4' x 8' banners. Again, the banners serve two purposes. The first and most obvious is to present a positive message that can be seen by players, coaches and spectators as they come to the fields. The second function is that they are also a sun/windscreen used for most dugouts.

We posted an announcement on our webpage and Facebook explaining that we would like for the public to submit suggestions for the content of these banners. Unfortunately, no one took us up on our offer. I will bring 3-4 of my suggestions to the meeting.

OLD BUSINESS**A. ORDINANCE 1255-13; AUTHORIZING & PROVIDING FOR THE
ISSUANCE OF GENERAL OBLIGATION REFUNDING &
IMPROVEMENT BONDS, SERIES 2013-1, 2nd Reading:**

An Ordinance authorizing and providing for the issuance of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas

- Ordinance 1255-13

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1255-13, authorizing and providing for the issuance of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas, for 2nd reading.

Gilmore & Bell, P.C.
01/23/2013

ORDINANCE NO. 1255-13

OF

THE CITY OF VALLEY CENTER, KANSAS

PASSED

FEBRUARY 19, 2013

**GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS
SERIES 2013-1**

ORDINANCE NO. 1255-13

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2013-1, OF THE CITY OF VALLEY CENTER, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

WHEREAS, the City of Valley Center, Kansas (the “City”) is a city of the second class, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, pursuant to K.S.A. 12-631r *et seq.*, as amended, and other provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the City has authorized the following improvements (the “Improvements”) to be made in the City, to-wit:

<i>Project Description</i>	<i>Ord. No.</i>	<i>Amount</i>
Storm Water Drainage *plus associated financing costs	1254-13	\$5,400,000*

; and

WHEREAS, the governing body of the City is authorized by law to issue general obligation bonds of the City to pay the costs of the Improvements; and

WHEREAS, none of such general obligation bonds heretofore authorized have been issued and the City proposes to issue its general obligation bonds to pay the costs of the Improvements; and

WHEREAS, the City heretofore issued and has outstanding the Refunded Bonds and is authorized by K.S.A. 10-427 *et seq.* to issue general obligation refunding bonds of the City for the purpose of refunding the Refunded Bonds; and

WHEREAS, in order to achieve interest cost savings through early redemption of the Refunded Bonds, reduce debt service requirements of the City for certain years, and provide an orderly plan of finance for the City, it has become desirable and in the best interest of the City and its inhabitants to refund the Refunded Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS, AS FOLLOWS:

Section 1. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms in this Ordinance shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, K.S.A. 10-620 *et seq.*, and K.S.A. 12-631r *et seq.*, all as amended and supplemented from time to time.

“Bond and Interest Fund” means the Bond and Interest Fund of the City for its general obligation bonds.

“Bond Resolution” means the resolution to be adopted by the governing body of the City prescribing the terms and details of the Bonds and making covenants with respect thereto.

“Bonds” means the City's General Obligation Refunding and Improvement Bonds, Series 2013-1, dated March 1, 2013, authorized by this Ordinance.

“City” means the City of Valley Center, Kansas.

“Clerk” means the duly appointed and acting Clerk of the City or, in the Clerk's absence, the duly appointed Deputy, Assistant or Acting Clerk.

“Improvements” means the improvements referred to in the preamble to this Ordinance and any Substitute Improvements.

“Mayor” means the duly elected and acting Mayor of the City or, in the Mayor's absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the City.

“Ordinance” means this Ordinance authorizing the issuance of the Bonds.

“Refunded Bonds” means the Series 2003-1 Bonds maturing in the years 2013 to 2019, inclusive, in the aggregate principal amount of \$1,275,000.

“Series 2003-1 Bonds” means the City's General Obligation Refunding and Improvement Bonds, Series 2003-1, dated December 1, 2003.

“State” means the State of Kansas.

“Substitute Improvements” means the substitute or additional improvements of the City authorized in the manner set forth in the Bond Resolution.

Section 2. Authorization of the Bonds. There shall be issued and hereby are authorized and directed to be issued the General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City in the principal amount of \$6,485,000*, for the purpose of providing funds to: (a) pay the costs of the Improvements; (b) pay costs of issuance of the Bonds; and (c) refund the Refunded Bonds.

Section 3. Security for the Bonds. The Bonds shall be general obligations of the City payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the improvements financed by the Refunded Bonds, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The balance of the principal and interest on the Bonds is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 4. Terms, Details and Conditions of the Bonds. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to the maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in the Bond Resolution hereafter adopted by the governing body of the City.

Section 5. Levy and Collection of Annual Tax. The governing body of the City shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the City in the manner provided by law.

The taxes and/or assessments above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the Paying Agent. The proceeds derived from said taxes and/or assessments shall be deposited in the Bond and Interest Fund.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the City and to reimburse said general funds for money so expended when said taxes and/or assessments are collected.

Section 6. Further Authority. The Mayor, Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 7. Governing Law. This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 8. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City, approval by the Mayor and publication in the official City newspaper.

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PASSED by the governing body of the City on February 19, 2013 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

Mayor

ATTEST:

Clerk

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(PUBLISHED IN *THE ARK VALLEY NEWS* ON FEBRUARY 21, 2013)

SUMMARY OF ORDINANCE NO. 1255-13

On February 19, 2013, the governing body of the City of Valley Center, Kansas passed an ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2013-1, OF THE CITY OF VALLEY CENTER, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

The Series 2013-1 Bonds approved by the Ordinance are being issued in the principal amount of \$6,485,000*, to finance certain internal improvements and to refund previously issued general obligation bonds of the City, and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 121 S. Meridian, Valley Center, Kansas 67147. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.valleycenterks.org.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: February 19, 2013.

City Attorney

NEW BUSINESS**A. RESOLUTION 611-13; OMNIBUS CONTINUING DISCLOSURE UNDERTAKING:**

A Resolution providing for the adoption of an Omnibus Continuing Disclosure Undertaking relating to Obligations issued and to be issued by The City of Valley Center, Kansas.

- Gilmore Bell Memo
- Resolution 611-13
- Continuing Disclosure Undertaking Document

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Resolution 611-13, providing for the adoption of an Omnibus Continuing Disclosure Undertaking relating to Obligations issued and to be issued by The City of Valley Center, Kansas.



316-267-2091 MAIN
316-262-6523 FAX
GILMOREBELL.COM

GILMORE & BELL PC
ONE MAIN PLACE - 100 NORTH MAIN, SUITE 800
WICHITA, KANSAS 67202-1311

KANSAS CITY
ST. LOUIS
OMAHA | LINCOLN

February 11, 2013

Ms. Kristine A. Polian, City Clerk
City of Valley Center, Kansas
City Hall
121 S. Meridian
Valley Center, Kansas 67147

Re: City of Valley Center, Kansas – Omnibus Continuing Disclosure Undertaking

Dear Kristine:

The Securities and Exchange Commission (the “SEC”) has promulgated Rule 15c2-12 adopted under the Securities Exchange Act of 1934, as amended (the “Rule”) and regulations relating to continuing disclosure requirements that effect obligations issued by governmental units. Timely and complete continuing disclosure is a major emphasis of federal securities regulators, including the SEC’s recent request for greater authority to regulate disclosures related to municipal securities due to the perceived widespread failure of issuers to comply with continuing disclosure obligations.

The City of Valley Center, Kansas (the “Issuer”) has heretofore issued certain obligations and anticipates future issuances of additional obligations which are or will be subject to the Rule (collectively, the “Bonds”). In conjunction with issuance of the Bonds, the Issuer has entered into continuing disclosure undertakings to provide for submission of annual reports and notices of certain material events relating to such Bonds while the obligations are outstanding. Such reports and notices are required to be filed with the SEC via the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the Municipal Securities Rulemaking Board, which can be accessed at www.emma.msrb.org.

Attached hereto is a form of Omnibus Continuing Disclosure Undertaking which will consolidate the continuing disclosure obligations of the Issuer with respect to its outstanding Bonds and Bonds issued in the future payable from the same revenue source and enhance the efficiency of the administration of the Issuer’s prior and future disclosure undertakings under the Rule.

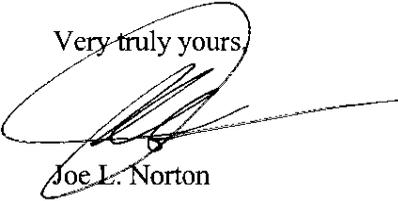
Also attached hereto is a form Excerpt of Minutes and Resolution adopting the Omnibus Continuing Disclosure Undertaking. We can arrange a special post-issuance securities compliance call or meeting to discuss and answer questions regarding the Omnibus Continuing Disclosure Undertaking, if it would be helpful to you and other Issuer representatives.

After your review of the attachments, if there are no questions or comments, the Resolution and Omnibus Continuing Disclosure Undertaking should be presented to the governing body at your meeting on February 19, 2013. Once adopted, please retain a signed a copy of the Excerpt of Minutes, the Resolution and the Omnibus Continuing Disclosure Undertaking (including Clerk’s Certification) in your permanent records and furnish a copy of each to the undersigned for our records.

Omnibus Continuing Disclosure Undertaking
Page Two

Should you have any questions, please feel free to contact Robyn R. Dunlap or the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joe L. Norton", is written over the typed name. The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

Joe L. Norton

JLN:kbd
Enclosures

cc Distribution List

Gilmore & Bell, P.C.
02/11/2013

RESOLUTION NO. 611-13

A RESOLUTION PROVIDING FOR THE ADOPTION OF AN OMNIBUS CONTINUING DISCLOSURE UNDERTAKING RELATING TO OBLIGATIONS ISSUED AND TO BE ISSUED BY THE CITY OF VALLEY CENTER, KANSAS.

WHEREAS, the City of Valley Center, Kansas (the “Issuer”) is a city of the second class, duly created, organized and existing under the Constitution and laws of the State of Kansas (the “State”); and

WHEREAS, pursuant to the Constitution and statutes of the State, the Issuer is authorized to issue bonds, notes, leases, certificates and other instruments that evidence indebtedness (collectively, the “Obligations”) to finance certain improvements, projects and programs of the Issuer; and

WHEREAS, the Securities and Exchange Commission (the “SEC”) has promulgated Rule 15c2-12 adopted under the Securities Exchange Act of 1934, as amended (the “Rule”), which relates to filing of certain financial information and operating data on an annual basis and notices of certain material events; and

WHEREAS, the Issuer has heretofore issued certain Obligations and anticipates future issuances of additional Obligations which are or will be subject to the Rule (collectively, the “Bonds”); and

WHEREAS, the Issuer is committed to timely and accurate secondary market disclosure relating to the Bonds that are consistent with the Rule; and

WHEREAS, in connection with the issuance of one or more prior issues of Bonds, the Issuer entered into one or more continuing disclosure undertakings (collectively, the “Prior Undertakings”) to assist the underwriter of such Bonds in complying with its obligations under the Rule; and

WHEREAS, in pursuance of the Rule, the Issuer desires to adopt an omnibus continuing disclosure undertaking that will consolidate the obligations of the Issuer under the Rule with respect to the Bonds and the Prior Undertakings to enhance efficiency of the administration of Prior Undertakings and promote timely disclosure by the Issuer.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS:

Section 1. Omnibus Continuing Disclosure Undertaking. In order to comply with the provisions of the Rule and directives of the SEC, the governing body of the Issuer hereby approves the form of the Omnibus Continuing Disclosure Undertaking, substantially in the form presented herewith (the “Omnibus Undertaking”). The Mayor is hereby directed to execute the Omnibus Undertaking, with such changes as legal counsel to the Issuer and the Mayor shall approve (whose signature thereon shall constitute conclusive evidence of such approval).

Section 2. Permanent Record. A copy of the Omnibus Undertaking shall be placed in the permanent records of the Issuer and shall be available for public inspection during regular business hours of the Issuer.

Section 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the Issuer.

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ADOPTED AND APPROVED by the governing body of the City of Valley Center, Kansas, on February 19, 2013.

(Seal)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 611-13 of the City of Valley Center, Kansas adopted by the governing body on February 19, 2013 as the same appears of record in my office.

DATED: February 19, 2013.

Clerk

Gilmore & Bell, P.C.
02/11/2013

THE CITY OF VALLEY CENTER, KANSAS

OMNIBUS CONTINUING DISCLOSURE UNDERTAKING

DATED AS OF FEBRUARY 19, 2013

OMNIBUS CONTINUING DISCLOSURE UNDERTAKING

THIS OMNIBUS CONTINUING DISCLOSURE UNDERTAKING (the “Disclosure Undertaking”), dated as of February 19, 2013, is executed and delivered by the City of Valley Center, Kansas (the “Issuer”).

RECITALS

1. This Disclosure Undertaking is executed and delivered by the Issuer, pursuant to a resolution adopted by the governing body of the Issuer to consolidate the continuing disclosure obligations of the Issuer with respect to the Bonds and the Prior Undertakings, both as defined below, to enhance efficiency of the administration of Prior Undertakings and promote timely disclosure by the Issuer.

2. The Issuer is executing this Disclosure Undertaking for the benefit of the Beneficial Owners of the Bonds and in order to assist each Participating Underwriter in complying with the SEC Rule, as defined below. The Issuer is the only “obligated person,” as defined in the SEC Rule, with responsibility for continuing disclosure hereunder.

3. This Disclosure Undertaking shall apply with respect to any series of Bonds issued prior to the effective date hereof and subject to the SEC Rule.

In consideration of the foregoing, the Issuer covenants and agrees as follows:

Section 1. Definitions. In addition to the definitions set forth in the Bond Resolution, which apply to any capitalized term used in this Disclosure Undertaking, unless otherwise defined herein, the following capitalized terms shall have the following meanings:

“**Annual Report**” means any Annual Report filed by the Issuer pursuant to, and as described in, *Section 2* of this Disclosure Undertaking, which may include the Issuer's CAFR, so long as the CAFR contains the Financial Information and Operating Data.

“**Beneficial Owner**” means, with respect to a series of Bonds, any registered owner of any Bonds of such series and any person which: (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds of such series (including persons holding Bonds through nominees, depositories or other intermediaries); or (b) is treated as the owner of any Bonds of such series for federal income tax purposes.

“**Bond Insurer**” means the provider of the bond insurance policy, if any, for any series of Bonds.

“**Bond Resolution**” means collectively the ordinance(s) and/or resolution(s) of the governing body of the Issuer authorizing the issuance of each series of the Bonds.

“**Bonds**” means all bonds, notes, installment sale agreements, leases or certificates intended to be a debt obligation of the Issuer identified on *Schedule 1* as such schedule may be supplemented and amended and, as context may require, the Bonds of any particular series identified on *Schedule 1*. The Issuer may make future series of Bonds subject to this Disclosure Undertaking by incorporating by reference in a Bond Resolution or executing a certificate to such effect in conjunction with the issuance of such series of Bonds.

“Business Day” means a day other than: (a) a Saturday, Sunday or legal holiday; (b) a day on which banks located in any city in which the principal corporate trust office or designated payment office of the trustee, any paying agent or a Dissemination Agent, as applicable, is located are required or authorized by law to remain closed; or (c) a day on which the Securities Depository or the New York Stock Exchange is closed.

“CAFR” means the Issuer's Comprehensive Annual Financial Report, if any.

“Designated Agent” means Gilmore & Bell, P.C. or one or more other entities designated in writing by the Issuer to serve as a designated agent of the Issuer for purposes of this Disclosure Undertaking.

“Dissemination Agent” means any entity designated in writing by the Issuer to serve as dissemination agent pursuant to this Disclosure Undertaking and which has filed with the Issuer a written acceptance of such designation substantially in the form attached hereto as *Exhibit C*.

“EMMA” means the Electronic Municipal Market Access system for municipal securities disclosures established and maintained by the MSRB, which can be accessed at www.emma.msrb.org.

“Financial Information” means the financial information of the Issuer described in *Section 2(a)(1)* hereof.

“Fiscal Year” means the one-year period ending December 31, or such other date or dates as may be adopted by the Issuer for its general accounting purposes.

“GAAP” means generally accepted accounting principles, as applied to governmental units, as in effect at the time of the preparation of the Financial Information.

“Issuer” means the City of Valley Center, Kansas, and any successors or assigns.

“Material Events” means any of the events listed in *Section 3(a)* hereof.

“MSRB” means the Municipal Securities Rulemaking Board, or any successor repository designated as such by the Securities and Exchange Commission in accordance with the SEC Rule.

“Official Statement” means collectively the Issuer's Official Statement(s) for each series of the Bonds, including all appendices and exhibits thereto.

“Operating Data” means the operating data of the Issuer described in *Section 2(a)(2)* hereof.

“Participating Underwriter” means each of the original underwriters of a series of Bonds required to comply with the SEC Rule in connection with the offering of such Bonds.

“Prior Undertakings” means the prior continuing disclosure undertakings of the Issuer under the SEC Rule.

“Repository” means the MSRB via EMMA.

“SEC” means the Securities and Exchange Commission of the United States.

“SEC Rule” means Rule 15c2-12 adopted by the SEC under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Section 2. Provision of Annual Reports.

(a) The Issuer shall, or shall cause the Dissemination Agent to, not later than 240 days after the end of the Issuer's Fiscal Year, commencing with the Fiscal Year ended in 2012, file with the Repository the Issuer's Annual Report, consisting of the Financial Information and Operating Data described as follows:

(1) **Financial Information.** The financial statements of the Issuer for such prior Fiscal Year, accompanied by an audit report resulting from an audit conducted by an Independent Accountant in conformity with generally accepted auditing standards. Such financial statements will be prepared on a basis of accounting other than GAAP which demonstrates compliance with the State's "cash-basis" and "budget" laws. The Issuer has received a waiver from GAAP accounting from the State. A more detailed explanation of the accounting basis is contained in the Official Statement. If such audit report is not available by the time the Annual Report is required to be filed pursuant to this Section, the Annual Report shall contain summary unaudited financial information and the audit report and accompanying financial statements shall be filed in the same manner as the Annual Report promptly after they become available. The method of preparation and basis of accounting of the Financial Information may not be changed to a basis less comprehensive than contained in the Official Statement, unless the Issuer provides notice of such change in the same manner as for a Material Event under **Section 3(b)** hereof.

(2) **Operating Data.** Updates as of the end of the Fiscal Year of certain financial information and operating data described in **Exhibit A**, with such modifications to the formatting and general presentation thereof as deemed appropriate by the Issuer; provided, any substantive change to information provided shall be effected only in accordance with **Section 6** hereof.

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues with respect to which the Issuer is an "obligated person" (as defined by the SEC Rule), which have been filed with the Repository, the MSRB or the SEC. If the document included by reference is a final official statement, it must be available from the Repository. The Issuer shall clearly identify each such other document so included by reference.

In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in this Section; provided that the audit report and accompanying financial statements may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer's Fiscal Year changes, it shall give notice of such change in the same manner as for a Material Event under **Section 3(b)**.

(b) From and after such time that Section (b)(5) of the SEC Rule applies to any series of Bonds, if the Annual Report is not filed within the time period specified in **subsection (a)** hereof, the Issuer shall send a notice to the Repository in a timely manner, in substantially the form attached as **Exhibit B**.

(c) Pursuant to Section (d)(3) of the SEC Rule, the provisions of **Section 2(a)(1)** hereof shall not apply to any Bonds with a stated maturity of 18 months or less.

Section 3. Reporting of Material Events.

(a) No later than 10 Business Days after the occurrence of any of the following Material Events, the Issuer shall give, or cause to be given, to the Repository notice of the occurrence of any of the following Material Events with respect to the Bonds, with copies to the Bond Insurer:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modifications to rights of bondholders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer (which shall be deemed to occur as provided in the SEC Rule);
- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) appointment of a successor or additional paying agent or trustee or the change of name of the paying agent or trustee, if material.

(b) Notwithstanding the foregoing, notice of Material Events described in *subsections (a)(8)* and *(9)* need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to the Owners of affected Bonds pursuant to the Bond Resolution.

Section 4. Dissemination Agent.

(a) **General.** The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Undertaking, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent may resign as Dissemination Agent hereunder at any time upon 30 days prior written notice to the Issuer. The Dissemination Agent shall not be responsible in any manner for the content of any notice or

report (including without limitation the Annual Report) prepared by the Issuer pursuant to this Disclosure Undertaking.

(b) **Annual Reports.** Except as provided in **Section 2(c)** hereof, if a Dissemination Agent is appointed, not later than 15 Business Days prior to the date specified in **Section 2(a)** for providing the Annual Report to the Repository, the Issuer shall provide the Annual Report to the Dissemination Agent or the Repository. The Dissemination Agent shall file a report with the Issuer certifying that the Annual Report has been filed pursuant to this Disclosure Undertaking, stating the date it was filed, or that the Issuer has certified to the Dissemination Agent that the Issuer has filed the Annual Report with the Repository. Except as provided in **Section 2(b)** hereof, if the Dissemination Agent has not received an Annual Report or has not received a written notice from the Issuer that it has filed an Annual Report with the Repository, by the date required in **Section 2(a)**, the Dissemination Agent shall send a notice to the Repository in substantially the form attached as **Exhibit A**.

(c) **Material Event Notices.**

(1) The Dissemination Agent shall, promptly after obtaining actual knowledge of the occurrence of any event that it believes may constitute a Material Event, contact the chief financial officer of the Issuer or his or her designee, or such other person as the Issuer shall designate in writing to the Dissemination Agent from time to time, inform such person of the event, and request that the Issuer promptly notify the Dissemination Agent in writing whether or not to report the event pursuant to **Section 4(c)(3)**.

(2) Whenever the Issuer obtains knowledge of the occurrence of an event, because of a notice from the Dissemination Agent pursuant to **Section 4(c)(1)** or otherwise, the Issuer shall promptly determine if such event constitutes a Material Event and shall promptly notify the Dissemination Agent of such determination. If appropriate, such writing shall instruct the Dissemination Agent to report the occurrence pursuant to **Section 4(c)(3)**.

(3) If the Dissemination Agent has been given written instructions by the Issuer to report the occurrence of a Material Event pursuant to **Section 4(c)(2)**, the Dissemination Agent shall promptly file a notice of such Material Event with the Repository and provide a copy thereof to the Issuer and the Bond Insurer. Notwithstanding the foregoing, notice of Material Events described in **Sections 3(a)(8)** and **(9)** need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to the Owners of affected Bonds pursuant to the Bond Resolution.

(d) **Duties, Immunities and Liabilities of Dissemination Agent.** The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Undertaking, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorney's fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Undertaking.

(e) **Other Designated Agents.** The Issuer may, from time to time, appoint or designate a Designated Agent to submit Annual Reports, Material Event notices, and other notices or reports pursuant to this Disclosure Undertaking. The Issuer hereby appoints the Dissemination Agent and the Designated Agent(s) solely for the purpose of submitting Issuer-approved Annual Reports, Material Event notices,

and other notices or reports pursuant to this Disclosure Undertaking. The Issuer may revoke this designation at any time upon written notice to the Designated Agent.

Section 5. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Undertaking for a particular series of Bonds shall terminate upon the legal defeasance, prior redemption or payment in full of that series of Bonds. If the Issuer's obligations hereunder are assumed in full by some other entity as permitted in the Bond Resolution, such person shall be responsible for compliance with under this Disclosure Undertaking in the same manner as if it were the Issuer, and the Issuer shall have no further responsibility hereunder. If such termination or assumption occurs prior to the final maturity of such Bonds, the Issuer shall give notice of such termination or assumption in the same manner as for a Material Event under *Section 3(b)*.

Section 6. Bonds Subject to this Disclosure Undertaking; Amendment; Waiver.

(a) All outstanding Bonds as of the date of this Disclosure Undertaking shown on *Schedule 1* are hereby made subject to this Disclosure Undertaking. The Issuer may make any future series of Bonds subject to this Disclosure Undertaking by incorporating by reference in a Bond Resolution or executing a certificate to such effect in conjunction with the issuance of such series of Bonds.

(b) All references to the "Bonds" in this Disclosure Undertaking shall apply separately to each series of Bonds that are or become subject to this Disclosure Undertaking, without further amendment hereto.

(c) Notwithstanding the provisions of *subsection (d)* or anything else contained in this Disclosure Undertaking to the contrary, in conjunction with the public offering of any series of Bonds, the Issuer and the Dissemination Agent may amend the categories of Operating Data to be updated as set forth in *Section 2(a)(2)* and *Exhibit A* to conform to the operating data included in the final Official Statement for such series of Bonds, in conformance with the requirements and interpretations of the SEC Rule as of the date of such final Official Statement, without further amendment to this Disclosure Undertaking. Thereafter, the Operating Data to be filed by the Issuer with the Repository with respect to the Bonds (and all other series of Bonds then subject to this Disclosure Undertaking) shall be deemed to be amended to reflect the requirements of the revised *Exhibit A* for the new series of Bonds.

(d) Except as otherwise provided in *subsection (c)*, the Issuer may amend this Disclosure Undertaking and any provision of this Disclosure Undertaking may be waived, provided that Bond Counsel or other counsel experienced in federal securities law matters provides the Issuer with its written opinion that the undertaking of the Issuer contained herein, as so amended or after giving effect to such waiver, is in compliance with the SEC Rule and all current amendments thereto and interpretations thereof that are applicable to this Disclosure Undertaking; provided, however, that this Disclosure Undertaking, including *Schedule 1* hereto, may be amended for the purpose of (1) extending the coverage of this Disclosure Undertaking to any additional series of Bonds or (2) removing reference to any series of Bonds for which the Issuer's reporting obligations have terminated in accordance with *Section 5* hereof, each without the provision of a written opinion as otherwise required by this paragraph.

(e) If a provision of this Disclosure Undertaking is amended or waived with respect to a series of Bonds pursuant to *subsection (d)*, the Issuer shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or, in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements: (1) notice of such change shall be given in the same manner as for a Material Event under *Section 3(b)*; and (2) the Annual Report for the year in which the change is made should present a comparison (in narrative

form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 7. Additional Information. Nothing in this Disclosure Undertaking shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Undertaking or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is required by this Disclosure Undertaking. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Material Event, in addition to that which is specifically required by this Disclosure Undertaking, the Issuer shall have no obligation under this Disclosure Undertaking to update such information or include it in any future Annual Report or notice of occurrence of a Material Event.

Section 8. Noncompliance. In the event of a failure of the Issuer or the Dissemination Agent, if any, to comply with any provision of this Disclosure Undertaking with respect to a series of Bonds, any Participating Underwriter or any Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer or the Dissemination Agent, if any, as the case may be, to comply with its obligations under this Disclosure Undertaking. Noncompliance with the provisions of this Disclosure Undertaking shall not be deemed an Event of Default under the Bond Resolution or the Bonds, and the sole remedy under this Disclosure Undertaking in the event of any failure of the Issuer or the Dissemination Agent, if any, to comply with this Disclosure Undertaking shall be an action to compel performance.

Section 9. Notices. Any notices or communications to or among the parties referenced in this Disclosure Undertaking shall be given the Notice Representatives at the Notice Addresses set forth in the Bond Resolution for each series of Bonds; provided notice to the Dissemination Agent shall be given at the Notice Address set forth on *Exhibit C* hereto.

Section 10. Electronic Transactions. Actions taken hereunder and the arrangement described herein may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 11. Beneficiaries. This Disclosure Undertaking shall inure solely to the benefit of the Issuer, the Dissemination Agent, if any, each Participating Underwriter and Beneficial Owners from time to time with respect to a series of Bonds, and shall create no rights in any other person or entity.

Section 12. Severability. If any provision in this Disclosure Undertaking, the Bond Resolution or the Bonds relating hereto, shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions of this Disclosure Undertaking shall not in any way be affected or impaired thereby.

Section 13. Governing Law. This Disclosure Undertaking shall be governed by and construed in accordance with the laws of the State of Kansas.

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IN WITNESS WHEREOF, the Issuer has caused this Disclosure Undertaking to be executed as of February 19, 2013.

CITY OF VALLEY CENTER, KANSAS

(SEAL)

Mayor

Clerk

SCHEDULE 1

DESCRIPTION OF BONDS SUBJECT TO DISCLOSURE UNDERTAKING

General Obligation Bonds (Base CUSIP No.: 919443)

Description of <u>Indebtedness</u>	<u>Series</u>	<u>Dated Date</u>	<u>Final Maturity</u>
General Obligation Refunding and Improvement Bonds	2003-1	12/01/2003	12/01/2019
General Obligation Bonds	2006-1	06/01/2006	12/01/2026
General Obligation Bonds	2006-2	12/01/2006	12/01/2027
General Obligation Bonds	2007-1	11/15/2007	12/01/2028
General Obligation Bonds	2009-1	09/10/2009	12/01/2024
General Obligation Sewer Utility System Refunding Bonds	2009-2	09/10/2009	12/01/2015
General Obligation Refunding & Improvement Bonds	2010-1	06/15/2010	12/01/2025
General Obligation Refunding & Improvement Bonds	2012-1	05/01/2012	12/01/2027
General Obligation Bonds	2012-2	05/01/2012	12/01/2032
General Obligation Bonds	2012-3	05/01/2012	12/01/2027
General Obligation Refunding & Improvement Bonds	2013-1	03/01/2013	12/01/2033

Temporary Notes (Base CUSIP No.: [_____])

Description of <u>Indebtedness</u>	<u>Dated Date</u>	<u>Final Maturity</u>
None		

Revenue Bonds (Base CUSIP No.: [_____])

Description of <u>Indebtedness</u>	<u>Dated Date</u>	<u>Final Maturity</u>
None		

Lease Obligations (Base CUSIP No.: [_____])

Description of <u>Indebtedness</u>	<u>Dated Date</u>	<u>Final Maturity</u>
None		

EXHIBIT A**OPERATING DATA TO BE INCLUDED IN ANNUAL REPORT**

The Operating Data in the sections and tables contained in the most recent Official Statement (with such modifications to the formatting and general presentation thereof as deemed appropriate by the Issuer) generally described as follows:

Operating Data for General Obligation Bonds, Temporary Notes, Lease Obligations

- Sources of Revenue
- Assessed Valuation
- Tax Rates
- Aggregate Tax Levies
- Tax Collection Record
- Major Taxpayers
- Current Indebtedness of the Issuer
- Lease Obligations
- State Loans
- Overlapping Indebtedness

Additionally, the Issuer shall provide updates as of the end of the Fiscal Year for any material adverse changes in the portions of the final Official Statement concerning Property Valuations and Pension and Employee Retirement Plans.

EXHIBIT B

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Valley Center, Kansas

Name of Bond Issue: [Description of Bonds], Series [____], dated as of [Bonds Dated Date]

Name of Obligated Person: City of Valley Center, Kansas

Date of Issuance: [Bonds Closing Date]

NOTICE IS GIVEN that the City of Valley Center, Kansas (the “Issuer”) has not provided an Annual Report with respect to the above-named Bonds as required by the Issuer’s Omnibus Continuing Disclosure Undertaking. The Issuer anticipates that the Annual Report will be filed by _____.

Dated: _____

CITY OF VALLEY CENTER, KANSAS

By _____

By _____, as
Dissemination Agent

cc: City of Valley Center, Kansas

EXHIBIT C

ACCEPTANCE OF DISSEMINATION AGENT

Name of Issuer: City of Valley Center, Kansas

Name of Bond Issue: [Description of Bonds], Series [____], dated as of [Bonds Dated Date]

Dissemination Agent:

Notice Address of Dissemination Agent:

_____, having been duly appointed by the City of Valley Center, Kansas to act in the capacity of Dissemination Agent pursuant to the Disclosure Undertaking, to which this acceptance is attached, accepts such duties and responsibilities set forth therein.

Dated: _____

NEW BUSINESS**B. RESOLUTION 610-13; AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING & IMPROVEMENT BONDS, SERIES 2013-1:**

A Resolution prescribing the form and details of and Authorizing and Directing the Sale and Delivery of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas, previously authorized by Ordinance 1255-13 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

- Resolution 610-13

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Resolution 610-13, Authorizing and directing the sale and delivery of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas, previously authorized by Ordinance 1255-13.

Gilmore & Bell, P.C.
01/23/2013

RESOLUTION NO. 610-13

OF

THE CITY OF VALLEY CENTER, KANSAS

ADOPTED

FEBRUARY 19, 2013

**GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS
SERIES 2013-1**

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RESOLUTION NO. 610-13

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2013-1, OF THE CITY OF VALLEY CENTER, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1255-13 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

WHEREAS, the Issuer has heretofore passed the Ordinance authorizing the issuance of the Bonds; and

WHEREAS, the Ordinance authorized the governing body of the Issuer to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS, AS FOLLOWS:

ARTICLE I

DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms as used in this Bond Resolution shall have the meanings hereinafter set forth. Unless the context shall otherwise indicate, words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

“Act” means the Constitution and statutes of the State including K.S.A. 10-101 to 10-125, inclusive, K.S.A. 10-427 *et seq.*, K.S.A. 10-620 *et seq.* and K.S.A. 12-631r *et seq.*, all as amended and supplemented from time to time.

“Authorized Denomination” means \$5,000 or any integral multiples thereof.

“Beneficial Owner” of the Bonds includes any Owner of the Bonds and any other Person who, directly or indirectly has the investment power with respect to such Bonds.

“Bond and Interest Fund” means the Bond and Interest Fund of the Issuer for its general obligation bonds.

“Bond Counsel” means the firm of Gilmore & Bell, P.C., or any other attorney or firm of attorneys whose expertise in matters relating to the issuance of obligations by states and their political subdivisions is nationally recognized and acceptable to the Issuer.

“Bond Payment Date” means any date on which principal of or interest on any Bond is payable.

“Bond Purchase Agreement” means the Bond Purchase Agreement dated as of [BPA Date], 2013, between the Issuer and the Purchaser.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Bond Registrar.

“Bond Registrar” means the State Treasurer, and any successors and assigns.

“Bond Resolution” means this resolution relating to the Bonds.

“Bonds” means the General Obligation Refunding and Improvement Bonds, Series 2013-1, authorized and issued by the Issuer pursuant to the Ordinance and this Bond Resolution.

“Business Day” means a day other than a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State and on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its operations.

“Cede & Co.” means Cede & Co., as nominee of DTC and any successor nominee of DTC.

“City” means the City of Valley Center, Kansas.

“Clerk” means the duly appointed and/or elected Clerk or, in the Clerk's absence, the duly appointed Deputy Clerk or Acting Clerk of the Issuer.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations promulgated thereunder by the United States Department of the Treasury.

“Compliance Account” means the Compliance Account for General Obligation Refunding and Improvement Bonds, Series 2013-1 created pursuant to *Section 501* hereof.

“Consulting Engineer” means an independent engineer or engineering firm, or architect or architectural firm, having a favorable reputation for skill and experience in the construction, financing and operation of public facilities, at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Consulting Engineer by this Bond Resolution.

“Costs of Issuance” means all costs of issuing the Bonds, including but not limited to all publication, printing, signing and mailing expenses in connection therewith, registration fees, financial advisory fees, all legal fees and expenses of Bond Counsel and other legal counsel, expenses incurred in connection with compliance with the Code, all expenses incurred in connection with receiving ratings on the Bonds, and any premiums or expenses incurred in obtaining municipal bond insurance on the Bonds.

“Costs of Issuance Account” means the Costs of Issuance Account for General Obligation Refunding and Improvement Bonds, Series 2013-1 created pursuant to *Section 501* hereof.

“Dated Date” means March 1, 2013.

“Debt Service Account” means the Debt Service Account for General Obligation Refunding and Improvement Bonds, Series 2013-1 created within the Bond and Interest Fund pursuant to *Section 501* hereof.

“Debt Service Requirements” means the aggregate principal payments (whether at maturity or pursuant to scheduled mandatory sinking fund redemption requirements) and interest payments on the Bonds for the period of time for which calculated; provided, however, that for purposes of calculating such amount, principal and interest shall be excluded from the determination of Debt Service Requirements to the extent that such principal or interest is payable from amounts deposited in trust, escrowed or otherwise set aside for the payment thereof with the Paying Agent or other commercial bank or trust company located in the State and having full trust powers.

“Defaulted Interest” means interest on any Bond which is payable but not paid on any Interest Payment Date.

“Defeasance Obligations” means any of the following obligations:

(a) United States Government Obligations that are not subject to redemption in advance of their maturity dates; or

(b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

(1) the obligations are (i) not subject to redemption prior to maturity or (ii) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

(2) the obligations are secured by cash or United States Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

(3) such cash and the principal of and interest on such United States Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

(4) such cash and United States Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

(5) such cash and United States Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

(6) the obligations are rated in the highest rating category by Moody's (presently “Aaa”) or Standard & Poor's (presently “AAA”).

“Derivative” means any investment instrument whose market price is derived from the fluctuating value of an underlying asset, index, currency, futures contract, including futures, options and collateralized mortgage obligations.

“Disclosure Undertaking” means the Continuing Disclosure Undertaking of the Issuer relating to certain obligations contained in the SEC Rule.

“DTC” means The Depository Trust Company, a limited-purpose trust company organized under the laws of the State of New York, and its successors and assigns, including any successor securities depository duly appointed.

“DTC Representation Letter” means the Blanket Letter of Representation from the Issuer and the Paying Agent to DTC which provides for a book-entry system, or any agreement between the Issuer and Paying Agent and a successor securities depository duly appointed.

“Event of Default” means each of the following occurrences or events:

(a) Payment of the principal and of the redemption premium, if any, of any of the Bonds shall not be made when the same shall become due and payable, either at Stated Maturity or by proceedings for redemption or otherwise;

(b) Payment of any installment of interest on any of the Bonds shall not be made when the same shall become due; or

(c) The Issuer shall default in the due and punctual performance of any other of the covenants, conditions, agreements and provisions contained in the Bonds or in this Bond Resolution (other than the covenants relating to continuing disclosure requirements contained herein and in the Disclosure Undertaking) on the part of the Issuer to be performed, and such default shall continue for thirty (30) days after written notice specifying such default and requiring same to be remedied shall have been given to the Issuer by the Owner of any of the Bonds then Outstanding.

“Federal Tax Certificate” means the Issuer's Federal Tax Certificate dated as of the Issue Date, as the same may be amended or supplemented in accordance with the provisions thereof.

“Financeable Costs” means the amount of expenditure for an Improvement which has been duly authorized by action of the governing body of the Issuer to be financed by general obligation bonds, less: (a) the amount of any temporary notes or general obligation bonds of the Issuer which are currently Outstanding and available to pay such Financeable Costs; and (b) any amount of Financeable Costs which has been previously paid by the Issuer or by any eligible source of funds unless such amounts are entitled to be reimbursed to the Issuer under State or federal law.

“Fiscal Year” means the twelve month period ending on December 31.

“Funds and Accounts” means funds and accounts created pursuant to or referred to in *Section 501* hereof.

“Improvement Fund” means the Improvement Fund for General Obligation Refunding and Improvement Bonds, Series 2013-1 created pursuant to *Section 501* hereof.

“Improvements” means the improvements referred to in the preamble to the Ordinance and any Substitute Improvements.

“Independent Accountant” means an independent certified public accountant or firm of independent certified public accountants at the time employed by the Issuer for the purpose of carrying out the duties imposed on the Independent Accountant by this Bond Resolution.

“Interest Payment Date(s)” means the Stated Maturity of an installment of interest on any Bond which shall be June 1 and December 1 of each year, commencing June 1, 2013.

“Issue Date” means the date when the Issuer delivers the Bonds to the Purchaser in exchange for the Purchase Price.

“Issuer” means the City and any successors or assigns.

“Maturity” when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for redemption or otherwise.

“Mayor” means the duly elected and acting Mayor, or in the Mayor's absence, the duly appointed and/or elected Vice Mayor or Acting Mayor of the Issuer.

“Moody's” means Moody's Investors Service, a corporation organized and existing under the laws of the State of Delaware, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, “Moody's” shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“Notice Address” means with respect to the following entities:

(a) To the Issuer at:

City Hall
121 S. Meridian
Valley Center, Kansas 67147
Fax: (316) 755-7319

(b) To the Paying Agent at:

State Treasurer of the State of Kansas
Landon Office Building
900 Southwest Jackson, Suite 201
Topeka, Kansas 66612-1235
Fax: (785) 296-6976

(c) To the Purchaser:

Piper Jaffray & Co.
11150 Overbrook, Suite 310
Leawood, Kansas 66211
Fax: (913) 345-3393

(d) To the Rating Agency(ies):

Moody's Municipal Rating Desk
7 World Trade Center
250 Greenwich Street
23rd Floor
New York, New York 10007

Standard & Poor's, a division of
The McGraw-Hill Companies
55 Water Street, 38th Floor
New York, New York 10004

or such other address as is furnished in writing to the other parties referenced herein.

“Notice Representative” means:

- (a) With respect to the Issuer, the Clerk.
- (b) With respect to the Bond Registrar and Paying Agent, the Director of Bond Services.
- (c) With respect to any Purchaser, the manager of its Municipal Bond Department.
- (d) With respect to any Rating Agency, any Vice President thereof.

“Official Statement” means Issuer’s Official Statement, relating to the Bonds.

“Ordinance” means Ordinance No. [_____] of the Issuer authorizing the issuance of the Bonds, as amended from time to time.

“Outstanding” means, when used with reference to the Bonds, as of a particular date of determination, all Bonds theretofore authenticated and delivered, except the following Bonds:

- (a) Bonds theretofore canceled by the Paying Agent or delivered to the Paying Agent for cancellation;
- (b) Bonds deemed to be paid in accordance with the provisions of *Section 701* hereof; and
- (c) Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register. Whenever consent of the Owners is required pursuant to the terms of this Bond Resolution, and the Owner of the Bonds, as set forth on the Bond Register, is Cede & Co., the term Owner shall be deemed to be the Beneficial Owner of the Bonds.

“Participants” means those financial institutions for whom the Securities Depository effects book-entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

“Paying Agent” means the State Treasurer, and any successors and assigns.

“Permitted Investments” shall mean the investments hereinafter described, provided, however, no moneys or funds shall be invested in a Derivative: (a) investments authorized by K.S.A. 12-1675 and amendments thereto; (b) the municipal investment pool established pursuant to K.S.A. 12-1677a, and amendments thereto; (c) direct obligations of the United States Government or any agency thereof; (d) the Issuer's temporary notes issued pursuant to K.S.A. 10-123 and amendments thereto; (e) interest-bearing time deposits in commercial banks or trust companies located in the county or counties in which the Issuer is located which are insured by the Federal Deposit Insurance Corporation or collateralized by securities described in (c); (f) obligations of the federal national mortgage association, federal home loan banks, federal home loan mortgage corporation or government national mortgage association; (g) repurchase agreements for securities described in (c) or (f); (h) investment agreements or other obligations of a financial institution the obligations of which at the time of investment are rated in either

of the three highest rating categories by Moody's or Standard & Poor's; (i) investments and shares or units of a money market fund or trust, the portfolio of which is comprised entirely of securities described in (c) or (f); (j) receipts evidencing ownership interests in securities or portions thereof described in (c) or (f); (k) municipal bonds or other obligations issued by any municipality of the State as defined in K.S.A. 10-1101 which are general obligations of the municipality issuing the same; or (l) bonds of any municipality of the State as defined in K.S.A. 10-1101 which have been refunded in advance of their maturity and are fully secured as to payment of principal and interest thereon by deposit in trust, under escrow agreement with a bank, of securities described in (c) or (f), all as may be further restricted or modified by amendments to applicable State law.

“Person” means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

“Purchase Price” means the amount set forth in the Bond Purchase Agreement.

“Purchaser” means Piper Jaffray & Co., Leawood, Kansas, the original purchaser of the Bonds, and any successor and assigns.

“Rating Agency” means any company, agency or entity that provides, pursuant to request of the Issuer, financial ratings for the Bonds.

“Rebate Fund” means the Rebate Fund for General Obligation Refunding and Improvement Bonds, Series 2013-1 created pursuant to *Section 501* hereof.

“Record Dates” for the interest payable on any Interest Payment Date means the fifteenth day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” means, when used with respect to any Bond to be redeemed, the date fixed for the redemption of such Bond pursuant to the terms of this Bond Resolution.

“Redemption Fund” means the Redemption Fund for Refunded Bonds created pursuant to *Section 501* hereof.

“Redemption Price” means, when used with respect to any Bond to be redeemed, the price at which such Bond is to be redeemed pursuant to the terms of this Bond Resolution, including the applicable redemption premium, if any, but excluding installments of interest whose Stated Maturity is on or before the Redemption Date.

“Refunded Bonds” means the Series 2003-1 Bonds maturing in the years 2013 to 2019, inclusive, in the aggregate principal amount of \$1,275,000.

“Refunded Bonds Paying Agent” means the paying agent for the Refunded Bonds as designated in the Refunded Bonds Resolution, and any successor or successors at the time acting as paying agent for the Refunded Bonds.

“Refunded Bonds Redemption Date” means March 1, 2013.

“Refunded Bonds Resolution” means the ordinance and resolution which authorized the Refunded Bonds.

“Replacement Bonds” means Bonds issued to the Beneficial Owners of the Bonds in accordance with *Section 210* hereof.

“SEC Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as may be amended from time to time.

“Securities Depository” means, initially, DTC, and its successors and assigns.

“Series 2003-1 Bonds” means the Issuer's General Obligation Refunding and Improvement Bonds, Series 2003-1, dated December 1, 2003.

“Special Record Date” means the date fixed by the Paying Agent pursuant to *Section 204* hereof for the payment of Defaulted Interest.

“Standard & Poor's” means Standard & Poor's Ratings Services, a Division of the McGraw-Hill Companies, Inc., a corporation organized and existing under the laws of the State of New York, and its successors and assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, Standard & Poor's shall be deemed to refer to any other nationally recognized securities rating agency designated by the Issuer.

“State” means the state of Kansas.

“State Treasurer” means the duly elected Treasurer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the State.

“Stated Maturity” when used with respect to any Bond or any installment of interest thereon means the date specified in such Bond and this Bond Resolution as the fixed date on which the principal of such Bond or such installment of interest is due and payable.

“Substitute Improvements” means the substitute or additional improvements of the Issuer described in *Section 504(a)* hereof.

[**“Term Bonds”** means the Bonds scheduled to mature in the year 2033.]

[**“___ Term Bonds”** means the Bonds scheduled to mature in the year ____.]

[**“2033 Term Bonds”** means the Bonds scheduled to mature in the year 2033.]

[**“Term Bonds”** means collectively, the ___ Term Bonds and the 2033 Term Bonds.]

“Treasurer” means the duly appointed and/or elected Treasurer of the Issuer or, in the Treasurer's absence, the duly appointed Deputy Treasurer or acting Treasurer of the Issuer.

“United States Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States of America, including evidences of a direct ownership interest in future interest or principal payment on obligations issued by the United States of America (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the Issuer.

ARTICLE II

AUTHORIZATION AND DETAILS OF THE BONDS

Section 201. Authorization of the Bonds. The Bonds have been heretofore authorized and directed to be issued pursuant to the Ordinance in the principal amount of \$6,485,000*, for the purpose of providing funds to: (a) pay the costs of the Improvements; (b) pay Costs of Issuance; and (c) refund the Refunded Bonds.

Section 202. Description of the Bonds. The Bonds shall consist of fully registered bonds in an Authorized Denomination, and shall be numbered in such manner as the Bond Registrar shall determine. All of the Bonds shall be dated as of the Dated Date, shall become due in the amounts, on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in *Article III* hereof, and shall bear interest at the rates per annum as follows:

[SERIAL BONDS]

<u>Stated Maturity</u> <u>December 1</u>	<u>Principal</u> <u>Amount</u>	<u>Annual Rate</u> <u>of Interest</u>	<u>Stated Maturity</u> <u>December 1</u>	<u>Principal</u> <u>Amount</u>	<u>Annual Rate</u> <u>of Interest</u>
2013	\$	_____%	2024	\$	_____%
2014			2025		
2015			2026		
2016			2027		
2017			2028		
2018			2029		
2019			2030		
2020			2031		
2021			2032		
2022			2033		
2023					

[TERM BONDS]

<u>Stated Maturity</u> <u>December 1</u>	<u>Principal</u> <u>Amount</u>	<u>Annual Rate</u> <u>of Interest</u>
2033	\$_____	_____ %]

The Bonds shall bear interest at the above specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the later of the Dated Date or the most recent Interest Payment Date to which interest has been paid on the Interest Payment Dates in the manner set forth in *Section 204* hereof.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be printed in accordance with the format required by the Attorney General of the State and shall be substantially in the form attached hereto as *EXHIBIT A* or as may be required by the Attorney General pursuant to the Notice of Systems of Registration for Kansas Municipal Bonds, 2 Kan. Reg. 921 (1983), in accordance with the Kansas Bond Registration Law, K.S.A. 10-620 *et seq.*

Section 203. Designation of Paying Agent and Bond Registrar. The State Treasurer is hereby designated as the Paying Agent for the payment of principal of and interest on the Bonds and Bond Registrar with respect to the registration, transfer and exchange of Bonds. The Mayor of the Issuer is hereby authorized and empowered to execute on behalf of the Issuer an agreement with the Bond Registrar and Paying Agent for the Bonds.

The Issuer will at all times maintain a Paying Agent and Bond Registrar meeting the qualifications herein described for the performance of the duties hereunder. The Issuer reserves the right to appoint a successor Paying Agent or Bond Registrar by (a) filing with the Paying Agent or Bond Registrar then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent or Bond Registrar and appointing a successor, and (b) causing notice of appointment of the successor Paying Agent and Bond Registrar to be given by first class mail to each Owner. No resignation or removal of the Paying Agent or Bond Registrar shall become effective until a successor has been appointed and has accepted the duties of Paying Agent or Bond Registrar.

Every Paying Agent or Bond Registrar appointed hereunder shall at all times meet the requirements of K.S.A. 10-501 *et seq.* and K.S.A. 10-620 *et seq.*, respectively.

Section 204. Method and Place of Payment of the Bonds. The principal of, or Redemption Price, and interest on the Bonds shall be payable in any coin or currency which, on the respective dates of payment thereof, is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the principal office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest (a) by check or draft mailed by the Paying Agent to the address of such Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds, by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank ABA routing number and account number to which such Owner wishes to have such transfer directed.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Owner of such Bond on the relevant Record Date and shall be payable to the Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as hereinafter specified in this paragraph. The Issuer shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the Issuer of such Special Record Date and, in the name and at the expense of the Issuer, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefore to be mailed, by first class mail, postage prepaid, to each Owner of a Bond entitled to such notice at the

address of such Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of payment of principal and Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the Issuer.

Section 205. Payments Due on Saturdays, Sundays and Holidays. In any case where a Bond Payment Date is not a Business Day, then payment of principal, Redemption Price or interest need not be made on such Bond Payment Date but may be made on the next succeeding Business Day with the same force and effect as if made on such Bond Payment Date, and no interest shall accrue for the period after such Bond Payment Date.

Section 206. Registration, Transfer and Exchange of Bonds. The Issuer covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the office of the Bond Registrar as herein provided. Each Bond when issued shall be registered in the name of the Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section. Upon surrender of any Bond at the principal office of the Bond Registrar, the Bond Registrar shall transfer or exchange such Bond for a new Bond or Bonds in any Authorized Denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange.

Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the Owner thereof or by the Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution. The Issuer shall pay the fees and expenses of the Bond Registrar for the registration, transfer and exchange of Bonds provided for by this Bond Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the Owners of the Bonds. In the event any Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Code § 3406, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Owner hereunder or under the Bonds.

The Issuer and the Bond Registrar shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to **Section 303** hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption; or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the Issuer of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to **Section 204** hereof.

The Issuer and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute Owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Owner or upon the

Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the Issuer nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Bond Registrar, the Bond Register may be inspected and copied by the Owners (or a designated representative thereof) of 10% or more in principal amount of the Bonds then Outstanding or any designated representative of such Owners whose authority is evidenced to the satisfaction of the Bond Registrar.

Section 207. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be executed for and on behalf of the Issuer by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of the Clerk, and the seal of the Issuer shall be affixed thereto or imprinted thereon. The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and to cause the Bonds to be registered in the office of the Clerk, which registration shall be evidenced by the manual or facsimile signature of the Clerk with the seal of the Issuer affixed thereto or imprinted thereon. The Bonds shall also be registered in the office of the State Treasurer, which registration shall be evidenced by the manual or facsimile signature of the State Treasurer with the seal of the State Treasurer affixed thereto or imprinted thereon. In case any officer whose signature appears on any Bonds ceases to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Mayor and Clerk are hereby authorized and directed to prepare and execute the Bonds as herein specified, and when duly executed, to deliver the Bonds to the Bond Registrar for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form attached hereto as *EXHIBIT A* hereof, which shall be manually executed by an authorized officer or employee of the Bond Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Bond Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Bond Registrar. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Bond Resolution. Upon authentication, the Bond Registrar shall deliver the Bonds to the Purchaser upon instructions of the Issuer or its representative.

Section 208. Mutilated, Lost, Stolen or Destroyed Bonds. If (a) any mutilated Bond is surrendered to the Bond Registrar or the Bond Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the Issuer and the Bond Registrar such security or indemnity as may be required by each of them, then, in the absence of notice to the Issuer or the Bond Registrar that such Bond has been acquired by a bona fide purchaser, the Issuer shall execute and, upon the Issuer's request, the Bond Registrar shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Issuer, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section, the Issuer and the Paying Agent may require the payment by the Owner of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section shall constitute a replacement of the prior obligation of the Issuer, and shall be entitled to all the benefits of this Bond Resolution equally and ratably with all other Outstanding Bonds.

Section 209. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the Issuer.

Section 210. Book-Entry Bonds; Securities Depository. The Issuer and Paying Agent have entered into a DTC Representation Letter with DTC. The Bonds shall initially be registered to Cede & Co., the nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing their respective interests in the Bonds, except in the event the Bond Registrar issues Replacement Bonds as provided in this Section. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of principal of, premium, if any, and interest on, the Bonds to the Participants until and unless the Bond Registrar authenticates and delivers Replacement Bonds to the Beneficial Owners as described in the following paragraph.

The Issuer may decide, subject to the requirements of the Operational Arrangements of DTC (or a successor Securities Depository), and the following provisions of this section to discontinue use of the system of book-entry transfers through DTC (or a successor Securities Depository):

(a) If the Issuer determines (1) that the Securities Depository is unable to properly discharge its responsibilities, or (2) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (3) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds; or

(b) if the Bond Registrar receives written notice from Participants having interests in not less than 50% of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the Owners of such determination or such notice and of the availability of certificates to Owners requesting the same, and the Bond Registrar shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under (a)(1) or (a)(2) of this paragraph, the Issuer, with the consent of the Bond Registrar, may select a successor securities depository in accordance with the following paragraph to effect book-entry transfers.

In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement

Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the Issuer, the Bond Registrar or Owners are unable to locate a qualified successor of the Securities Depository in accordance with the following paragraph, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the Issuer.

In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the Issuer may appoint a successor Securities Depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in an Authorized Denominations and form as provided herein.

Section 211. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the Issuer to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Bond Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay, without liability for interest thereon, to the Issuer the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the Issuer, and the Owner thereof shall be entitled to look only to the Issuer for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the Issuer shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

Section 212. Preliminary and Final Official Statement. The Preliminary Official Statement dated January 24, 2013, is hereby ratified and approved. The Official Statement is hereby authorized to be prepared by supplementing, amending and completing the Preliminary Official Statement, with such changes and additions thereto as are necessary to conform to and describe the transaction. The Mayor and chief financial officer of the Issuer are hereby authorized to execute the Official Statement as so supplemented, amended and completed, and the use and public distribution of the Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the Issuer are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the Issue Date.

The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Bonds sufficient copies of the Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 213. Sale of the Bonds - Bond Purchase Agreement. The execution of the Bond Purchase Agreement by the Mayor is hereby ratified and confirmed. Pursuant to the Bond Purchase Agreement, the Issuer agrees to sell the Bonds to the Purchaser for the Purchase Price, upon the terms and conditions set forth therein.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Redemption by Issuer.

Optional Redemption. At the option of the Issuer, Bonds maturing on December 1 in the years 2021, and thereafter, will be subject to redemption and payment prior to their Stated Maturity on December 1, 2020, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the Redemption Date.

[Mandatory Redemption.] [(a) ____ *Term Bonds.*] The [____] Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in **Article IV** hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on December 1 in each year, the following principal amounts of such [____] Term Bonds:

<u>Principal Amount</u> \$	<u>Year</u>
	*

*Final Maturity

[(b) *2033 Term Bonds.*] The 2033 Term Bonds shall be subject to mandatory redemption and payment prior to Stated Maturity pursuant to the mandatory redemption requirements of this Section at a Redemption Price equal to 100% of the principal amount thereof plus accrued interest to the Redemption Date. The taxes levied in **Article IV** hereof which are to be deposited into the Debt Service Account shall be sufficient to redeem, and the Issuer shall redeem on December 1 in each year, the following principal amounts of such 2033 Term Bonds:

<u>Principal Amount</u> \$	<u>Year</u>
	2033*

*Final Maturity

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the Issuer may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the Issuer under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the Issuer to redeem Term Bonds of the same Stated Maturity on such mandatory Redemption Date, and any excess of such amount shall be credited on future mandatory redemption obligations for Term Bonds of the same Stated Maturity as designated by the Issuer, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the Issuer intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the Issuer will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.]

Section 302. Selection of Bonds to be Redeemed. Bonds shall be redeemed only in an Authorized Denomination. When less than all of the Bonds are to be redeemed and paid prior to their Stated Maturity, such Bonds shall be redeemed in such manner as the Issuer shall determine. Bonds of less than a full Stated Maturity shall be selected by the Bond Registrar in a minimum Authorized Denomination of principal amount in such equitable manner as the Bond Registrar may determine.

In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than a minimum Authorized Denomination are then Outstanding, then for all purposes in connection with such redemption a minimum Authorized Denomination of face value shall be treated as though it were a separate Bond of the denomination of a minimum Authorized Denomination. If it is determined that one or more, but not all, of a minimum Authorized Denomination of face value represented by any Bond is selected for redemption, then upon notice of intention to redeem a minimum Authorized Denomination, the Owner or the Owner's duly authorized agent shall forthwith present and surrender such Bond to the Bond Registrar: (1) for payment of the Redemption Price and interest to the Redemption Date of a minimum Authorized Denomination of face value called for redemption, and (2) for exchange, without charge to the Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of a minimum Authorized Denomination of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. In the event the Issuer desires to call the Bonds for redemption prior to maturity, written notice of such intent shall be provided to the Bond Registrar in accordance with K.S.A. 10-129, as amended, not less than 45 days prior to the Redemption Date. The Bond Registrar shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Bond Registrar at least 45 days prior to the Redemption Date of written instructions of the Issuer specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. [The foregoing provisions of this paragraph shall not apply in the case of any mandatory redemption of Term Bonds hereunder, and Term Bonds shall be called by the Paying Agent for redemption pursuant to such

mandatory redemption requirements without the necessity of any action by the Issuer and whether or not the Paying Agent holds moneys available and sufficient to effect the required redemption.]

Unless waived by any Owner of Bonds to be redeemed, if the Issuer shall call any Bonds for redemption and payment prior to the Stated Maturity thereof, the Issuer shall give written notice of its intention to call and pay said Bonds to the Bond Registrar and the Purchaser. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the Owners of said Bonds. Each of said written notices shall be deposited in the United States first class mail not less than 30 days prior to the Redemption Date.

All official notices of redemption shall be dated and shall contain the following information:

- (a) the Redemption Date;
- (b) the Redemption Price;
- (c) if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;
- (d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and
- (e) the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the principal office of the Paying Agent.

The failure of any Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the Issuer shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on such Redemption Date.

For so long as the Securities Depository is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this Section to the Securities Depository. It is expected that the Securities Depository shall, in turn, notify its Participants and that the Participants, in turn, will notify or cause to be notified the Beneficial Owners. Any failure on the part of the Securities Depository or a Participant, or failure on the part of a nominee of a Beneficial Owner of a Bond (having been mailed notice from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bond so affected, shall not affect the validity of the redemption of such Bond.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the Issuer defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

In addition to the foregoing notice, the Issuer shall provide such notices of redemption as are required by the Disclosure Undertaking. Further notice may be given by the Issuer or the Bond Registrar on behalf of the Issuer as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed:

(a) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (1) the CUSIP numbers of all Bonds being redeemed; (2) the date of issue of the Bonds as originally issued; (3) the rate of interest borne by each Bond being redeemed; (4) the maturity date of each Bond being redeemed; and (5) any other descriptive information needed to identify accurately the Bonds being redeemed.

(b) Each further notice of redemption shall be sent at least one day before the mailing of notice to Owners by first class, registered or certified mail or overnight delivery, as determined by the Bond Registrar, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

(c) Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

The Paying Agent is also directed to comply with any mandatory standards then in effect for processing redemptions of municipal securities established by the State or the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR BONDS

Section 401. Security for the Bonds. The Bonds shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of improvements financed by the Refunded Bonds, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The balance of the principal and interest on the Bonds is payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby irrevocably pledged for the prompt payment of the principal of and interest on the Bonds as the same become due.

Section 402. Levy and Collection of Annual Tax; Transfer to Debt Service Account. The governing body of the Issuer shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by, to the extent necessary, levying and collecting the necessary taxes and/or assessments upon all of the taxable tangible property within the Issuer in the manner provided by law.

The taxes and/or assessments referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the Issuer are levied and collected. The proceeds derived from said taxes shall be deposited in the Bond and Interest Fund, shall be kept separate and apart from all other funds of the Issuer shall thereafter be transferred to the Debt Service Account and shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due, taking into account any scheduled mandatory redemptions, and the fees and expenses of the Paying Agent.

If at any time said taxes and/or assessments are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay said principal or interest out of the general funds of the Issuer and to reimburse said general funds for money so expended when said taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS AND ACCOUNTS DEPOSIT AND APPLICATION OF BOND PROCEEDS

Section 501. Creation of Funds and Accounts. Simultaneously with the issuance of the Bonds, there shall be created within the Treasury of the Issuer the following Funds and Accounts:

- (a) Improvement Fund for General Obligation Refunding and Improvement Bonds, Series 2013-1;
- (b) Redemption Fund for Refunded Bonds;
- (c) Debt Service Account for General Obligation Refunding and Improvement Bonds, Series 2013-1 (within the Bond and Interest Fund);
- (d) Rebate Fund for General Obligation Refunding and Improvement Bonds, Series 2013-1;
- (e) Costs of Issuance Account for General Obligation Refunding and Improvement Bonds, Series 2013-1; and
- (f) Compliance Account for General Obligation Refunding and Improvement Bonds, Series 2013-1.

The Funds and Accounts established herein shall be administered in accordance with the provisions of this Bond Resolution so long as the Bonds are Outstanding.

Section 502. Deposit of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

- (a) The sum of \$[_____], representing interest on the Bonds during construction of the Improvements shall be deposited in the Debt Service Account.
- (b) The sum of \$[_____] shall be deposited in the Costs of Issuance Account.
- (c) The sum of \$[_____] shall be deposited into the Redemption Fund.

(d) The remaining balance of the proceeds derived from the sale of the Bonds shall be deposited in the Improvement Fund.

Section 503. Application of Moneys in the Improvement Fund. Moneys in the Improvement Fund shall be used for the sole purpose of: (a) paying the costs of the Improvements, in accordance with the plans and specifications therefor prepared by the Consulting Engineer heretofore approved by the governing body of the Issuer and on file in the office of the Clerk, including any alterations in or amendments to said plans and specifications deemed advisable by the Consulting Engineer and approved by the governing body of the Issuer; (b) paying interest on the Bonds during construction of the Improvements; (c) paying Costs of Issuance; and (d) transferring any amounts to the Rebate Fund.

Withdrawals from the Improvement Fund shall be made only when authorized by the governing body of the Issuer. Each authorization for costs of the Improvements shall be supported by a certificate executed by the Consulting Engineer stating that such payment is being made for a purpose within the scope of this Bond Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Authorizations for withdrawals for other authorized purposes shall be supported by a certificate executed by the Clerk (or designate) stating that such payment is being made for a purpose within the scope of this Bond Resolution. Upon completion of the Improvements, any surplus remaining in the Improvement Fund shall be deposited in the Debt Service Account.

Section 504. Substitution of Improvements; Reallocation of Proceeds.

(a) The Issuer may elect for any reason to substitute or add other public improvements to be financed with proceeds of the Bonds provided the following conditions are met: (1) the Substitute Improvement and the issuance of general obligation bonds to pay the cost of the Substitute Improvement has been duly authorized by the governing body of the Issuer in accordance with the laws of the State; (2) a resolution authorizing the use of the proceeds of the Bonds to pay the Financeable Costs of the Substitute Improvement has been duly adopted by the governing body of the Issuer pursuant to this Section, (3) the Attorney General of the State has approved the amendment made by such resolution to the transcript of proceedings for the Bonds to include the Substitute Improvements; and (4) the use of the proceeds of the Bonds to pay the Financeable Cost of the Substitute Improvement will not adversely affect the tax-exempt status of the Bonds under State or federal law.

(b) The Issuer may reallocate expenditure of Bond proceeds among all Improvements financed by the Bonds; provided the following conditions are met: (1) the reallocation is approved by the governing body of the Issuer; (2) the reallocation shall not cause the proceeds of the Bonds allocated to any Improvement to exceed the Financeable Costs of the Improvement; and (3) the reallocation will not adversely affect the tax-exempt status of the Bonds under State or federal law.

Section 505. Application of Moneys in the Redemption Fund. Moneys in the Redemption Fund shall be paid and transferred to the Refunded Bonds Paying Agent, with irrevocable instructions to apply such amount to the payment of the Refunded Bonds on the Refunded Bonds Redemption Date. The Clerk is authorized and instructed to provide appropriate notice of redemption in accordance with the Refunded Bonds Resolution authorizing the issuance of such Refunded Bonds. Any moneys remaining in the Redemption Fund not needed to retire the Refunded Bonds shall be transferred to the Debt Service Account.

Section 506. Application of Moneys in Debt Service Account. All amounts paid and credited to the Debt Service Account shall be expended and used by the Issuer for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Bond Registrar and Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Account sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Bond Registrar and Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Bond Registrar and Paying Agent will become due. If, through the lapse of time or otherwise, the Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the Issuer. All moneys deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Bond Resolution and shall be held in trust by the Paying Agent for the benefit of the Owners of the Bonds entitled to payment from such moneys.

Any moneys or investments remaining in the Debt Service Account after the retirement of the Bonds shall be transferred and paid into the Bond and Interest Fund.

Section 507. Application of Moneys in the Rebate Fund.

(a) There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Federal Tax Certificate. All money at any time deposited in the Rebate Fund shall be held in trust, to the extent required to satisfy the Rebate Amount (as defined in the Federal Tax Certificate), for payment to the United States of America, and neither the Issuer nor the Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and the Federal Tax Certificate.

(b) The Issuer shall periodically determine the arbitrage rebate, if any, under Code § 148(f) in accordance with the Federal Tax Certificate, and the Issuer shall make payments to the United States of America at the times and in the amounts determined under the Federal Tax Certificate. Any moneys remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor, shall be deposited into the Bond and Interest Fund.

(c) Notwithstanding any other provision of this Bond Resolution, including in particular *Article VII* hereof, the obligation to pay arbitrage rebate to the United States of America and to comply with all other requirements of this Section and the Federal Tax Certificate shall survive the defeasance or payment in full of the Bonds.

Section 508. Deposits and Investment of Moneys. Moneys in each of the Funds and Accounts shall be deposited in accordance with laws of the State, in a bank, savings and loan association or savings bank organized under the laws of the State, any other state or the United States: (a) which has a main or branch office located in the Issuer or (b) if no such entity has a main or branch office located in the Issuer, with such an entity that has a main or branch office located in the county or counties in which the Issuer is located. All such depositories shall be members of the Federal Deposit Insurance Corporation, or otherwise as permitted by State law. All such deposits shall be invested in Permitted Investments as set forth in this Article or shall be adequately secured as provided by the laws of the State. All moneys held in the Funds and Accounts shall be kept separate and apart from all other funds of the Issuer so that there shall be no commingling with any other funds of the Issuer.

Moneys held in any Fund or Account other than the Redemption Fund may be invested in accordance with this Bond Resolution and the Federal Tax Certificate in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than to the date when the moneys invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any Fund or Account shall accrue to and become a part of such Fund or Account; provided that, during the period of construction of the Improvements, earnings on the investment of such funds may, at the discretion of the Issuer, be credited to the Debt Service Account.

Section 509. Application of Moneys in the Costs of Issuance Account. Moneys in the Costs of Issuance Account shall be used by the Issuer to pay the Costs of Issuance. Any funds remaining in the Costs of Issuance Account, after payment of all Costs of Issuance, but not later than the later of 30 days prior to the first Stated Maturity of principal or one year after the date of issuance of the Bonds, shall be transferred to the Improvement Fund until completion of the Improvements and thereafter to the Issuer for deposit into the Compliance Account or the Debt Service Account.

Section 510. Application of Moneys in the Compliance Account. Moneys in the Compliance Account shall be used by the Issuer to pay fees and expenses relating to compliance with federal arbitrage law, state or federal securities laws, and other costs or expenses of carrying or repaying the Bonds as set forth in the Federal Tax Certificate. Any funds remaining in the Compliance Account on the sixth anniversary of the Issue Date shall be transferred to the Debt Service Account.

ARTICLE VI

DEFAULT AND REMEDIES

Section 601. Remedies. The provisions of the Bond Resolution, including the covenants and agreements herein contained, shall constitute a contract between the Issuer and the Owners of the Bonds. If an Event of Default occurs and shall be continuing, the Owner or Owners of not less than 10% in principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Owner or Owners against the Issuer and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of the Bond Resolution or by the Constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the Issuer, its officers, agents and employees to account as if they were the trustees of an express trust; and

(c) by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners of the Bonds.

Section 602. Limitation on Rights of Owners. The covenants and agreements of the Issuer contained herein and in the Bonds shall be for the equal benefit, protection, and security of the Owners of any or all of the Bonds, all of which Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, date of maturity and right of prior redemption as provided in this Bond Resolution. No one or more Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the

security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies thereon. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Owners of the Bonds by this Bond Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If action or proceedings taken by any Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or shall have been determined adversely to such Owner, then, and in every such case, the Issuer and the Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When any or all of the Bonds, redemption premium, if any, or scheduled interest payments thereon have been paid and discharged, then the requirements contained in this Bond Resolution and the pledge of the Issuer's faith and credit hereunder and all other rights granted hereby shall terminate with respect to the Bonds or scheduled interest payments thereon so paid and discharged. Bonds, redemption premium, if any, or scheduled interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Bond Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company located in the State and having full trust powers, at or prior to the Stated Maturity or Redemption Date of said Bonds or the interest payments thereon, in trust for and irrevocably appropriated thereto, moneys and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of or Redemption Price of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments. If the amount to be so deposited is based on the Redemption Price of any Bonds, no such satisfaction shall occur until (a) the Issuer has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the Issuer has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Bond Registrar to give such notice of redemption in compliance with *Section 303* of this Bond Resolution. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the Issuer, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or such bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Bond Resolution.

ARTICLE VIII

TAX COVENANTS

Section 801. General Covenants. The Issuer covenants and agrees that it will comply with: (a) all applicable provisions of the Code necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Bonds; and (b) all provisions and requirements of the Federal Tax Certificate. The Mayor and Clerk are hereby authorized and directed to execute the Federal Tax Certificate in a form approved by Bond Counsel, for and on behalf of and as the act and deed of the Issuer. The Issuer will, in addition, adopt such other ordinances or resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the Issuer.

Section 802. Survival of Covenants. The covenants contained in this Article and in the Federal Tax Certificate shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to *Article VII* hereof or any other provision of this Bond Resolution until such time as is set forth in the Federal Tax Certificate.

ARTICLE IX

CONTINUING DISCLOSURE REQUIREMENTS

Section 901. Disclosure Requirements. The Issuer hereby covenants with the Purchaser and the Beneficial Owners to provide and disseminate such information as is required by the SEC Rule and as further set forth in the Disclosure Undertaking, which are incorporated herein by reference. Such covenant shall be for the benefit of and enforceable by the Purchaser and the Beneficial Owners.

Section 902. Failure to Comply with Continuing Disclosure Requirements. In the event the Issuer fails to comply in a timely manner with its covenants contained in the preceding section, the Purchaser and/or any Beneficial Owner may make demand for such compliance by written notice to the Issuer. In the event the Issuer does not remedy such noncompliance within 10 days of receipt of such written notice, the Purchaser or any Beneficial Owner may in its discretion, without notice or demand, proceed to enforce compliance by a suit or suits in equity for the specific performance of such covenant or agreement contained in the preceding section or for the enforcement of any other appropriate legal or equitable remedy, as the Purchaser and/or any Beneficial Owner shall deem effectual to protect and enforce any of the duties of the Issuer under such preceding section. Notwithstanding any other provision of this Bond Resolution, failure of the Issuer to comply with its covenants contained in the preceding section shall not be considered an Event of Default under this Bond Resolution.

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1001. Annual Audit. Annually, promptly after the end of the Fiscal Year, the Issuer will cause an audit to be made of the financial statements of the Issuer for the preceding Fiscal Year by an Independent Accountant. The audit report shall contain a statement regarding the Issuer's compliance

with the arbitrage rebate covenants contained in the Federal Tax Certificate and covenants regarding continuing disclosure contained in **Section 901** hereof and the Continuing Disclosure Undertaking. Within 30 days after the completion of each such audit, a copy thereof shall be filed in the office of the Clerk, and a duplicate copy of the audit shall be mailed to the Purchaser. Such audit shall at all times during the usual business hours be open to the examination and inspection by any taxpayer, any Owner of any of the Bonds, or by anyone acting for or on behalf of such taxpayer or Owner. Upon payment of the reasonable cost of preparing and mailing the same, a copy of any annual audit will, upon request, be sent to any Owner or prospective Owner. As soon as possible after the completion of the annual audit, the governing body of the Issuer shall review such audit, and if the audit discloses that proper provision has not been made for all of the requirements of this Bond Resolution, the Issuer shall promptly cure such deficiency.

Section 1002. Amendments. The rights and duties of the Issuer and the Owners, and the terms and provisions of the Bonds or of this Bond Resolution, may be amended or modified at any time in any respect by resolution of the Issuer with the written consent of the Owners of not less than a majority in principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the Issuer is required to pay as principal or interest on any Bond;
- (c) permit preference or priority of any Bond over any other Bond; or
- (d) reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Bond Resolution.

Any provision of the Bonds or of this Bond Resolution may, however, be amended or modified by resolution duly adopted by the governing body of the Issuer at any time in any legal respect with the written consent of the Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Owners, the Issuer may amend or supplement this Bond Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity herein, to grant to or confer upon the Owners any additional rights, remedies, powers or authority that may lawfully be granted to or conferred upon the Owners, to more precisely identify the Improvements, to reallocate proceeds of the Bonds among Improvements, to provide for Substitute Improvements, to conform this Bond Resolution to the Code or future applicable federal law concerning tax-exempt obligations, or in connection with any other change therein which is not materially adverse to the interests of the Owners.

Every amendment or modification of the provisions of the Bonds or of this Bond Resolution, to which the written consent of the Owners is given, as above provided, shall be expressed in a resolution adopted by the governing body of the Issuer amending or supplementing the provisions of this Bond Resolution and shall be deemed to be a part of this Bond Resolution. A certified copy of every such amendatory or supplemental resolution, if any, and a certified copy of this Bond Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Bond Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or

supplemental resolution or of this Bond Resolution will be sent by the Clerk to any such Owner or prospective Owner.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the resolution of the Issuer hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The Issuer shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Bond Resolution which affects the duties or obligations of the Paying Agent under this Bond Resolution.

Section 1003. Notices, Consents and Other Instruments by Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or of the writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Bond Resolution, and shall be conclusive in favor of the Issuer and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

(a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Owners of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Bond Resolution, Bonds owned by the Issuer shall be disregarded and deemed not to be Outstanding under this Bond Resolution, except that, in determining whether the Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which have been pledged in good faith shall not be disregarded as aforesaid if the pledgee establishes to the satisfaction of the Owners the pledgee's right so to act with respect to such Bonds and that the pledgee is not the Issuer.

Section 1004. Notices. Any notice, request, complaint, demand or other communication required or desired to be given or filed under this Bond Resolution shall be in writing, given to the Notice Representative at the Notice Address and shall be deemed duly given or filed if the same shall be: (a) duly mailed by registered or certified mail, postage prepaid; or (b) communicated via fax, with electronic or telephonic confirmation of receipt. Copies of such notices shall also be given to the Paying Agent. The Issuer, the Paying Agent and the Purchaser may from time to time designate, by notice given hereunder to the others of such parties, such other address to which subsequent notices, certificates or other communications shall be sent.

All notices given by: (a) certified or registered mail as aforesaid shall be deemed duly given as of the date they are so mailed; (b) fax as aforesaid shall be deemed duly given as of the date of confirmation of receipt. If, because of the temporary or permanent suspension of regular mail service or for any other

reason, it is impossible or impractical to mail any notice in the manner herein provided, then such other form of notice as shall be made with the approval of the Paying Agent shall constitute a sufficient notice.

Section 1005. Electronic Transactions. The issuance of the Bonds and the transactions related thereto and described herein may be conducted and documents may be stored by electronic means.

Section 1006. Further Authority. The officers and officials of the Issuer, including the Mayor and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Bond Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 1007. Severability. If any section or other part of this Bond Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Bond Resolution.

Section 1008. Governing Law. This Bond Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 1009. Effective Date. This Bond Resolution shall take effect and be in full force from and after its adoption by the governing body of the Issuer.

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ADOPTED by the governing body of the Issuer on February 19, 2013.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Bond Resolution of the Issuer adopted by the governing body on February 19, 2013, as the same appears of record in my office.

DATED: February 19, 2013.

Clerk

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**EXHIBIT A
(FORM OF BONDS)**

**REGISTERED
NUMBER ___**

**REGISTERED
\$**

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York Corporation (“DTC”), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

**UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF SEDGWICK
CITY OF VALLEY CENTER
GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BOND
SERIES 2013-1**

**Interest
Rate:**

**Maturity
Date:**

**Dated
Date: March 1, 2013**

CUSIP:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Valley Center, in the County of Sedgwick, State of Kansas (the “Issuer”), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner shown above, or registered assigns, but solely from the source and in the manner herein specified, the Principal Amount shown above on the Maturity Date shown above, unless called for redemption prior to said Maturity Date, and to pay interest thereon at the Interest Rate per annum shown above (computed on the basis of a 360-day year of twelve 30-day months), from the Dated Date shown above, or from the most recent date to which interest has been paid or duly provided for, payable semiannually on June 1 and December 1 of each year, commencing June 1, 2013 (the “Interest Payment Dates”), until the Principal Amount has been paid.

Method and Place of Payment. The principal or redemption price of this Bond shall be paid at maturity or upon earlier redemption to the person in whose name this Bond is registered at the maturity or redemption date thereof, upon presentation and surrender of this Bond at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the “Paying Agent” and “Bond Registrar”). The interest payable on this Bond on any Interest Payment Date shall be paid to the person in whose name this Bond is registered on the registration books maintained by the Bond Registrar at the close of business on

the Record Date(s) for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding the Interest Payment Date. Such interest shall be payable (a) by check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Bonds by electronic transfer to such Owner upon written notice given to the Bond Registrar by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the electronic transfer instructions including the bank, ABA routing number and account number to which such Registered Owner wishes to have such transfer directed. The principal or redemption price of and interest on the Bonds shall be payable in any coin or currency that, on the respective dates of payment thereof, is legal tender for the payment of public and private debts. Interest not punctually paid will be paid in the manner established in the within defined Bond Resolution.

Definitions. Capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to such terms in the hereinafter defined Bond Resolution.

ADDITIONAL PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the hereinafter defined Bond Resolution until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IT IS HEREBY DECLARED AND CERTIFIED that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of the Issuer, including this series of bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be executed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its Clerk, and its seal to be affixed hereto or imprinted hereon.

CITY OF VALLEY CENTER, KANSAS

(Facsimile Seal)

By: _____ (facsimile)
Mayor

ATTEST:

By: _____ (facsimile)
Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of a series of General Obligation Refunding and Improvement Bonds, Series 2013-1, of the City of Valley Center, Kansas, described in the within-mentioned Bond Resolution.

Registration Date _____

Office of the State Treasurer,
Topeka, Kansas,
as Bond Registrar and Paying Agent

By _____

Registration Number 4362-087-030113-[____]

(FORM OF REVERSE SIDE OF BOND)**ADDITIONAL PROVISIONS**

Authorization of Bonds. This Bond is one of an authorized series of Bonds of the Issuer designated "General Obligation Refunding and Improvement Bonds, Series 2013-1," aggregating the principal amount of \$6,485,000* (the "Bonds") issued for the purposes set forth in the Ordinance of the Issuer authorizing the issuance of the Bonds and the Resolution of the Issuer prescribing the form and details of the Bonds (collectively, the "Bond Resolution"). The Bonds are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 10-427 *et seq.*, and K.S.A. 12-631r *et seq.*, as amended, and all other provisions of the laws of the State of Kansas applicable thereto.

General Obligations. The Bonds constitute general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of certain Improvements (as said term is described in the Bond Resolution) and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer, the balance being payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

Redemption Prior to Maturity. The Bonds are subject to redemption prior to maturity, as follows:

Optional Redemption. At the option of the Issuer, Bonds maturing on December 1 in the years 2021, and thereafter, will be subject to redemption and payment prior to maturity on December 1, 2020, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the redemption price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

[Mandatory Redemption. Each of the Bonds maturing on December 1, [____], [____ and] 2033 shall also be subject to mandatory redemption and payment prior to maturity pursuant to the redemption schedule set forth in the Bond Resolution at the Redemption Price of 100% (expressed as a percentage of the principal amount), plus accrued interest thereon to the Redemption Date.]

Redemption Denominations. Whenever the Bond Registrar is to select Bonds for the purpose of redemption, it shall, in the case of Bonds in denominations greater than a minimum Authorized Denomination, if less than all of the Bonds then Outstanding are to be called for redemption, treat each minimum Authorized Denomination of face value of each such Bond as though it were a separate Bond in the denomination of a minimum Authorized Denomination.

Notice of Redemption. Notice of redemption, unless waived, shall be given by the Issuer to the Purchaser of the Bonds and to the Bond Registrar in accordance with the Bond Resolution. The Issuer shall cause the Bond Registrar to notify each Registered Owner at the address maintained on the Bond Register, such notice to be given by mailing an official notice of redemption by first class mail at least 30 days prior to the redemption date. Notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the

redemption price therein specified, and from and after such date (unless the Issuer defaults in the payment of the redemption price), such Bonds or portions of Bonds shall cease to bear interest.

Book-Entry System. The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Bond Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature or with respect to each form of Bonds, registered in the nominee name of the Securities Depository, is being issued and required to be deposited with the Securities Depository and immobilized in its custody. The book-entry system will evidence positions held in the Bonds by the Securities Depository's participants, beneficial ownership of the Bonds in authorized denominations being evidenced in the records of such participants. Transfers of ownership shall be effected on the records of the Securities Depository and its participants pursuant to rules and procedures established by the Securities Depository and its participants. The Issuer and the Bond Registrar will recognize the Securities Depository nominee, while the Registered Owner of this Bond, as the owner of this Bond for all purposes, including (i) payments of principal of, and redemption premium, if any, and interest on, this Bond, (ii) notices and (iii) voting. Transfer of principal, interest and any redemption premium payments to participants of the Securities Depository, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer and the Bond Registrar will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by the Securities Depository, the Securities Depository nominee, its participants or persons acting through such participants. While the Securities Depository nominee is the owner of this Bond, notwithstanding the provision hereinabove contained, payments of principal of, redemption premium, if any, and interest on this Bond shall be made in accordance with existing arrangements among the Issuer, the Bond Registrar and the Securities Depository.

Transfer and Exchange. **EXCEPT AS OTHERWISE PROVIDED IN THE BOND RESOLUTION, THIS GLOBAL BOND MAY BE TRANSFERRED, IN WHOLE BUT NOT IN PART, ONLY TO ANOTHER NOMINEE OF THE SECURITIES DEPOSITORY OR TO A SUCCESSOR SECURITIES DEPOSITORY OR TO A NOMINEE OF A SUCCESSOR SECURITIES DEPOSITORY.** This Bond may be transferred or exchanged, as provided in the Bond Resolution, only on the Bond Register kept for that purpose at the principal office of the Bond Registrar, upon surrender of this Bond, together with a written instrument of transfer or authorization for exchange satisfactory to the Bond Registrar duly executed by the Registered Owner or the Registered Owner's duly authorized agent, and thereupon a new Bond or Bonds in any Authorized Denomination of the same maturity and in the same aggregate principal amount shall be issued to the transferee in exchange therefor as provided in the Bond Resolution and upon payment of the charges therein prescribed. The Issuer shall pay all costs incurred in connection with the issuance, payment and initial registration of the Bonds and the cost of a reasonable supply of bond blanks. The Issuer and the Paying Agent may deem and treat the person in whose name this Bond is registered on the Bond Register as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes. The Bonds are issued in fully registered form in Authorized Denominations.

LEGAL OPINION

The following is a true and correct copy of the approving legal opinion of Gilmore & Bell, P.C., Bond Counsel, which was dated and issued as of the date of original issuance and delivery of such Bonds:

GILMORE & BELL, P.C.
Attorneys at Law
100 N. Main Suite 800
Wichita, Kansas 67202

(PRINTED LEGAL OPINION)

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned do(es) hereby sell, assign and transfer to

(Name and Address)

(Social Security or Taxpayer Identification No.)

the Bond to which this assignment is affixed in the outstanding principal amount of \$_____, standing in the name of the undersigned on the books of the Bond Registrar. The undersigned do(es) hereby irrevocably constitute and appoint _____ as agent to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____

Name

Social Security or
Taxpayer Identification No.

Signature (Sign here exactly as name(s)
appear on the face of Certificate)

Signature guarantee:

By _____

NEW BUSINESS

**C. REVIEW OF 2013 CHAMBER OF COMMERCE EVENT
SCHEDULE AND CONSIDERATION OF ASSOCIATED
REQUESTS :**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve event requests as detailed in the Valley Center Chamber of Commerce memo.



Valley Center Chamber of Commerce

214 W. Main, PO Box 382, Valley Center, KS 67147
 316-755-7340 • vccc67147@yahoo.com • www.vckschamber.com

MISSION STATEMENT: The Valley Center Chamber of Commerce is committed to a POSITIVE BUSINESS CLIMATE and COMMUNITY GROWTH

Dear Mayor McNown and City Council Members:

I would like to present to you our event schedule for the year. To make our requests known to you ahead of the event will make it easier for us to plan the events to the last detail. Should you have any questions or comments please let us know.

The 2013-year of events for the Valley Center Chamber of Commerce and the community are as follows:

- April 12-13 - City-wide garage sales
- May 31 - June 1 - Spring Fling (BBQ Competition)
- July 12 - Golf Tournament
- September 20-21 - 52nd Annual Fall Festival
- October 31 - Trick or Treat Street **Tentative*
- December 7 - Christmas in the Valley

For the city-wide garage sales:

- All permits or sign fees be waived so that the chamber can adequately advertise within the city limits of Valley Center by posting signs and/or banners.

For the Spring Fling:

The Valley Center Chamber of Commerce is pleased to announce that we will be teaming up with the Leukemia and Lymphoma Society again for our third annual Spring Fling for May 31-June 1.

The Spring Fling this year will consist of a sanctioned BBQ contest. The goal is to have a minimum of 25 BBQ teams compete in a state championship here in Valley Center. We had 25 teams last year and many are looking forward to coming again this year. We would ask the teams to arrive on Friday. We will have a People's Choice competition on Friday evening. We will also have a Kids-Q competition for children 16 and under on Friday evening.

The Valley Center Chamber of Commerce would like to make the following requests for Spring Fling:

- All permits or sign fees be waived so that the chamber can adequately advertise within the Valley Center city limits by posting signs and/or banners.
- We are requesting a street closure from 10 a.m. on May 31 to 5 p.m. on June 2. We are aware of the traffic concern to the post office, therefore we request the Main Street closure from east of the post office driveway to Colby Street.
- In the event that we have more than 30 teams participate, we may need more room. We would then request approval to move the event across the street to West Main, and close the street from Meridian to Ash, as we do with the Fall Festival, rather than closing East Main. We

should know by May 1 if we will need to move the event due to lack of space.

- We request permit fees be waived for the use of a golf cart/ATV/Mule type vehicle to be used for event staff.

Valley Center Annual Golf Tournament:

There are no requests for the Annual Golf Tournament. It will be held at Sand Creek Station in Newton.

For Fall Festival:

Fall Festival 2013 is scheduled for September 20-21.

- All permits or sign fees be waived so that the chamber can adequately advertise within the Valley Center city limits by posting signs and/or banners.
- We request a street closure of Main Street, from Meridian to Ash, as we've had it in the past. The time for the Main Street closing would be Thursday evening at 5:00 p.m. (September 19) through Sunday morning (approximately 6:00 a.m. September 22).
- We request a street closure of Park Street from Main Street North to 1st Street and 100 block of South Park for vendors; 200 block of South Abilene (west of Lion's Park) for Kid Fest.
- We request a street closure for the Fall Festival parade - closing Meridian from the current Middle School (800 N. Meridian) to Clay Street. The time for the parade will be Saturday morning (September 21) at 8:00 a.m. until the end of the parade (approximately 11:00 a.m.).
- We request permit fees be waived for the use of a golf cart/ATV/Mule type vehicle to be used for event staff.
- We request the parking lot of City Hall be reserved for LeVenue on Saturday, September 21. A wedding has been scheduled for that weekend and we would like to accommodate LeVenue and their clients as much as possible.
- The Chamber has decided to forego the Sunday in the Park activities. We would request the use of McLaughlin Park should we decide to conclude the weekend with fireworks. There would be no request for street closures.
- Our 5k Walk/Run will be the weekend prior to fall fest on September 14. We request a street closure for Abilene Street between Allen and Clay. We will have volunteers to help us with this event as well.

We are requesting that the city council help sponsor the fall festival again this year. The Fall Festival is the largest event in the city all year and is great for its economic development. It is a chance to highlight the quality of life in Valley Center. We are requesting the City of Valley Center join with the Chamber of Commerce in hosting this event with a contribution of \$3,500.

For Trick or Treat Street:

For the safety of the children participating, we would make the following requests for Trick or Treat Street:

- We request Main Street, from Meridian to Ash, be closed as we have had it in the past. The time for the Main Street closing would be Friday afternoon at 4:00 p.m. until approximately 8:00 p.m. on October 31. Since LeVenue is donated for this event, the date may be subject to change according to their schedule.

For Christmas in the Valley:

Christmas in the Valley is scheduled for December 7.

We had a lot of good feedback for last year's event and would like to see this event grow. The idea is to have all of our Christmas events happening on the same day - church bazaars, cookies with Santa, crafts for the children (LeVenue), music from the high school choirs and bands. We have a committee working on the ideas - and there are many - on what events would actually take place, the majority being inside LeVenue due to weather. However, we would also like to consider having a parade of lights before the tree lighting ceremony.

- All permits or sign fees be waived so that the chamber can adequately advertise within the Valley Center city limits by posting signs and/or banners.
- We request a street closure from 3:00 p.m. until 4:00 p.m. for the parade. The parade line up will be in the Old Leeker's parking lot and will run west on Main to Ash Street. It will then turn north on Ash Street and end in Intrust's parking lot. *This is a tentative plan.*
- We request permit fees be waived for the use of a golf cart/ATV/Mule type vehicle to be used for event staff if necessary.

I realize this is a lot of information at once. Please let me know if you have any questions.

Thank you for your time and consideration on each event.

Marshella Peterson, Director
Valley Center Chamber of Commerce

CONSENT AGENDA

**A. REVENUE and EXPENSE FINANCIAL SUMMARIES for
DECEMBER 2012:**

**B. BAD DEBT / DELINQUENT ACCOUNTS for DECEMBER 2012
REPORT:**

C. CHECK RECONCILIATION REPORT for DECEMBER 2012:

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

A. REVENUE and EXPENSE FINANCIAL SUMMARIES for DECEMBER 2012:

- *GENERAL FUND*
- *EMPLOYEE BENEFITS FUND*
- *LIBRARY*
- *SPECIAL HIGHWAY*
- *EMERGENCY EQUIPMENT RESERVE*
- *BOND AND INTEREST*
- *WATER OPERATING*
- *STORMWATER UTILITY FUND*
- *SOLID WASTE UTILITY*
- *SEWER OPERATING*

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CITY OF VALLEY CENTER

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REVENUE & EXPENSE REPORT (UNAUDITED)

AS OF: DECEMBER 31ST, 2012

010-GENERAL FUND
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	842,450.00	27,220.16	0.00	840,959.25	0.00	1,490.75	99.82
INTERGOVERNMENTAL	454,100.00	38,161.64	0.00	500,052.54	0.00 (	45,952.54)	110.12
LICENSES & PERMITS	500,000.00	76,018.84	0.00	541,657.72	0.00 (	41,657.72)	108.33
CHARGES FOR SERVICES	7,200.00	835.00	0.00	7,703.80	0.00 (	503.80)	107.00
FINES & FORFEITURES	80,600.00	2,416.50	0.00	57,016.63	0.00	23,583.37	70.74
USE OF MONEY & PROPERTY	6,100.00	468.78	0.00	5,416.57	0.00	683.43	88.80
OTHER REVENUES	75,200.00	12,042.34	0.00	45,544.30	0.00	29,655.70	60.56
MISCELLANEOUS	144,000.00	119,090.00	0.00	121,671.90	0.00	22,328.10	84.49
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL REVENUES	2,109,650.00	276,253.26	0.00	2,120,022.71	0.00 (10,372.71)	100.49
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EXPENDITURE SUMMARY

ADMINISTRATION

PERSONNEL SERV. & BENEF.	233,000.00	5,060.24	0.00	274,706.37	0.00 (41,706.37)	117.90
CONTRACTUAL SERVICES	139,500.00	20,770.08	0.00	188,792.97	406.81 (	49,699.78)	135.63
COMMODITIES	10,000.00	918.33	0.00	9,936.98	0.00	63.02	99.37
CAPITAL OUTLAY	12,500.00	0.00	0.00	9,374.41	0.00	3,125.59	75.00
OTHER COSTS/MISC.	141,000.00	36,823.13	0.00	75,212.20	0.00	65,787.80	53.34
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	536,000.00	63,571.78	0.00	558,022.93	406.81 (	22,429.74)	104.18

LEGAL & MUNICIPAL COURT

PERSONNEL SERV. & BENEF.	74,500.00	726.73	0.00	69,136.47	0.00	5,363.53	92.80
CONTRACTUAL SERVICES	21,750.00	4,231.54	0.00	21,820.19	59.87 (	130.06)	100.60
COMMODITIES	850.00	963.35	0.00	1,338.82	0.00 (	488.82)	157.51
CAPITAL OUTLAY	1,000.00	769.82	0.00	769.82	0.00	230.18	76.98
OTHER COSTS/MISC.	18,000.00	1,308.34	0.00	5,904.28	0.00	12,095.72	32.80
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL LEGAL & MUNICIPAL COURT	116,100.00	7,999.78	0.00	98,969.58	59.87	17,070.55	85.30

COMMUNITY DEVELOPMENT

PERSONNEL SERV. & BENEF.	81,500.00	1,352.13	0.00	77,399.18	0.00	4,100.82	94.97
CONTRACTUAL SERVICES	24,600.00	4,579.24	0.00	37,079.48	129.95 (	12,609.43)	151.26
COMMODITIES	2,800.00	98.38	0.00	2,867.22	0.00 (	67.22)	102.40
CAPITAL OUTLAY	6,200.00	781.35	0.00	2,171.69	0.00	4,028.31	35.03
OTHER COSTS/MISC.	10,000.00	789.67	0.00	15,979.03	0.00 (	5,979.03)	159.79
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL COMMUNITY DEVELOPMENT	125,100.00	7,600.77	0.00	135,496.60	129.95 (10,526.55)	108.41

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CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: DECEMBER 31ST, 2012

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010-GENERAL FUND
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>PUBLIC WKS STORAGE BLDG</u>							
PERSONNEL SERV. & BENEF.	0.00	(1,892.50)	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL PUBLIC WKS STORAGE BLDG	0.00	(1,892.50)	0.00	0.00	0.00	0.00	0.00
<hr/>							
TOTAL EXPENDITURES	2,247,260.00	122,013.43	0.00	2,237,065.31	10,177.79	16.90	100.00
** REVENUE OVER(UNDER) EXPENDITURES *	(137,610.00)	154,239.83	0.00	(117,042.60)	(10,177.79)	(10,389.61)	92.45
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
<hr/>							
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	(137,610.00)	154,239.83	0.00	(117,042.60)	(10,177.79)	(10,389.61)	92.45

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CITY OF VALLEY CENTER
 REVENUE & EXPENSE REPORT (UNAUDITED)
 AS OF: DECEMBER 31ST, 2012

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110-EMPLOYEE BENEFITS
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	630,080.00	18,554.20	0.00	623,549.02	0.00	6,530.98	98.96
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUES	2,000.00	0.00	0.00	17,983.16	0.00 (	15,983.16)	899.16
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	632,080.00	18,554.20	0.00	641,532.18	0.00 (	9,452.18)	101.50
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	637,000.00	78,794.58	0.00	569,249.76	0.00	67,750.24	89.36
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	20,000.00	0.00	0.00	22,109.73	0.00 (	2,109.73)	110.55
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	657,000.00	78,794.58	0.00	591,359.49	0.00	65,640.51	90.01
<u>ADMINISTRATION</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	657,000.00	78,794.58	0.00	591,359.49	0.00	65,640.51	90.01
** REVENUE OVER(UNDER) EXPENDITURES *(	24,920.00)	(60,240.38)	0.00	50,172.69	0.00 (	75,092.69)	201.34-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/
 (UNDER) EXPENDITURES & OTHER (USES) (24,920.00)(60,240.38) 0.00 50,172.69 0.00 (75,092.69) 201.34-

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CITY OF VALLEY CENTER
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140-LIBRARY
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	223,600.00	6,498.31	0.00	227,127.00	0.00 (	3,527.00)	101.58
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	223,600.00	6,498.31	0.00	227,127.00	0.00 (	3,527.00)	101.58
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
OTHER COSTS/MISC.	225,000.00	0.00	0.00	220,628.69	0.00	4,371.31	98.06
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	225,000.00	0.00	0.00	220,628.69	0.00	4,371.31	98.06
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	225,000.00	0.00	0.00	220,628.69	0.00	4,371.31	98.06
** REVENUE OVER(UNDER) EXPENDITURES *(	1,400.00)	6,498.31	0.00	6,498.31	0.00 (	7,898.31)	464.17-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES) (1,400.00)	6,498.31	0.00	6,498.31	0.00 (7,898.31)	464.17-

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CITY OF VALLEY CENTER
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150-SPECIAL HIGHWAY
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL	699,840.00	38,161.64	0.00	754,860.98	0.00 (	55,020.98)	107.86
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUES	0.00	0.00	0.00	178.00	0.00 (	178.00)	0.00
MISCELLANEOUS	61,000.00	30,000.00	0.00	30,143.00	0.00	30,857.00	49.41
TOTAL REVENUES	760,840.00	68,161.64	0.00	785,181.98	0.00 (	24,341.98)	103.20
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	220,000.00	26,153.89	0.00	202,312.07	0.00	17,687.93	91.96
CONTRACTUAL SERVICES	45,600.00	3,924.58	0.00	45,323.08	2,468.78 (	2,191.86)	104.81
COMMODITIES	78,800.00	9,275.12	0.00	52,193.16	4,705.40	21,901.44	72.21
CAPITAL OUTLAY	398,500.00	33,588.07	0.00	420,715.09	6,207.09 (	28,422.18)	107.13
OTHER COSTS/MISC.	71,000.00	10,000.00	0.00	34,754.82	0.00	36,245.18	48.95
DEBT SERVICE	10,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	823,900.00	82,941.66	0.00	755,298.22	13,381.27	55,220.51	93.30
TOTAL EXPENDITURES	823,900.00	82,941.66	0.00	755,298.22	13,381.27	55,220.51	93.30
** REVENUE OVER(UNDER) EXPENDITURES *(	63,060.00)	(14,780.02)	0.00	29,883.76 (	13,381.27)	(79,562.49)	26.17-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/
 (UNDER) EXPENDITURES & OTHER (USES) (63,060.00)(14,780.02) 0.00 29,883.76 (13,381.27)(79,562.49) 26.17-

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160-EMERGENCY EQUIPMENT
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	49,580.00	1,443.60	0.00	49,125.34	0.00	454.66	99.08
OTHER REVENUES	0.00	0.00	0.00	1,000.00	0.00 (	1,000.00)	0.00
TOTAL REVENUES	49,580.00	1,443.60	0.00	50,125.34	0.00 (	545.34)	101.10
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
CAPITAL OUTLAY	72,000.00	1,808.10	0.00	57,902.24	268.03	13,829.73	80.79
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	72,000.00	1,808.10	0.00	57,902.24	268.03	13,829.73	80.79
TOTAL EXPENDITURES	72,000.00	1,808.10	0.00	57,902.24	268.03	13,829.73	80.79
** REVENUE OVER(UNDER) EXPENDITURES *(	22,420.00)(	364.50)	0.00 (	7,776.90)(	268.03)(	14,375.07)	35.88
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES) (22,420.00)(364.50)	0.00 (7,776.90)(268.03)(14,375.07)	35.88

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CITY OF VALLEY CENTER
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410-BOND & INTEREST
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	719,900.00	17,327.45	0.00	830,692.50	0.00 (	110,792.50)	115.39
USE OF MONEY & PROPERTY	2,500.00	17.03	0.00	648.33	0.00	1,851.67	25.93
OTHER REVENUES	801,000.00	0.00	0.00	790,848.75	0.00	10,151.25	98.73
MISCELLANEOUS	98,000.00	0.00	0.00	0.00	0.00	98,000.00	0.00
MISCELLANEOUS	0.00 (	776,496.54)	0.00	60,193.18	0.00 (	60,193.18)	0.00
MISC TRANSFERS	216,400.00	490,630.00	0.00	490,630.00	0.00 (	274,230.00)	226.72
MISC TRANSFERS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,837,800.00 (	268,522.06)	0.00	2,173,012.76	0.00 (	335,212.76)	118.24

EXPENDITURE SUMMARY

NON-DEPARTMENTAL

CONTRACTUAL SERVICES	5,000.00	1,220.00	0.00	1,226.25	0.00	3,773.75	24.53
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	50,000.00	0.00	0.00	0.00	0.00	50,000.00	0.00
OTHER COSTS/MISC.	5,000.00 (	769,089.00)	0.00	0.00	0.00	5,000.00	0.00
DEBT SERVICE	1,733,900.00	0.00	0.00	1,626,654.10	0.00	107,245.90	93.81
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,793,900.00 (	767,869.00)	0.00	1,627,880.35	0.00	166,019.65	90.75

ADMINISTRATION

CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOTAL EXPENDITURES	1,793,900.00 (767,869.00)	0.00	1,627,880.35	0.00	166,019.65	90.75
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** REVENUE OVER(UNDER) EXPENDITURES **	43,900.00	499,346.94	0.00	545,132.41	0.00 (501,232.41)	1,241.76
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OTHER FINANCING SOURCES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	43,900.00	499,346.94	0.00	545,132.41	0.00 (501,232.41)	1,241.76
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610-WATER OPERATING
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHARGES FOR SERVICES	1,174,000.00	101,766.75	0.00	1,463,812.04	0.00 (	289,812.04)	124.69
USE OF MONEY & PROPERTY	1,000.00	0.00	0.00	0.00	0.00	1,000.00	0.00
OTHER REVENUES	0.00	0.00	0.00	30,595.03	0.00 (	30,595.03)	0.00
MISCELLANEOUS	0.00	0.00	0.00	920.00	0.00 (	920.00)	0.00
TOTAL REVENUES	1,175,000.00	101,766.75	0.00	1,495,327.07	0.00 (	320,327.07)	127.26
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	295,600.00	27,388.04	0.00	327,713.71	0.00 (	32,113.71)	110.86
CONTRACTUAL SERVICES	750,160.00	138,191.79	0.00	746,220.94	714.19	3,224.87	99.57
COMMODITIES	41,500.00	2,117.35	0.00	34,089.25	857.82	6,552.93	84.21
CAPITAL OUTLAY	49,000.00	2,307.78	0.00	19,237.98	0.00	29,762.02	39.26
OTHER COSTS/MISC.	296,970.00	279,230.00	0.00	279,230.00	0.00	17,740.00	94.03
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,433,230.00	449,234.96	0.00	1,406,491.88	1,572.01	25,166.11	98.24
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,433,230.00	449,234.96	0.00	1,406,491.88	1,572.01	25,166.11	98.24
** REVENUE OVER(UNDER) EXPENDITURES *(	258,230.00)	(347,468.21)	0.00	88,835.19 (	1,572.01)	(345,493.18)	33.79-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/
 (UNDER) EXPENDITURES & OTHER (USES) (258,230.00)(347,468.21) 0.00 88,835.19 (1,572.01)(345,493.18) 33.79-

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612-STORMWATER UTILITY FUND
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
USE OF MONEY & PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER REVENUES	49,000.00	16,859.00	0.00	46,977.56	0.00	2,022.44	95.87
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	49,000.00	16,859.00	0.00	46,977.56	0.00	2,022.44	95.87
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	23,150.00	11,958.27	0.00	17,241.77	0.00	5,908.23	74.48
COMMODITIES	970.00	943.53	0.00	2,847.80	0.00	(1,877.80)	293.59
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	22,500.00	20,000.00	0.00	20,000.00	0.00	2,500.00	88.89
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	46,620.00	32,901.80	0.00	40,089.57	0.00	6,530.43	85.99
TOTAL EXPENDITURES	46,620.00	32,901.80	0.00	40,089.57	0.00	6,530.43	85.99
** REVENUE OVER(UNDER) EXPENDITURES **	2,380.00	(16,042.80)	0.00	6,887.99	0.00	(4,507.99)	289.41
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES)	2,380.00	(16,042.80)	0.00	6,887.99	0.00	(4,507.99)	289.41

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613-SOLID WASTE UTILITY
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
CHARGES FOR SERVICES	327,300.00	32,339.88	0.00	375,342.11	0.00 (	48,042.11)	114.68
OTHER REVENUES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	48.00	0.00	540.45	0.00 (	540.45)	0.00
TOTAL REVENUES	327,300.00	32,387.88	0.00	375,882.56	0.00 (	48,582.56)	114.84
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CONTRACTUAL SERVICES	334,000.00	37,459.95	0.00	342,791.49	0.00 (	8,791.49)	102.63
COMMODITIES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CAPITAL OUTLAY	9,000.00	0.00	0.00	0.00	0.00	9,000.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	343,000.00	37,459.95	0.00	342,791.49	0.00	208.51	99.94
TOTAL EXPENDITURES	343,000.00	37,459.95	0.00	342,791.49	0.00	208.51	99.94
** REVENUE OVER(UNDER) EXPENDITURES *(	15,700.00)	(5,072.07)	0.00	33,091.07	0.00 (	48,791.07)	210.77-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00
REVENUE & OTHER SOURCES OVER/ (UNDER) EXPENDITURES & OTHER (USES) (15,700.00)	(5,072.07)	0.00	33,091.07	0.00 (48,791.07)	210.77-

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620-SEWER OPERATING
 FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>							
TAXES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CHARGES FOR SERVICES	1,000,000.00	80,863.88	0.00	992,581.02	0.00	7,418.98	99.26
USE OF MONEY & PROPERTY	200.00	0.00	0.00	0.00	0.00	200.00	0.00
OTHER REVENUES	2,000.00	200.00	0.00	8,507.35	0.00	6,507.35	425.37
MISCELLANEOUS	0.00	11.59	0.00	114,238.41	0.00	114,238.41	0.00
TOTAL REVENUES	1,002,200.00	81,052.29	0.00	1,115,326.78	0.00	113,126.78	111.29
<u>EXPENDITURE SUMMARY</u>							
<u>NON-DEPARTMENTAL</u>							
PERSONNEL SERV. & BENEF.	237,800.00	23,576.94	0.00	160,440.67	0.00	77,359.33	67.47
CONTRACTUAL SERVICES	321,300.00	118,158.75	0.00	308,056.10	2,448.08	10,795.82	96.64
COMMODITIES	24,200.00	1,373.85	0.00	26,003.87	657.14	2,461.01	110.17
CAPITAL OUTLAY	19,000.00	0.00	0.00	7,079.86	0.00	11,920.14	37.26
OTHER COSTS/MISC.	426,900.00	186,400.00	0.00	414,900.00	0.00	12,000.00	97.19
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL NON-DEPARTMENTAL	1,029,200.00	329,509.54	0.00	916,480.50	3,105.22	109,614.28	89.35
<u>ADMINISTRATION</u>							
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OTHER COSTS/MISC.	0.00	0.00	0.00	0.00	0.00	0.00	0.00
DEBT SERVICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL ADMINISTRATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,029,200.00	329,509.54	0.00	916,480.50	3,105.22	109,614.28	89.35
** REVENUE OVER(UNDER) EXPENDITURES *	(27,000.00)	(248,457.25)	0.00	198,846.28	(3,105.22)	(222,741.06)	724.97-
OTHER FINANCING (USES)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET OTHER SOURCES/(USES)	0.00		0.00	0.00	0.00	0.00	0.00

REVENUE & OTHER SOURCES OVER/
 (UNDER) EXPENDITURES & OTHER (USES) (27,000.00)(248,457.25) 0.00 198,846.28 (3,105.22)(222,741.06) 724.97-

CONSENT AGENDA

B. BAD DEBT / DELINQUENT ACCOUNTS REPORT:

- DECEMBER 2012 REPORT

1/24/2013 3:21 PM

A C C O U N T A G I N G R E P O R T

PAGE: 1

ZONE: ALL

CONTRACTS: NO

STAT: All

START DATES: 0/00/0000 THRU 99/99/9999

LAST BILL DATES: 0/00/0000 THRU 99/99/9999

FINAL DATES: 12/01/2012 THRU 12/31/2012

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
03-0046-02	DYER, DOUGLAS	12/07/2012	F	49.17					49.17
03-0060-08	WOODS, BRIANA	12/14/2012	F	59.28	100.59	104.64	9.59		274.10

=====
 **** BOOK # :0003 TOTAL ACCOUNTS: 2 108.45 100.59 104.64 9.59 0.00 323.27
 =====

=====
 **** BOOK # :0004 TOTAL ACCOUNTS: 0 0.00 0.00 0.00 0.00 0.00 0.00
 =====

05-0012-10 VAUGHT, C.R. 11/08/2012 F 70.95 112.77 27.50 211.22

=====
 **** BOOK # :0005 TOTAL ACCOUNTS: 1 70.95 112.77 27.50 0.00 0.00 211.22
 =====

06-0030-03 BRUNTZ, JACOB A 12/04/2012 F 42.56 42.56

=====
 **** BOOK # :0006 TOTAL ACCOUNTS: 1 42.56 0.00 0.00 0.00 0.00 42.56
 =====

=====
 **** BOOK # :0007 TOTAL ACCOUNTS: 0 0.00 0.00 0.00 0.00 0.00 0.00
 =====

=====
 **** BOOK # :0008 TOTAL ACCOUNTS: 0 0.00 0.00 0.00 0.00 0.00 0.00
 =====

09-0057-00 MITCHELL, MARVIN H. 11/06/2012 F 56.65 94.91 76.80 228.36

=====
 **** BOOK # :0009 TOTAL ACCOUNTS: 1 56.65 94.91 76.80 0.00 0.00 228.36
 =====

11-0099-09 MOORE, VALERY 11/07/2012 F 56.10 94.24 92.90 243.24

=====
 **** BOOK # :0011 TOTAL ACCOUNTS: 1 56.10 94.24 92.90 0.00 0.00 243.24
 =====

=====
 **** BOOK # :0012 TOTAL ACCOUNTS: 0 0.00 0.00 0.00 0.00 0.00 0.00
 =====

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A C C O U N T A G I N G R E P O R T

PAGE: 2

ZONE: ALL

CONTRACTS: NO

STAT: All

START DATES: 0/00/0000 THRU 99/99/9999

LAST BILL DATES: 0/00/0000 THRU 99/99/9999

FINAL DATES: 12/01/2012 THRU 12/31/2012

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
18-0343-00	SANDERSON, STEPHANIE	11/06/2012	D	62.13	90.64	65.54	30.87		249.18

=====
 **** BOOK # :0018 TOTAL ACCOUNTS: 1 62.13 90.64 65.54 30.87 0.00 249.18
 =====

=====
 **** BOOK # :0080 TOTAL ACCOUNTS: 0 0.00 0.00 0.00 0.00 0.00 0.00
 =====

=====
 REPORT TOTALS TOTAL ACCOUNTS: 7 396.84 493.15 367.38 40.46 0.00 1297.83
 =====

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A C C O U N T A G I N G R E P O R T

PAGE: 3

===== R E P O R T T O T A L S =====

REVENUE CODE:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
100-WATER	137.33	108.17	82.50	2.86	0.00	330.86
200-SEWER	224.40	196.28	142.26	17.83	0.00	580.77
300-PROT	0.23	0.17	0.13	0.01	0.00	0.54
400-RECONNECT FEE	0.00	78.73	58.14	6.00	0.00	142.87
600-STORMWATER UTILITY FEE	21.00	2.33	1.50	0.17	0.00	25.00
610-SOLID WASTE	13.88	68.94	52.32	5.73	0.00	140.87
850-PENALTY	0.00	38.53	30.53	7.86	0.00	76.92
TOTALS	396.84	493.15	367.38	40.46	0.00	1297.83

TOTAL REVENUE CODES: 1,297.83
 TOTAL ACCOUNT BALANCE 1,297.83
 DIFFERENCE: 0.00

ERRORS: 000

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A C C O U N T A G I N G R E P O R T

PAGE: 4

SELECTION CRITERIA

REPORT OPTIONS

ZONE: * - All
ACCOUNT STATUS: ALL
CUSTOMER CLASS: ALL
COMMENT CODES: All

BALANCE SELECTION

SELECTION: ALL
RANGE: 9999999.99CR THRU 9999999.99
AGES TO TEST: ALL
INCLUDE ZERO BALANCES: Do Not Include

DATE SELECTION

CUSTOMER DATES: YES
START DATE: 0/00/0000 THRU 99/99/9999
LAST BILL DATE: 0/00/0000 THRU 99/99/9999
FINAL DATE: 12/01/2012 THRU 12/31/2012

TRANSACTION DETAIL

PRINT TRANSACTION DETAIL: NO
OLDEST TRANSACTION DATE: 99/99/9999

PRINT OPTION

TOTALS ONLY: NO
CONTRACTS: NO
PRINT SEQUENCE: ACCOUNT NUMBER
COMMENT CODES: None
*** END OF REPORT ***

CONSENT AGENDA

C. CHECK RECONCILIATION REGISTER REPORTS:

- DECEMBER 2012

COMPANY: 999 - POOLED CASH FUND
 ACCOUNT: 1000-001.000 POOLED CASH
 TYPE: CHECK
 STATUS: ALL
 FOLIO: ALL

CHECK DATE: 12/01/2012 THRU 12/31/2012
 CLEAR DATE: 0/00/0000 THRU 99/99/9999
 STATEMENT: 0/00/0000 THRU 99/99/9999
 VOIDED DATE: 0/00/0000 THRU 99/99/9999
 AMOUNT: 0.00 THRU 999,999,999.99
 CHECK NUMBER: 000000 THRU 999999

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE
CHECK:								
1000-001.000	12/07/2012	CHECK	043325	AT&T	915.14CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043326	VERIZON WIRELESS	560.14CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043327	FLEET TESTING SERVICE IN	253.75CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043328	MIKE JOHNSON SALES	11.50CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043329	KANSAS OFFICE OF THE TREASURER	635.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043330	CIVIC PLUS	1,125.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043331	GILMORE & BELL PC	1,220.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043332	P E C	32,029.79CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043333	SEDGWICK COUNTY TREASURE	1,661.65CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043334	CITY OF WICHITA	29,386.52CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043335	WASTE MANAGEMENT OF WICHITA	27,435.18CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043336	HCSB	789.67CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043337	LEEKERS	355.45CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043338	INTRUST BANK	30.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043339	NANCY NEWTON	300.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043340	CATHY SEXTON	1,125.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043341	CINDY PLANT	102.12CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043342	LEE A LUDLUM	150.00CR	CLEARED	A	12/31/2012
1000-001.000	12/07/2012	CHECK	043343	BRANT J. ARNOLD	150.00CR	VOIDED	A	0/00/0000
1000-001.000	12/07/2012	CHECK	043344	BYRON E. HUMMON	150.00CR	CLEARED	A	0/00/0000
1000-001.000	12/14/2012	CHECK	043345	LAURIE B WILLIAMS	311.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043346	SECURITY BENEFIT	38.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043347	VANTAGEPOINT TRANS AGENTS	183.19CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043348	U S DEPT OF EDUCATION	175.37CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043349	FAMILY SUPPORT PAYMENT CENTER	67.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043350	ACS FIREHOUSE SOLUTIONS	625.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043351	TYLER TECHNOLOGIES INC	4,709.41CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043352	BAYSINGER POLICE SUPPLY	412.85CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043353	TRAFFIC CONTROL SERVICE	8,938.23CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043354	ARK VALLEY NEWS	52.48CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043355	BEALL, MITCHELL AND SULLIVAN,	150.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043356	DRS. CRUM AND TODD, PA	10.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043357	KANSAS ONE-CALL SYSTEM IN	105.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043358	P S I	945.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043359	UNDERGROUND VAULTS & STOR	150.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043360	SEDGWICK COUNTY TREASURE	1,016.31CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043361	COX COMMUNICATIONS	384.61CR	VOIDED	A	0/00/0000
1000-001.000	12/14/2012	CHECK	043362	AMERICAN EXTERIORS	146.50CR	CLEARED	A	0/00/0000
1000-001.000	12/14/2012	CHECK	043363	NANCY NEWTON	150.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043364	HOWARD BOTTS	870.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043365	JOEL D PILE	62.72CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	CHECK	043366	LLOYD C. NEWMAN	225.00CR	CLEARED	A	12/31/2012
1000-001.000	12/21/2012	CHECK	043367	KANSAS GAS SERVICE	1,612.89CR	VOIDED	A	0/00/0000
1000-001.000	12/21/2012	CHECK	043368	WESTAR ENERGY, INC.	14,955.98CR	VOIDED	A	12/21/2012

COMPANY: 999 - POOLED CASH FUND
 ACCOUNT: 1000-001.000 POOLED CASH
 TYPE: CHECK
 STATUS: ALL
 FOLIO: ALL

CHECK DATE: 12/01/2012 THRU 12/31/2012
 CLEAR DATE: 0/00/0000 THRU 99/99/9999
 STATEMENT: 0/00/0000 THRU 99/99/9999
 VOIDED DATE: 0/00/0000 THRU 99/99/9999
 AMOUNT: 0.00 THRU 999,999,999.99
 CHECK NUMBER: 000000 THRU 999999

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT---	STATUS	FOLIO	CLEAR DATE
CHECK:								
1000-001.000	12/21/2012	CHECK	043369	CIERO COMMUNICATIONS	1,376.50CR	OUTSTND	A	0/00/0000
1000-001.000	12/21/2012	CHECK	043370	INTRUST CARD CENTER	35,015.41CR	CLEARED	A	12/31/2012
1000-001.000	12/21/2012	CHECK	043371	NOWAK CONSTRUCTION CO., INC.	12,851.53CR	CLEARED	A	12/31/2012
1000-001.000	12/21/2012	CHECK	043372	GARY GLIDEWELL	3,500.00CR	CLEARED	A	12/31/2012
1000-001.000	12/21/2012	CHECK	043373	HERBST/WINTER CONSTRUCTION LLC	1,225.00CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043374	LAURIE B WILLIAMS	311.00CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043375	SECURITY BENEFIT	38.00CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043376	VANTAGEPOINT TRANS AGENTS	169.06CR	OUTSTND	A	0/00/0000
1000-001.000	12/28/2012	CHECK	043377	U S DEPT OF EDUCATION	175.37CR	OUTSTND	A	0/00/0000
1000-001.000	12/28/2012	CHECK	043378	FAMILY SUPPORT PAYMENT CENTER	67.00CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043379	AFLAC	425.92CR	OUTSTND	A	0/00/0000
1000-001.000	12/28/2012	CHECK	043380	P E C	741.06CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043381	A T & T KANSAS	98.90CR	OUTSTND	A	0/00/0000
1000-001.000	12/28/2012	CHECK	043382	APAC - KANSAS INC	10,100.63CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043383	PETTY CASH	73.98CR	OUTSTND	A	0/00/0000
1000-001.000	12/28/2012	CHECK	043384	LOYAL AMERICAN LIFE INSURANCE	40.64CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	CHECK	043385	DELTA DENTAL OF KANSAS, INC.	2,956.54CR	CLEARED	A	12/31/2012

TOTALS FOR ACCOUNT 1000-001	CHECK	TOTAL:	203,848.99CR
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	0.00

TOTALS FOR POOLED CASH FUND	CHECK	TOTAL:	203,848.99CR
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	0.00

COMPANY: 999 - POOLED CASH FUND
 ACCOUNT: 1000-001.000 POOLED CASH
 TYPE: BANK-DRAFT
 STATUS: ALL
 FOLIO: ALL

CHECK DATE: 12/01/2012 THRU 12/31/2012
 CLEAR DATE: 0/00/0000 THRU 99/99/9999
 STATEMENT: 0/00/0000 THRU 99/99/9999
 VOIDED DATE: 0/00/0000 THRU 99/99/9999
 AMOUNT: 0.00 THRU 999,999,999.99
 CHECK NUMBER: 000000 THRU 999999

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	---AMOUNT---	STATUS	FOLIO	CLEAR DATE
BANK DRAFT:								
1000-001.000	12/02/2012	BANK-DRAFT	090455	INTRUST BANK, N.A.	3.00CR	CLEARED	A	12/31/2012
1000-001.000	12/04/2012	BANK-DRAFT	090456	INTRUST BANK, N.A.	3.00CR	CLEARED	A	12/31/2012
1000-001.000	12/06/2012	BANK-DRAFT	090457	INTRUST BANK, N.A.	25.14CR	CLEARED	A	12/31/2012
1000-001.000	12/09/2012	BANK-DRAFT	090458	INTRUST BANK, N.A.	53.00CR	CLEARED	A	12/31/2012
1000-001.000	12/11/2012	BANK-DRAFT	090459	INTRUST BANK, N.A.	14.39CR	CLEARED	A	12/31/2012
1000-001.000	12/13/2012	BANK-DRAFT	090460	INTRUST BANK, N.A.	145.00CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090398	ING LIFE INSURANCE & ANNUITY	1,223.98CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090399	INTRUST BANK, N.A.	17,508.99CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090400	KANSAS DEPT OF REVENUE	3,236.98CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090401	KANSAS PAYMENT CENTER	1,087.81CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090402	KPERS	9,463.48CR	CLEARED	A	12/31/2012
1000-001.000	12/14/2012	BANK-DRAFT	090461	INTRUST BANK, N.A.	1,014.48CR	CLEARED	A	12/31/2012
1000-001.000	12/16/2012	BANK-DRAFT	090391	COX COMMUNICATIONS	79.95CR	CLEARED	A	12/31/2012
1000-001.000	12/16/2012	BANK-DRAFT	090392	COX COMMUNICATIONS	59.95CR	CLEARED	A	12/31/2012
1000-001.000	12/16/2012	BANK-DRAFT	090393	COX COMMUNICATIONS	34.81CR	CLEARED	A	12/31/2012
1000-001.000	12/16/2012	BANK-DRAFT	090394	COX COMMUNICATIONS	79.95CR	CLEARED	A	12/31/2012
1000-001.000	12/16/2012	BANK-DRAFT	090395	COX COMMUNICATIONS	129.95CR	CLEARED	A	12/31/2012
1000-001.000	12/18/2012	BANK-DRAFT	090462	INTRUST BANK, N.A.	45.41CR	CLEARED	A	12/31/2012
1000-001.000	12/19/2012	BANK-DRAFT	090463	INTRUST BANK, N.A.	3.00CR	CLEARED	A	12/31/2012
1000-001.000	12/21/2012	BANK-DRAFT	090464	INTRUST BANK, N.A.	1,463.20CR	CLEARED	A	12/31/2012
1000-001.000	12/24/2012	BANK-DRAFT	090465	INTRUST BANK, N.A.	41.00CR	CLEARED	A	12/31/2012
1000-001.000	12/26/2012	BANK-DRAFT	090396	WESTAR ENERGY, INC.	14,955.98CR	CLEARED	A	12/31/2012
1000-001.000	12/26/2012	BANK-DRAFT	090397	KANSAS GAS SERVICE	1,612.89CR	CLEARED	A	12/31/2012
1000-001.000	12/27/2012	BANK-DRAFT	090466	INTRUST BANK, N.A.	40.00CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090405	ING LIFE INSURANCE & ANNUITY C	1,222.78CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090406	INTRUST BANK, N.A.	15,667.71CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090407	KANSAS DEPT OF REVENUE	2,895.98CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090408	KANSAS PAYMENT CENTER	1,087.81CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090409	KPERS	8,674.76CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090410	KANSAS DEPT OF REVENUE	698.54CR	CLEARED	A	12/31/2012
1000-001.000	12/28/2012	BANK-DRAFT	090467	INTRUST BANK, N.A.	223.19CR	OUTSTND	A	0/00/0000
1000-001.000	12/31/2012	BANK-DRAFT	090403	INTRUST BANK, N.A.	690.17CR	CLEARED	A	12/31/2012
1000-001.000	12/31/2012	BANK-DRAFT	090404	KANSAS DEPT OF REVENUE	54.04CR	CLEARED	A	12/31/2012
TOTALS FOR ACCOUNT 1000-001				CHECK	TOTAL:	0.00		
				DEPOSIT	TOTAL:	0.00		
				INTEREST	TOTAL:	0.00		
				MISCELLANEOUS	TOTAL:	0.00		
				SERVICE CHARGE	TOTAL:	0.00		
				EFT	TOTAL:	0.00		
				BANK-DRAFT	TOTAL:	83,540.32CR		

COMPANY: 999 - POOLED CASH FUND
 ACCOUNT: 1000-001.000 POOLED CASH
 TYPE: BANK-DRAFT
 STATUS: ALL
 FOLIO: ALL

CHECK DATE: 12/01/2012 THRU 12/31/2012
 CLEAR DATE: 0/00/0000 THRU 99/99/9999
 STATEMENT: 0/00/0000 THRU 99/99/9999
 VOIDED DATE: 0/00/0000 THRU 99/99/9999
 AMOUNT: 0.00 THRU 999,999,999.99
 CHECK NUMBER: 000000 THRU 999999

ACCOUNT --DATE-- --TYPE-- NUMBER -----DESCRIPTION----- ----AMOUNT--- STATUS FOLIO CLEAR DATE

TOTALS FOR POOLED CASH FUND	CHECK	TOTAL:	0.00
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	83,540.32CR

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

- Police Department January 2013 Report
- Municipal Court January 2013 Report
- Customer Service Award – Detective Grayson

C. Fire Chief Tormey

- Fire Department January 2013 Activity Report

D. Community Development Director Utecht

E. City Superintendent Dunn

F. Parks & Public Buildings Superintendent Owings

G. City Engineer Kelsey

H. City Attorney Arbuckle

I. City Administrator Pile

Officer's Report

February 7, 2013

Chief Mark V. Hephner #1

Attention: Joel Pile
 City Administrator
 Valley Center Kansas

Subject: Valley Center Police January Monthly Report

The Police Department answered 613 calls for service during January 2013. Of those calls, 73 generated police cases. Emergency Communications/Records recorded 71 Fire Department calls for service, and 129 records dissemination requests. The following is a break down of the police department cases:

Calls for Service: One abandoned vehicles call for police; nine alarm calls; ten animal calls; six assist a citizen call; seven assist fire department calls; twenty assist other LEO agency; twenty-eight assist EMS calls; five burglary reports; eight check residence/business calls; two check runaway calls; one criminal damage reports; four disorderly conduct reports; three DUI arrest; twenty-one disturbance/DV calls; three forgery reports; twelve found property cases; ten fraud cases; seven 911 hang up calls; one indecent exposure report; one injury accident report; twenty larceny cases; one lost juvenile call; eighty-six misc/calls reports; three non-injury accidents; one runaway report; twenty-six suspicious character/activities reports; six suicidal person calls; eight traffic related calls; and six warrants served. Officers wrote fifty-five citations for thirty-five violations during the month.

The chief attended the monthly Chief's Meeting on January 17. He attended one Lion's Club meeting during the month. He attended the monthly chamber meeting on January 15. He attended the KPOA/KACP legislative conference/training in Topeka.

During the month, Detective Sergeant Lloyd Newman II completed the monthly fuel report. He along with Sgt Vogt supervised Municipal Court sessions during the month. He worked a power shift on the 19th. He initiated one "Customer Service Award" for an officer. He presented several cases to the city prosecutor for prosecution. He is working on two internal investigations.

Sgt Vogt attended an Operation Impact Meeting in January. He assisted with court twice during the month. He finished up evaluations.

Detective Grayson interviewed three suspects this month. He interviewed suspects arrested for vehicle burglaries, this case cleared ten burglaries in Valley Center as well as cases in other jurisdictions. He worked with the FBI and the Secret Service on some forgery cases that involved a suspect we arrested.

Training: The department had the monthly safety meeting in January. The chief attended training in Topeka at the conference-Leadership for Reducing Organizational Stress in Law Enforcement. Several officers were trained on the DUI intox 8000.

Community Outreach Programs: The cadets had their monthly meeting with Officer Easley. The chief, Sgts' Newman and Vogt, Detective Grayson and Officer Longhofer assisted the Middle School with an intruder drill. Detective Grayson has continued to work with Communities In Schools with at risk youth. Topics covered this month are school shootings, self worth and respect.

Valley Center Police Department is hosting a college intern for from Bethany College for the semester. Shannon Meyer is a VC resident.

Miscellaneous items: We have ordered our new police vehicle. We are getting another Dodge Charger. It should be in within the next month or so.

Chief Mark Hephner
Valley Center Police Chief
February 7, 2013

VALLEY CENTER MUNICIPAL COURT JANUARY 2013 REPORT

137 TOTAL CASES
94 TOTAL PERSONS

25 CASES WITH NO STATUS CHG.
18 DISMISSED/PRESENTED INSURANCE
16 FINALIZED - FOUND GUILTY
3 TRIAL TO NEW DATE
3 TRIAL
1 PAYMENT PLAN TO NEW DATE
17 PAYMENT PLAN
8 DISMISSED WITHOUT PREJUDICE
11 CONTINUED TO NEW DATE
6 CONTINUED
12 LATE NOTICE
2 SENTENCING TO NEW DATE
1 SENTENCING

1 DISMISSED HAD DL
8 INITIAL APPEARANCE TO NEW DATE
1 REVIEW HEARING
1 EXTENSION OF TIME TO PAY
3 NOTICE OF SUSPENSION SENT



CUSTOMER SERVICE AWARD

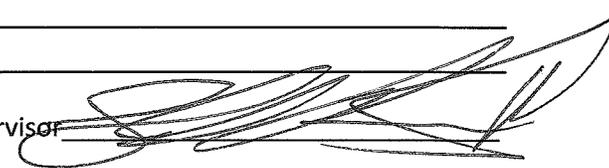
Employee/Employees' Being Recognized: Jay Grayson

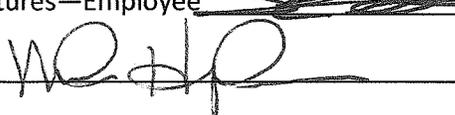
Reason for Recommendation: Det. Grayson received a thank you card from Principal Greg Lehr for participating in the schools anti-bullying committee. The committee just started with their first meeting and will be working with the school board, schools and community in an attempt to stop bullying.

Person Making Recommendation: Sgt. Lloyd Newman

Supervisor Comments: As always Det. Grayson continues to shine a positive light on our department. His work with the schools and in our community organizations shows his passion to help others. It is a great character trait to posses and makes Det. Grayson a great role model for other officers because of the work he does in our community.

Signatures—Employee 

Supervisor 

Chief 

Copies to: Employee
Employees' File

Thank you so much
for taking the time
to be on the V.C.
Schools Anti-Bullying Committee.
This is an important step
in the right direction &
we appreciate you taking the
time to be a part of it.
Thanks for all you do for
V.C. kids. Greg Lehr

FIRE DEPARTMENT
January 2013 Activity Report

The Fire Department responded to 71 calls for service in January; these are broken down as follows.

<u>Calls For Service</u>	<u>City</u>	<u>Townships</u>
Outside Rubbish Fire, Other (Automatic Aid Received SCFD #1)	1	0
Unauthorized Controlled Burn	1	0
Authorized Controlled Burn	3	1
Motor Vehicle Accident with Injuries	0	2
Motor Vehicle Accident with no Injuries	0	1
Medical Assist, Assist EMS Crew	14	0
EMS Call	13	0
Lock In	1	0
Arcing, Shorted Electrical Equipment	1	0
Power Lines Down	1	0
Gas Leak (Natural Gas or LPG)	2	0
Smoke Detector Activation Due to Malfunction	1	0
Unintentional Transmission of Alarm, Other	1	0
Alarm System Activation, No Fire-Unintentional	0	1
Good Intent Call, Other	0	1
Dispatched and Cancelled En Route (Automatic Aid Given SCFD #1)	0	3
Dispatched and Cancelled En Route	12	5
Burn Permit	11	0

1 Firefighter is Attending the Firefighter II Course (January 8th 2013).

8 Firefighters Attended Training in Valley Center Training Consisted of Basic Pump Operations, Engagement and Disengagement, and Operations of Pumping for E-41, ET-411, T-41 and (January 14th 2013).

2 Firefighters Attended Strategy and Tactics for Initial Company Operations (January 14th 2013).

13 Firefighters Attended Training in Valley Center Training Consisted of New Officer Porta Tank Training and Driver Training (January 28th 2013).

CHIEF TORMEY

GOVERNING BODY REPORTS

A. Mayor McNown

B. Councilmember Leftoff

C. Councilmember Cicirello

D. Councilmember Ishman

E. Councilmember Gerling

F. Councilmember Maschino

G. Councilmember L. Jackson

H. Councilmember K. Jackson

I. Councilmember Hobson

ADJOURN