

Agenda

Basehor City Council

Work Session

October 4, 2010 7:00 p.m.

Basehor City Hall



1. Take action for awarding bids for 2010 pavement management plan
 2. Consolidated Rural Water Franchise
 3. Recodification
 4. Consideration of Proposed Architectural Design Standards
 5. Blacktop Paving Final Payment
 6. Larkin Excavating Final Payment
- Executive Session (if needed)

City of Basehor
Agenda Item Cover Sheet

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Agenda Item No.
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Topic:

Consider 2010 Pavement Management Project Bid.

Action Requested:

Approve 2010 Pavement Management Project lowest qualified bidder.

Narrative:

Seven streets and one alternate have been selected by Staff to be completed under the 2010 pavement management program. The selections follow suit with the pavement condition index completed in 2008. The project will be paid from the consolidated highway fund (10-000-849 Street Improvements) and is estimated at the budgeted amount of \$175,000 with a 20% contingency.

Staff is requesting 2010 pavement project be awarded to the lowest qualified bidder.

Proposed project schedule:

- 9/20/10 – City Council took action.
- 9/23/10 – Project was let for bid.
- 10/4/10 – Bid opening.
- 10/11/10 – Commence construction of the project.
- 10/29/10 – Project completion deadline.

Presented by:

Mitch Pleak, City Engineer and Gene Myracle, City Superintendent

Administration Recommendation:

Committee Recommendation:

Attachments:

Memo Mitch Pleak 9.1.10 (1 page)
Layout of Projects 9.1.10 (1 page)

Projector needed for this item?

No

Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 9.1.10
Re: 2010 Pavement Management Project.

2010 will be the third year the pavement management program has been implemented for the City of Basehor. Staff has reviewed the pavement condition index, completed streets, and forecasted the 2011 pavement management program. The proposed street improvements for 2010 are:

- Crestwood Drive (Walnut Street to 155th Terrace).
- Elm Street/155th Terrace (155th Street to Walnut Court).
- Willow Drive (158th Street to 156th Terrace).
- 157th Street (Willow Drive to Hickory Street).
- 156th Terrace (Willow Drive to Hickory Street).
- 156th Street (Poplar Street to 261' north of Poplar Street).
- Intersection of 154th Terrace and Rickel Drive.
- Alternate – Curb Replacement at Pin Oak Drive and Poplar Street.

The project will be paid from the consolidated highway fund (10-000-849 Street Improvements). The proposed 2010 pavement management project is estimated at the budgeted amount of \$175,000 with a 20% contingency.

Staff is requesting 2010 pavement project be approved and to authorize the City Administrator and/or Mayor to award the project to the lowest bidder, once contractor's qualifications and references are checked.

Proposed project Schedule:

- 9/20/10 – City Council took action.
- 9/23/10 – Project was let for bid.
- 10/4/10 – Bid opening.
- 10/11/10 – Commence construction of the project.
- 10/29/10 – Project completion deadline.

A full size set of plans will be available for review at City Hall.

Memo

Date: 9/27/2010
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Consolidated Rural Water Franchise Agreement

Currently all of the utilities that have infrastructure located in right of way owned by the City of Basehor have a franchise agreement with the exception of Consolidated Water District #1 (CWD#1). I have asked the City Attorney to prepare a franchise agreement for CWD#1 that is substantially the same as the one already in place with Suburban Water so that the two utilities are treated equally. CWD#1 does have lines that cross or lay within city right of way and as per state statute we are allowed to require them to enter into a franchise agreement with the City. If the Council is comfortable with the language in this agreement staff will begin working with CWD#1 to get it signed and brought back for approval.

If you have questions or require further discussion please let me know.

ORDINANCE NO. _____

AN ORDINANCE, GRANTING TO CONSOLIDATED RURAL WATER DISTRICT NO. 1, A KANSAS CORPORATION, ITS TRUSTEES, SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE AND THE RIGHT AND PRIVILEGE TO CONSTRUCT, USE AND MAINTAIN WATER LINES IN THE PUBLIC RIGHT-OF-WAY OF THE CITY OF BASEHOR, KANSAS FOR THE PURPOSE OF SELLING AND DISTRIBUTING WATER TO THE CITY OF BASEHOR, KANSAS AND THE INHABITANTS PURSUANT TO K.S.A. 12-2001, et. seq.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That in consideration of the benefits to be derived by the City of Basehor, Kansas, and its inhabitants, there is hereby granted to Consolidated Rural Water District No. 1, a Kansas Non-Profit Corporation, hereinafter sometimes designated as Company, the right, privilege and authority for a period of ten (10) years, subject to the provisions of Section 16 herein, from the effective date of this ordinance, subject to the conditions hereinafter stated and the lawful Rules and Regulations of the State Corporation Commission, and any other regulatory agency having jurisdiction over the Company, and the laws of the State of Kansas, to occupy and use the present and future several streets, alleys, avenues, roads, bridges and other public places of said city, for the placing and maintaining of pipe lines and all other equipment necessary to carry on the business of selling and distributing water for all purposes to the City of Basehor, Kansas, and its inhabitants, and through said City and beyond the limits thereof; to obtain said water from any source available and to do all things necessary or proper to carry on said water supply business in the City of Basehor, Kansas. Said rights, privilege and authority shall be applicable to that area within the city limits of the City of Basehor, Kansas, that are located within the area defined by the Certificate of Authority and Convenience issued to Suburban Water, Inc., by the Kansas State Corporation Commission.

Section 2: That all mains, services, pipes and all other equipment necessary to carry on the business of selling and distributing water, which shall be laid or installed under this grant, shall be so located and laid as not to unnecessarily obstruct or interfere with any public or private drains, sewers or other public improvements already installed, and with the lawful use of said streets, alleys, avenues, roads and other public places of said City.

Section 3: In consideration of the premises, the Company agrees to pay to the City of Basehor, Kansas, and the City of Basehor agrees to accept as adequate compensation and consideration for the franchise hereby granted and in lieu of occupation, license, privilege and all other taxes and fees, five percent (5%) of the total of the gross receipts for water sold by the Company to all consumers in the corporate boundaries of the City of Basehor during the term of this franchise. Any consideration hereunder shall be reported and paid to the city by the Company semi-annually on the last

days of July and January of each year, based on gross receipts for water sold during the preceding six (6) month period. In the event that the revenues of the Company increase to the amount that within the total discretion of the City it would be more economically prudent to require payment of such fees on a more frequent basis, then the City shall notify the Company that the fee payment shall be on a more frequent basis such as on a quarterly basis rather than on an annual basis.

Section 4: In the event the City should propose to construct, change or repair any sewers, pipes, drains or other public improvements or change the grade of any of its streets, alleys, roads or public grounds where the Company is using the streets, alleys, roads or public grounds for its mains or other pipes, or equipment, then the City shall give reasonable notice, in writing of such contemplated changes or repairs to the Company and the Company shall raise, lower or relocate its pipelines and equipment located within the public road right of way, at Company's own expense unless funds are available for reimbursing Company for any such expenses by reason of any laws, rules or regulations, state or federal, applicable to the project necessitating such construction, changes or repairs. The Company shall furnish the City with a map showing the size and location of its water distribution system and, upon written request of the City, Company shall make any changes or additions necessary to update said map.

Section 5: That the Company, in the construction, maintenance and operation of its water distribution system, shall use all reasonable and proper precaution to avoid damage or injury to persons or property, and the Company shall be liable for all losses, injuries or damages which may result to the City or to its inhabitants, by reason of the sole negligence of the Company, its agents or servants, in the construction or maintenance of its said system and shall at all times hold and save the City harmless from any and all liability of the City arising from claims for damages or injuries to others due to the sole negligence of the Company, its agents or servants, in the construction, maintenance and operation of said system in the streets, alleys, roads and public places of said City.

Except in the case of an emergency, a minimum of fourteen (14) days prior to the construction, reconstruction or relocation of any facilities in the right-of-way, a company shall submit to the City Engineer or his or her designee, for approval, plans and specifications of the proposed installation, and shall in all respects comply with any Ordinance or City Code provisions governing the City's right-of-way. The City review shall only concern matters related to the interests of the City as set forth in this Ordinance. In the event of an emergency, the Company shall notify the City as soon as possible of the location and duration of such construction or maintenance work.

Section 6: Except in the event of an emergency, the Company shall notify the City not less than ten (10) days in advance of any construction, reconstruction, repair or relocation of facilities which would require any street closure which reduces traffic flow to less than two (2) lanes of moving traffic. The City shall follow its policies in the grant or denial of such authority, which shall not be unreasonably delayed. Except in the event of an emergency, no such closure shall take place without such notice and authorization

from the City. In addition, all work performed in the traveled way or which in any way impacts vehicular or pedestrian traffic shall be properly signed, barricaded and otherwise protected. For all work within the right-of-way, the Company shall erect and maintain signs and other devices as required by City Ordinances, regulations, and rules. All technical standards governing construction, reconstruction, installation, operation, testing, maintenance, and dismantling of the facilities in the right-of-way shall be in accordance with all applicable present and future federal, state and city law and regulations.

The Company equipment shall be placed underground as required by City Ordinances of the City of Basehor and amendments thereto. Where underground construction is made, the equipment and any necessary trenching shall be installed and maintained or provided by the Company in accordance with the Ordinances of the City without expense to the City.

Section 7: During the continuance of this franchise, the Company shall furnish water service to the City and its inhabitants in accordance with the terms of this franchise, the rates, charges, rules and regulations now on file with the State Corporation Commission of the State of Kansas, or such revision of rates, charges, rules and regulations as may be lawfully established from time to time in accordance with the laws of the State of Kansas.

Section 8: It is recognized that the water to be delivered hereunder is to be supplied from Company's pipe line system transporting water from various sources of supply; and the Company, by its acceptance of this franchise as hereinafter provided, does obligate itself to furnish water in such quantity and for such length of time, limited by the terms hereof, as the said sources of supply and said pipe lines are reasonably capable of supplying.

Section 9: The Company shall have the right to make reasonable rules and regulations for the protection of its property, for the prevention of loss and waste in the conduct and management of its business, and for the sale and distribution of water, including rules and regulations with reference to extensions or additions to its water distribution system, as from time to time is deemed necessary.

Section 10: The Company shall have the right to assign this franchise, and the rights and privileges herein granted, to any person, firm or corporation, subject to the approval of the State Corporation Commission of the State of Kansas, or any other body having jurisdiction over such assignment, and any such assignee, by accepting such assignment, shall be bound by the terms and provisions hereof. All such assignments shall be in writing and authenticated copies thereof shall be filed with the Clerk of the City of Basehor.

Section 11: That in the event any other ordinances of the City of Basehor, Kansas, conflict with this ordinance, the terms and conditions set out herein shall prevail and the conflicting portions of other ordinances shall be deemed inapplicable.

Section 12: The Company agrees that all installation, construction and maintenance of its pipelines will be in conformity with all applicable state, county and city regulations, ordinances and codes.

Section 13: That this ordinance shall not take effect and be in force until after the expiration of sixty (60) days from the date of its final passage and acceptance by the Company, within said sixty (60) days, in writing; if no acceptance by the Company has been filed, then this ordinance shall be null and void.

Section 14: This franchise is granted pursuant to the provisions of K.S.A. 12-2001, and shall take effect and be in force as therein provided.

Section 15: The Company agrees to use due diligence in ascertaining the boundaries of the City, including the annexation of property into the City. The City shall provide copies of annexation ordinances to the Company on a timely basis. The Company shall obtain a copy of the annual boundary resolution adopted by the City, and the Company shall compare the City boundaries with existing and planned company services and customers to ensure appropriate franchise fee collection from customers within the corporate limits of the City.

Section 16: In case of failure on the part of the Company, its successors and assigns to comply with any of the provisions of this Ordinance, or if the Company, its successors or assigns should do or cause to be done any act or thing prohibited by or in violation of the terms of this Ordinance, the Company, its successors and assigns shall forfeit all rights and privileges granted by this Ordinance and all rights hereunder shall cease, terminate and become null and void, but only after the City of Basehor has given written notice to the company specifying the breach and company fails to remedy the breach within ninety (90) days of such notice.

Section 17: If any provision, section or subsection of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions, sections or subsections or applications of this ordinance which can be given effect without the invalid provision, section or subsection or application, and to this end the provisions, sections, and subsections of this ordinance are declared to be severable.

Section 18: The Company shall, within sixty (60) days after the final publication of this Ordinance, file with the City Clerk its written acceptance of all the terms, conditions and provisions of this ordinance, and in case its failure so to do, this Ordinance shall be null and void. The acceptance of this ordinance shall be in writing, and shall be duly acknowledged before some officer authorized by law to administer oaths; and when so accepted the ordinance and acceptance shall constitute a contract between the City and the Company subject to the provisions of the laws of the State of Kansas.

Section 19: During the terms of this Ordinance and in accordance with applicable Kansas law, the City may, by Ordinance, modify the franchise fee required by this Ordinance to increase the percentage of gross revenues required by this Ordinance provided however that any such increase may occur only once in any twelve (12) month period; the City shall provide the Company with ninety (90) days notice prior to the effective date of any such Ordinance providing such increase and the City shall lawfully enact an Ordinance effecting such an increase in compensation.

PASSED AND APPROVED THIS ____ DAY OF _____, 2010.

Mayor Terry Hill

Attest:

Corey Swisher, City Clerk



The City of Basehor

Memorandum

Topic: City of Basehor City Code Recodification

Presenter: Corey Swisher, City Clerk

Background: The City of Basehor has not completed a comprehensive recodification process in several years. Nor does the City currently maintain an inclusive, standardized, single source City Code document. As City Code is dynamic and continually evolving doing so would provide Council and staff with many benefits. Recodification would give Council the ability to more easily and accurately assess the potential impact of proposed changes to existing laws. It would also allow Council and staff the ability to respond more quickly and accurately to citizen inquiries. A standardized City Code also serves as a practical and efficient tool for municipal court, police and other enforcement officials enabling them to administer laws with confidence and consistency. Most importantly it would provide Basehor residents with a reliable, exhaustive, up-to-date, and easy to understand municipal resource. The 2011 City Clerk/Finance budget (01-001-8007) includes funds for recodification services.

Action Requested: Direct the City Administrator to enter into an agreement with the Municipal Code Corporation for recodification services for the amount of \$7,930.

Attachments: Document outlining the scope, pricing, terms and conditions of the Municipal Code Corporation quotation for recodification services.



Municipal Code Corporation

PO Box 2235 Tallahassee, FL 32316

800-262-2633 • Fax: 850-575-8852 • info@municode.com

Municode.com

June 8, 2010

Ms. Katherine Renn
Assistant City Clerk
City of Basehor
P. O. Box 406
Basehor, KS 66007-0406

asstcityclerk@cityofbasehor.org

Dear Ms. Renn:

Thank you for your email regarding your interest in our recodification services. We are pleased to submit our professional service proposal for the recodification of the City's Code of Ordinances.

ABOUT THE MCC CODIFICATION PROCESS. MCC's approach to codification sets the standard in the industry. Our projects start with a conference call to outline specific issues or concerns you, or other interested officials, may have. After hearing your specific concerns we will describe detailed information on the scope of the project. After you send the material, every ordinance will be recorded and we will confirm receipt of each one to be included in the project.

MCC converts all appropriate material to an editable electronic form and begins building the Legal Manuscript. The Legal Manuscript is the working document MCC's staff attorney uses to review the code. It outlines the issues and recommendations resulting from the legal review. Once the Legal Manuscript has been completed, the staff attorney will conduct a conference. At conference, the issues and recommendations will be discussed and a plan for implementing decisions created.

After the conference, MCC will implement the decisions, edit for consistency and provide proofs for review. Upon return of the proofs, MCC will make the appropriate corrections as outlined on the proofs, create a new index and ship the Code in print and electronic form.

WHY USE MCC? MCC is the oldest and largest codifier of local government Codes. However, we are family owned and operated which translates into an extremely high level of professionalism and customer service. Our clients tell us the following distinguishes MCC as the best:

- ❑ **STAFF ATTORNEY** – One staff attorney is the primary point of contact throughout every step of the process. They actually perform the legal research, as opposed to reviewing a paralegal's work, and are available to consult with you at anytime during the project.
- ❑ **ATTORNEY CONFERENCE** – Our attorney conference is unique to MCC. Our attorney takes the time to listen to your input as well as other interested officials' input; we find the conference is the best tool for assuring the Code accurately reflects the intent of the ordinances enacted by the officials.
- ❑ **LEGAL MANUSCRIPT** – MCC provides the entire Code, including legal recommendations, as one electronic document. This eases your review and facilitates dissemination amongst Departments.
- ❑ **EDITORIAL EXPERTISE** – MCC's editors and proofreaders are experienced in assuring your code is readable, consistent and concise. They support and implement the attorney's recommendations.
- ❑ **SAMPLE LEGISLATION WEBSITE** – You can search our website of more than 2,500 Codes for almost any imaginable topic.
- ❑ **DISTRIBUTION** - MCC can provide free services for the sale of Codes and Supplements to the outside subscribers.

- ❏ SUPPLEMENTATION – We can provide any interval of Supplements in print or electronic form and post your uncodified ordinances to the web in between Supplements. Delivery of the update is normally 2-6 weeks depending on the number of ordinances included.
- ❏ TECHNOLOGY – MCC has a proven track record of investing in technology that benefits our customers. You can be assured of access to the best search engines, the fastest Internet connections, advanced communication channels and sophisticated publishing tools over the life of the project and throughout Supplementation.

If you have any questions or desire additional information, please call and speak with Alicia Bywaters, Danielle Galvin, or me. We will also be happy to schedule a conference call or webinar with all interested parties, or meet with you personally.

Sincerely,

A. Lawton Langford
President/CEO

ALL/tgt
Enc.
info@municode.com
800-262-2633

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PROFESSIONAL SERVICES PROPOSAL FOR RECODIFICATION

EXECUTIVE SUMMARY

Municipal Code Corporation will provide you and your Code subscribers the highest level of service. Our corporate goal is to focus on the details of each need. MCC works as a team and many of our team members have been with MCC for more than 10 years. They are creative, good communicators, ask questions and leverage their experience to solve problems. The company was founded in 1951 and offers services to local governments nationwide. We have published and supplemented more than 3,500 Codes. With more than 55 years of experience, MCC has fine-tuned its operations to offer you the most efficient and affordable codification and publishing services available. From creating or updating a Code to shipping a Supplement, MCC assures the fastest, most accurate delivery of customized services. We work hard to maintain the high level of service our Clients have come to expect.

Customer Service/Sales Approach

Our focus on service begins with our sales approach. The Sales Staff works with more than 3,500 accounts, one person at a time. Our response time to inquiries is normally a couple minutes via e-mail (constantly monitored) or within the half-hour for phone communication. Customers frequently send notes and emails reminding us how rare it is in today's business to respond quickly; however, we make it a priority. MCC is a family-owned, medium sized business, which means our clients receive a level of personal service unparalleled in the industry, but we have the resources to handle complex custom issues. Our size also allows us to provide extra editorial and technological resources an otherwise smaller firm can't offer. Our most valuable assets are our customers and our reputation. We earn our reputation by offering helpful suggestions and solutions for your unique situation.

Legal/Editorial Approach

MCC's legal and editorial staff is organized in teams. This provides for consistency in editing, understanding and reaching a level of quality. As the attorney communicates with you directly, the project needs are shared with the entire editorial team. We employ a full-time staff of attorneys, one of whom will research and analyze your legislation. We encourage our legal team to become thoroughly familiar with your Code and your staff. This results in a rapport between you and the team and assures a high degree of consistency, attention and professionalism in codifying and updating your Code. In many states, we provide free, State Law Pamphlets to notify our Clients of changes in State Laws affecting local governments.

Software Solutions

MCC focuses on technology that benefits our customers. We have created products that are affordable and meet the ever-changing needs of our customers. MCC handles all electronic services in house. We offer all format/database options (Word, WordPerfect, HTML, ASCII, RTF, PDF, XML), and all choices of mediums (floppy disks, CDs, downloading from our website, e-mail etc.). We consider technology a "core competency" and are committed to staying abreast of technology for your benefit. MCC provides specialized Government focused electronic products that provide diverse access to your Code by citizens and departments. We provide web access via industry standard browsers on PC and Mac platforms. Municode.com meets all Priority 1 checkpoints under the W3C's Web Content Accessibility Guidelines 1.0 Specification (WCAG).

Employee Focus

MCC is a privately owned Corporation. We are financially sound, having been in business for more than 55 years. MCC's President and Board of Directors are focused on improving MCC through investments in people, technology and facilities. MCC recently has refurbished many offices and has a Health and Fitness Gym with showers and a walking trail through our 10-acre campus. MCC also provides employees a Quarterly Production Reward system based on the profits of the company. Through this incentive, our employees feel an ownership in their own company.

Subscriber Focus

Municipal Code Corporation has provided subscriber services for more than 20 years. Approximately 30,000 people subscribe to one (or more) of our publications, and we have created a department dedicated to serving those subscribers. Our Subscriber Distribution Team provides a complete range of services from ordering a Code or Supplement to providing missing pages, answering questions, invoicing and insertion instructions. Orders may be placed online on our website, via e-mail, over the phone, fax or regular mail.

Association Support

MCC supports many Clerk, Attorney, Municipal and County Associations, additionally we partner with the International Institute of Municipal Clerks and International Municipal Lawyers Association to provide services to their members. Our Vice President of Sales, Dale Barstow, is also the President of the Municipal Clerks Education Foundation. All of this support is motivated by our desire to "give back" to the people who have made us successful, as well as our goal to stay close to our Customers. MCC is keenly interested in assisting you with your needs and we feel our focus, company and personnel perfectly match your goals. We appreciate your interest and look forward to your review of the rest of our information.

SCOPE OF WORK

MUNICIPAL CODE CORPORATION, a corporation duly organized and existing under the laws of the State of Florida, hereinafter referred to as MCC, hereby offers to perform codification services for the **CITY OF BASEHOR, KANSAS**, hereinafter referred to as Client.

MCC will research, edit, index and publish (both in print and electronically) the finally enacted legislation Client specifies for inclusion in the Code.

Material Included. All legislation of a general and permanent nature, passed in final form by the Client, as of the cut off date established by the MCC attorney (usually after conference), will be included in the new Code. MCC prefers the material in an editable electronic form, and will rely upon the electronic media during the codification process when furnished electronically, unless otherwise instructed. However, materials are not required to be furnished in electronic form and can be provided via fax or printed copy. All material received by MCC will be acknowledged via e-mail or the postal service. Research of minutes can be provided as agreed upon by the Client and MCC.

Omitted Material. The following legislation, which is not of a general and permanent nature, will be omitted from the Code unless otherwise instructed by MCC and the Client: Appropriations; Franchises; Bonds; Vacating Streets and Other Public Properties; Sales of Surplus Assets and Properties; Tax Levies; Special Elections; Contracts and Agreements; Rezoning; Personnel Regulations; Annexations and Disannexations; Tax Anticipated Notes and Issuances of Similar Debt Instruments; Appointments of Named Individuals to Positions within a Governmental Body; Comprehensive Master Plans, Traffic Schedules, and Fee Schedules (however, Fee Schedules can be provided for an additional fee – quotation upon request).

Ordinance Research Tools. To facilitate finding sample provisions during this project, MCC will provide the Client with two (2) subscriptions to the Multiple Code Search Service. This will allow the Client to provide two (2) people with access to the search software on our website for full state searching (see Additional Services). MCC will also provide samples of provisions, as requested during the project.

Original Legislation Archive & Index. While codification is focused on providing the most up-to-date legislation for your organization and its constituents, the purpose of this service is to electronically archive original permanent record of the legislation when it was passed. Service includes converting all original ordinances, resolutions, and motions into Tiff Group IV format. The images will be OCR'd, indexed, and provided on CD/DVD in a robust searchable format.

Supplementing Existing Code during Codification. MCC can provide Supplementation Services, electronic options and web hosting for the existing Code while the codification project is underway. MCC can update the existing Code on any schedule the Client desires. MCC can also provide Electronic Updates in lieu of Printed Supplements during this project. All service options are described in greater detail in the Supplement Service portion of the proposal.

Legal and Editorial Work. MCC will assign a team, consisting of a lead attorney, editor, proofreader and indexer, to the project. All recommendations by this legal team are intended for use by the Client's attorney and should not be considered legal advice. This legal team is responsible for the following:

- *Research and Review.* MCC will research all legislation submitted by the Client against the State Constitution, State Law, the Charter (if the Client has adopted one), as well as inconsistencies and conflicts within the legislation itself. Zoning and Land Use provisions will be reviewed only if included in the Code. Ordinances enacted, or added, subsequent to the date of this agreement, or items not contemplated within the scope of service, may be added at the additional page rate.
- *Structure.* MCC will suggest a structure and organization for the Code and provide a Table of Contents indicating said structure. MCC will assume the legislative structure is to remain intact unless discussed with our attorney and approved by the Client.
- *Legal Manuscript.* MCC will submit a legal manuscript for the Client's review. This manuscript will reflect the MCC attorney's legal review and will contain the substantive provisions of legislation provided by the Client and with proposed changes. Recommendations by MCC's attorney will be provided and discussed with the Client. The legal manuscript will be provided in electronic form; a printed copy can be provided upon request.

- *Conference.* MCC will conduct a conference, either in person, via telephone or webinar, to review the legal manuscript. All persons interested in the project may be included; but the Client's attorney and Clerk are essential. Issues discovered during the legal research will be discussed at the conference, with agreed upon solutions noted in the legal manuscript. The Client's attorney has the final decision making authority for resolution of issues brought up at the Conference or "footnoted" in the Legal Manuscript.
- *References.* MCC will provide State Law references within the Code. Additional references, such as editor's notes, reserved sections, and referenced materials, will be provided as appropriate.
- *Editing.* MCC will edit the Code to reflect proper grammar and stylistic consistency. MCC will not reword any provision that affects the substantive intent of the Code, unless the Client approves the revision; however, MCC may make non-substantive revisions to improve readability.
- *Proofreading.* MCC will proofread the Code prior to submitting proofs. The text will be reviewed for sense, structure and to ensure the implementation of the decisions by the Client and MCC's attorney are correct.
- *Format Options.* MCC will review format options, such as font type (e.g. Times, Helvetica, New Century Schoolbook, Avant-Gard Demi, Courier, Palatino, Helvetica Narrow, Arial-MT, Times New Roman-SF) font size (9, 10, 11, 12 point) page layout (single or double column), graphics appearance and placement, with the Client. We will help you choose a format that results in a professional document that is easily researched. Sample page formats will be provided for review and selection.
- *Index and Tables.* MCC will create a subject matter index and all tables (Contents, State Law Reference, Prior Code Comparison, Ordinance Disposition, etc.) for the Code as necessitated by the materials. Additional tables required by the Client can be created.
- *Graphics.* MCC will add the graphics when provided by the Client in a usable format and insert them into the printed and electronic versions of the Code.
- *Adopting Ordinance.* MCC will provide an Adopting Ordinance upon completion of the project.

Proofs. After editing and proofreading, proofs incorporating solutions captured in the legal manuscript will be delivered to the Client. The proofs are an updated legal manuscript indicating agreed upon changes as decided by the Client. The proofs will have been edited and proofread, though they will not contain all of the tables and the subject matter index and will not be in final form for printing. A sample of the finished Code format will also be provided.

MCC guarantees typographical correctness. Any errors attributable to MCC will be corrected at no charge during the term of this Agreement. MCC's liability for all services shall extend only to correcting the errors in the Code and subsequent updates, not to any acts or occurrences as a result of such errors, and only as long as the contract is in effect.

Delivery of Code.

- **Printing and Binding.** The number of copies selected by the Client will be printed on acid-free paper in the chosen format and delivered to the Client. Color printing is available at an additional charge. Standard binding for the Code is three-post, expandable, black, leatherette binders with gold, silver or white stamping. Alternate binders, such as D-ring or polyvinyl, are available. Binder colors can be reviewed at www.municode.com under the Products link. A Seal or logo can be added in addition to the text on the front and spine of the binder, if desired. Divider tabs for each major section of the Code and Index are also provided.

We are pleased to announce that Mac Papers is now chain-of-custody certified with the Forest Stewardship Council (FSC), Sustainable Forest Initiative (SFI) and Programme for Endorsement of Forest Certification schemes (PEFC).

- **Reprints or Pamphlets.** Selected Chapters, or combinations of Chapters, may be reprinted for distribution. Pamphlets are provided separately, based upon then current price list. They can be provided with binders, paper covers, tabs and all other standard publishing options. MCC can also provide these to subscribers. See Distribution under Additional Services.

Electronic Code. The Code will be furnished in any electronic medium and format (Internet, CD-ROM, Word, WordPerfect, Text or RTF, PDF, or integrated with search engine, etc.) selected by the Client. Attached is a current list of options; an updated list of options will be provided upon shipment of proofs so selections can be made from then current services.

Client Responsibility. The Client agrees to:

- *Amendatory Legislation.* The Client shall immediately forward all adopted legislation (including amendments, the Charter, Special Acts and other pertinent rules and regulations having the effect of law) to be codified on a continual basis. Submission should be timely and can be sent in electronic, fax or printed form.
- *Review.* The Client shall review, modify and/or approve the proposed Table of Contents and organization of the Code, page format, font type and size, approve number of copies to be printed, binder colors and choice of electronic format.
- *Participation of Attorney.* Ensure the Client's Attorney and other interested personnel attend and participate in the project, including on-site or teleconference and review of the proofs.
- *Submission of data.* The Client shall provide data, graphics and tables of the highest reproducible quality, preferably in their original, electronic format. Provide a black and white line art seal or logo for the binders, if desired.
- *Proofs.* The Client will review and return the proofs within 45 days of receipt. Changes to the text should be marked directly on the proofs. Please note delaying the return of proofs can delay the project due to the amount of additional legislation passed subsequent to submission of proofs. Changes not discussed at conference, deletions and additions to the proofs may result in a proof update fee. Should the Client fail to return proofs within five (5) months, the balance of the contract shall become due and payable. Additional copies of proofs can be provided upon request.

RECODIFICATION QUOTATION SHEET FOR CITY OF BASEHOR, KANSAS

Base Cost without Zoning Ordinance, includes

\$7,930

- Receipt, review and organization of materials
- Ordinance Research Tool (2 licenses)
- Preparation of Legal Manuscript
- 20 Copies¹, to include Binders and tabs (select binder color below)
- Adopting Ordinance
- Legal Work
- Implementation of approved legal findings
- Updating State Law References
- Editing
- Proofreading
- Proofs
- Page formatting (make selections below)
- Indexing
- Creation of Tables
- Code on Internet, first year²
- Base number of pages

<i>Estimated pages based on page format and font size</i>			
Page Format	Font Size		
	10pt	11pt	12pt
Single Column	400	450	500
Double Column	285	350	375

Base Cost with Zoning Ordinance, includes

\$9,940

- Receipt, review and organization of materials
- Ordinance Research Tool (2 licenses)
- Preparation of Legal Manuscript
- 20 Copies³, to include Binders and tabs (select binder color below)
- Adopting Ordinance
- Legal Work
- Implementation of approved legal findings
- Updating State Law References
- Editing
- Proofreading
- Proofs
- Page formatting (make selections below)
- Indexing
- Creation of Tables
- Code on Internet, first year⁴
- Base number of pages

<i>Estimated pages based on page format and font size</i>			
Page Format	Font Size		
	10pt	11pt	12pt
Single Column	550	620	690
Double Column	395	480	515

¹ MCC uses only acid-free paper.

² Subsequent years \$400 a year.

³ MCC uses only acid-free paper.

⁴ Subsequent years \$400 a year.

Elections to be made applying to the above project:

- Font - Please circle one
(Times, Helvetica, New Century Schoolbook, Avant-Gard Demi, Courier, Palatino, Helvetica Narrow, Arial-MT, Times New Roman-SF)
- Page Format - Please circle one (Single Column or Double Column)
- Font Size - Please circle one (9, 10, 11 and 12 point)
- Binder Color – Please circle one (Brittany Blue, Deep Green, Semi-Bright Black, Burgundy)
- Please check conference choice
 - On-site Conference, each OR \$1,000
 - Teleconference or Web based conference, per 3 hour session No Charge
- Original Legislation Archive & Index
 - Up to 3,000 images, excess images \$0.50/image \$1,500

Items not include in Base cost:

- Additional pages over the base
 - 8 ½ x 11 inches, single column, per page \$18
 - 8 ½ x 11 inches, double column, per page \$22
- Additional material amended or added after conference, per page \$18
- Black and White Graphics, each \$10
- Color Graphics (includes printing), each \$25
- Additional Copies/Binders/Tabs Quotation upon request
- Freight Actual freight
- State Sales Tax If applicable

Additional Services available with the above project:

- Reprints of Chapters or Portions of the Code Quotation upon request
- Distribution of Codes and Supplements No Direct Cost to Client
- Electronic Media Options See attached information

Payments – base cost split into four payments – can be budgeted over two fiscal years

	<u>Without Zoning</u>	<u>With Zoning</u>
• Execution of Agreement	\$2,380	\$2,980
• Submission of the Legal Manuscript	\$1,985	\$2,485
• Submission of Proofs	\$1,985	\$2,485
• Delivery	Balance	Balance

SUPPLEMENT SERVICE

After publication of the new Code, MCC will continue to maintain the Code as legislation is enacted.

Material. The Client should forward a copy of legislation upon enactment. Material is preferred in an electronically editable format and should be sent to ords@municode.com. Every ordinance sent to MCC will be acknowledged via e-mail. A complete list of legislation recorded in an update will be provided. Legislation can also be provided via fax or print. MCC will hold legislation pending a schedule or begin the job as established with the Client.

Editorial Work. The Supplement editorial team, consisting of a legal editor, proofreader and indexer, will review the legislation to determine proper placement within the Code. MCC will adhere to the structure and style contained in the ordinance unless changes are required to ensure consistency in the Code. The team will also update the Table of Contents, catchlines, reference tables and index. Additionally, an instruction sheet will be created to advise how to insert and remove pages. A Checklist of Up-To-Date pages will be created to indicate the most recent source from which each page in the Code is derived. Editorial notes will be appended to sections that require additional explanation. A separate Supplement will be created for any pamphlets derived from the Code.

Printed Supplements. Amendments to the printed Code occur in the form of Printed Supplement pages that are issued as replacement pages. Printed Supplements include updated Table of Contents, Code Comparative Table, index and text pages. A Supplement for each printed Code is included in the base page rate.

Electronic Updates. Amendments to the electronic version of the Code (CD, Internet, Folio, PDF, etc.) can be provided on their own schedule, or accompany Printed Supplements. Electronic Updates appear in the proper place and a fully searchable, complete Code will be delivered. Electronic Updates are included in the base page rate and clients who receive both Electronic Updates and Printed Supplements receive the Printed Supplements at no charge.

Schedule. Amendments are provided on a schedule designed to meet the needs of the Client. The schedule can be weekly, biweekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic Updates can occur on a more frequent schedule than Printed Supplements.

Additional Provisions. MCC can add additional provisions (e.g. charter, zoning, land development regulations) into the Code through the Supplement service. They will be included in a Supplement or as a separate project and appropriate updates will be made to the Code and tables. Additional divider tabs or binders will be provided as necessary. MCC will advise of all options and applicable costs.

New Ordinances on the Web (N.O.W.). MCC can post the ordinances passed in between Printed Supplements or Electronic Updates on our website. The ordinances are posted as part of the Preliminaries and also show in the electronic Table of Contents. Once the posted ordinances are incorporated into the Code, they are removed from the website. We recommend the Client send in legislation in editable format via email for inclusion in the Code. This allows the legislation to be searchable on the Internet site along with the Code.

Delivery. Printed Supplements to the Code and pamphlets, if ordered, will be delivered in bulk to the Client, unless Client chooses to utilize MCC's Distribution Services. The website will be updated upon shipment of the printed supplement or as Electronic Updates are delivered.

ADDITIONAL SERVICES

Distribution. Fulfillment services are available to distribute individual copies of Codes and Supplements to departments or subscribers at no additional fee to the Client. MCC can sell the Codes, Supplements, chapter reprints, binders and tabs at a pre-determined price. MCC assumes all risk and expense for providing these items. Orders can be placed through our online ordering, via fax or mail. More detailed information about distribution services will be provided after the return of the proofs.

Future Legal Review. At any point during the term of this Agreement, or extensions thereof, MCC can provide additional legal review to identify inconsistencies, obsolete provisions or compare the Code to current State Law. State Law references can be updated in conjunction with this legal review or as a separate engagement.

Electronic Agenda and Legislative Management (Legistar). MCCi offers Legistar Software and related services which provides electronic automation and creation of Agendas. Pricing information can be supplied upon request.

Document Scanning Services (MuniScan). MCCi offers scanning, indexing and integration of hard copy documents with Laserfiche Software to provide the Client with the most powerful index retrieval search engine available with the following features: intuitive browse window, index cards, and fuzzy logic. Pricing information can be supplied upon request.

Contract Management Software (Contract Assistant). MCCi offers the Contract Assistant Software (developed by Blueridge Software) which is a web based solution designed to provide control and automation of the contract management process. Pricing information can be supplied upon request.

Utility Billing Services (MuniBills). MCCAdvantage offers billing, statement and remittance processing services as an additional benefit under this agreement. MCCAdvantage, a subsidiary of MCC, can provide the client with design, printing and mailing services for customer billing/statements of all types. These services also include remittance payment options, software and other billing solutions. Pricing information for this service can be supplied upon request.

SUPPLEMENT SERVICE QUOTATION SHEET FOR CITY OF BASEHOR, KANSAS

Supplement Service Base Page Rate

Page Format	Base Page Rate
Single Column	\$19 per page
Double Column	\$23 per page

Base page rate above includes

- Acknowledgement of Material
- Data conversion, as necessary
- Editorial Work
- Proofreading
- Indexing
- Updating Electronic versions⁵, (e.g. CDs and Internet)
- Printing 20 Supplements

Please Circle Preferred Supplementation Schedule⁶ Below:

Electronic Updates	Annual	Semi-annual	Quarterly	Bi-Monthly	On Request
Printed Supplements	Annual	Semi-annual	Quarterly	Bi-Monthly	On Request
New Ords On the Web	Upon submission			On Request	

Additional Services that apply to Supplement Service

- Graphics, per graphic \$10
- Color Graphics (includes printing), each \$25
- Freight Actual freight
- State Sales Tax If applicable
- Electronic delivery handling fee, per product \$75
- New Ordinances on the Web (NOW), no editing, 3-5 day turnaround, per ordinance \$25

Other Additional Services:

Electronic Agenda and Legislative Management (Legistar)	Quotation upon request
Document Scanning Services (MuniScan)	Quotation upon request
Contract Management Software (Contract Assistant)	Quotation upon request
Utility Billing Services (MuniBills)	Quotation upon request

Payment for Supplement and Additional Services

Invoices will be submitted upon shipment of project(s).

⁵ We do not charge a per page rate for updating CDs or the Internet – this is included in the supplement per page rate.

⁶ Schedule can be changed at any time during the contract. Information on Weekly, Bi-weekly and Monthly Supplement schedules are available upon request.

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by MCC and the Client.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and end three years after the publication date of the new Code. Thereafter, the Supplement Service shall be automatically renewed from year to year provided that each party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

MCC Officer: _____

Title: _____

Witness: _____

Date: _____

Accepted by:

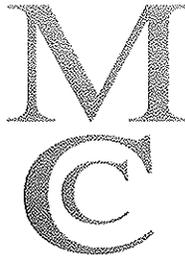
CITY OF BASEHOR, KANSAS

By: _____

Title: _____

Witness: _____

Date: _____



Municipal Code Corporation

PO Box 2235 Tallahassee, FL 32316

800-262-2633 • Fax: 850-575-8852 • info@municode.com

Municode.com

QUALIFICATIONS

For the last 58 years, Municipal Code Corporation has engaged predominately in editing and publishing Code for municipalities and counties of all sizes throughout the United States. MCC has published and supplemented more Codes that are in current use than any other codifier in the Country. This experience enables us to offer you the finest services available. We also have started two other divisions focused on government clients: MCCi (Municipal Code Corporation Innovations) and MCCAdvantage.

Business main location:	1700 Capital Circle, SW Tallahassee, FL 32310 800-262-2633 or 850-576-3171
Incorporation Date:	March 1951
Current Code Accounts Serviced:	over 3,000
Divisions:	MCCi - Document Management and Agenda Automation MCCa - Utility Billing and Statement Processing
Project Contact Persons:	Steffanie Rasmussen, Assistant Vice President - Sales Rick Grant, Vice President and C.O.O. Eric Grant, Vice President – Supplements

Personnel/Offices

The entire corporate staff consists of approximately 190 employees, including 9 attorneys, 35 editors, and 46,000 square feet of floor space. We have regional offices in Apple Valley, Minnesota; Fort Worth and Edinburg, Texas; and Seattle, Washington and our main office in Tallahassee, Florida.

All editing and printing is done on our premises. This enables us to control each project from beginning to end with no part being subcontracted. Key personnel are available to answer questions during any phase of the project and to assure quality control in all aspects of publication, document management, and utility billing.

Key Personnel Assigned to Project

(1) **Legal:**

H. E. "Rick" Grant, Executive Vice President and C.O.O. Received his Bachelor of Science degree from the U. S. Naval Academy and his Juris Doctor from Florida State University. A former naval aviator and Navy attorney (JAG Corps) who retired as The Judge Advocate General, the Navy's senior attorney. Eleven years of experience as COO of Municipal Code Corporation. Rick will have overall supervision of the project and will assign the MCC code attorney, who will conduct a thorough legal review to identify any inconsistencies or conflicts between ordinances and any conflicts with state law, send the municipality a legal manuscript that identifies these inconsistencies and conflicts, and make recommendations on how to proceed. The attorney will then contact the municipality to set up a conference to discuss these issues.

(2) **Project Coordinators:**

Steffanie W. Rasmussen - Assistant Vice President Sales, M.S., Industrial & Organizational Psychology, Kansas State University; B.S., Business Psychology, Florida State University; Certificate in Performance Management, Florida State University. Worked with Bagel Bagel Café and Bagel Bagel Franchise Systems, Inc. from Restaurant Management to Developing and Implementing the Franchise Product. Communication, Efficiency and Customer Service driven.

Dale Barstow, Vice President of Sales, Pilot of MCC's Corporate Airplane; Graduate from Emory Riddle Aeronautically University; Honorary City Clerk in 5 States; Municipal Clerk's Education Foundation President; Continuing Education – Dale Carnegie Sales Training; Speaker for over 35 conferences. 36 years experience in Client sales. Dale meets with our customers to ensure face to face communication and coordination.

(3) **Supplementation:**

W. Eric Grant, Vice President – Supplements, B.S., United States Naval Academy; M.A. Georgetown University School of Foreign Service J.D., University of Virginia, Member of Florida Bar. Supervisor of electronic teams. MCC has deployed a team concept. This type of organization structure allows for complete communication, reduces the turn-around time for publication, and assures greater accuracy. Since each team is comprised of three editors and one proofreader, it allows for what we call “bench depth” – there is always a backup person.

Janet Randell, Production Account Representative, A.A., Business Administration, Western International University; 15 + years of Customer Service Experience. Janet has worked with MCC for three years. She is the Customer Service Representative for the Supplement Department serving as a direct point of contact for customers. She's responsible for ensuring that the company's customers receive an adequate level of service or help with their questions and concerns.

Leslie Mayne, Production Support Account Representative, B.A., English and Anthropology, Florida State University. Ms. Mayne has over eleven years of customer service experience. Leslie is one of two Production Support Representatives for the Supplement Department, serving as a direct point of contact for our customers. She is responsible for ensuring that the company's customers receive a superior level of service and assistance with their questions and or concerns. Leslie's goal is simple: Provide timely, superior customer service each and every day.

(4) **Indexing:**

Joy Luczynski, Indexing Supervisor, A.A., Calhoun Community College; Paralegal Technology; Member of American Society of Indexers. 8 years of experience in indexing Codes. Will provide oversight and technical assistance for initial editorial preparation of the Index and updating the Index through the Supplement Service.

(5) **Information Technology:**

Phillip Claiborne, Chief Information Officer, B.S., Management Information Systems, Florida State University; MBA, University of Florida; CompTIA Certified A+, Net+, Security+, Microsoft Certified Systems Administrator. 10 years of extensive experience supporting, designing and administering corporate network environments.

Matt Farley, Systems Administrator, AA, Tallahassee Community College, Currently obtaining BA in IT at FSU. 2.5 years of systems/network management experience.

Elliot Haworth, Web Developer, B.A., Computer Science, Mercer University. 5 years of experience desktop application programming and developing web based applications.

Stacy Corry, Digital Art Coordinator, Flagler College, Glendale College, Tallahassee Community College. 10 years experience as a graphic designer; 7 years as coordinator of Municipal Code's graphics department. 20 years of experience as a technical writer and technical support liaison.

Law Editorial Staff

Alyce A. Whitson, B.A., University of South Florida; J.D., University of Florida; more than 30 years of experience in local government law; Member of Florida Bar. Alyce has completed over 600 codes and various other legal projects throughout the United States, including Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Missouri, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, Wisconsin, and Wyoming.

William J. Carroll Jr., B.S., Penn State University; J.D., Florida State University; more than 35 years of experience in local government law; Member of Florida Bar. Bill has completed hundreds of codes and legal projects throughout the United States including codes in Arkansas, Colorado, Florida, Indiana, Illinois, Kansas, Louisiana, Maine, Michigan, Missouri, Montana, Nevada, New Jersey, New Mexico, Pennsylvania, South Dakota, Texas, Virginia, and Wyoming.

Roger D. Merriam, B.A., Mercer University; J.D., Emory University; more than 35 years of experience in local government law; Member of Florida Bar. Roger has completed Codes in multiple states including Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Maine, Maryland, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

Daniel F. Walker, B.S., Florida Southern College; J.D., Georgia State University College of Law; 8 years of private practice; 8 years of experience in local government law; Member of Florida and South Carolina Bars. Also admitted to practice before the U.S. Court of International Trade and the U.S. Court of Appeals for the Armed Forces. Dan has completed Codes in Illinois, Louisiana, Mississippi, North Carolina, South Carolina, Texas and West Virginia.

Jim C. Jenkins, II, B.A., Eckerd College; J.D., University of Maryland School of Law; Former Appellate Attorney and Trial Prosecutor for the Kings County District Attorney's Office, Brooklyn, NY; 10 years of experience in complex legal research and litigation; 3 years of experience in local government law. Jim has completed Codes in Alabama, Georgia, Louisiana, Texas, and Wisconsin.

Sandra S. Fox, B.A., Florida State University; J.D., Florida State University; 9 years of experience in legal research and writing. Sandra has completed Codes in Georgia, Illinois, Michigan, Minnesota, Oklahoma, Missouri, Texas, and Wisconsin.

Michael E. Raabe, B.A. California State University at Fullerton; MLIS, Florida State University; J.D. Western State University. Former Associate Dean of Chapman University College of Law; 20 year's experience in civil and appellate law; one year experience in local government law. Mike has completed Codes in Georgia, North Carolina, and Louisiana.

Mary McEwen, B.A., University of Florida; J.D., Florida State University; 2 years of experience in legal research and writing; Member of Florida Bar. Mary has completed Codes and legal projects in many states; primary emphasis in Florida and Georgia.

Sales Staff

Alicia Bywaters, National Sales Support/Customer Service. Alicia has been with MCC for 9 years. She provides sales and customer service to all of our clients. Alicia also provides assistance to new customers and to customers with new projects.

Faye Creel, Sales Representative for Southeastern States: Alabama, Florida, Mississippi, Georgia, Louisiana, North Carolina, South Carolina, and Virginia. Faye has worked with MCC for over 10 years.

Stefanie Graves, Sales Support. B.S. Economics, Florida State University. Eleven years of customer service experience, including nine years at MCC. Provides direct support to municipal clients and prepares proposals for services to current and potential clients. Has extensive knowledge of Code-related services and products.

Tracy Schumacher, National Sales Support/Customer Service. Seven years of sales and customer service. Tracy provides direct support to municipal clients and prepares proposals for services to current and potential clients and has knowledge of Code-related services and products. She has (2) two year degrees and is returning to school to complete her Bachelors in Marketing at FSU.

Jenny Haverland, National Conference Coordinator. 20 years experience in Sales Administrative support prior to Municipal Code. Jenny has worked with Municipal Code for over 8 years and is responsible for all aspects of Conference Exhibit Events, Advertising & Memberships to Associations.

Dennis Heller, National Inside Sales Representative. B.S., Management, New York University; 35 Years in the Telecommunications Industry in Network Management, Sales, and Sales Management; Dennis has worked with MCC for the last 3 years as a Sales Representative. He is responsible for proposal presentation to prospective clients and offering code maintenance solutions to existing clients.

Patrick Holiday, Inside Sales Representative. 20 years in customer service and sales before coming to MCC. Patrick is currently in his 10th year at MCC and has worked in both Distribution and Sales Departments. Customer Solutions is Patrick's primary focus.

Dana Martin, Distribution Representative. B.S., Marketing Research, Florida State University School of Business. Dana has been with MCC for over 10 years. She handles all aspects of distribution and pricing of Codes and Supplements to municipal departments and to the public.

Regina McKnight, Distribution Representative. A.A., Paralegal, Keiser University; six years of clerical experience and has been with MCC a year and half. She provides assistance to all subscribers of Codes.

Gregory Dudiak, West Coast Regional Representative for Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, South Dakota, Washington, and Wyoming. Has over 30 years of experience in the codification business.

James Bonneville, Regional Representative for North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, Michigan, Indiana, and Ohio. B.A., Political Science, University of Minnesota. James worked in State Government, Lobbying and Governmental Sales for over 13 years. James has been a part of MCC/MCCi since 2009.

MCCi Staff

Our MCCi Division involves the technological advances in Document Management. This division provides imaging and indexing software as well as agenda management software solutions. With their research, we have increased our use of technology on the codification side of our business (see www.mccinnovations.com).

Donny Barstow, B.S., Management Information Systems, Florida State University; MBA, University of Florida. Key responsibilities include upper level decision making, enterprise level client consultation, research and product development, educational speaker. Experience: eight years working with government agencies and six years in upper-level management. Currently serves as President of MCCi.

Doug McNease, B.S., Marketing, Florida State University School of Business. Key responsibilities include managing MCCi Technical Staff, scheduling of software installation, senior level project management, internal technical support, and upper level customer technical support. Experience: five years technical support, five years database design and administration (MSSQL), six years web-enabled application development. Currently serves as the Information Technology Director.

Rigo Ruiz, B.S., Mathematics, University of Texas Pan American. Key responsibilities include project management, software installation and support, customer technical support. Experience: twelve years in customer support and six years with Laserfiche software. Serves as Laserfiche Installation and Training Technician and is located in Edinburg, Texas.

Russell Haddock, B.S., Telecommunications, Baylor University. Key responsibilities include pre-client consultation, conduct project demonstrations, manage existing customer accounts. Experience: six years with document imaging and management practices and six years in working with municipal governments. Currently serves as Senior Account Executive (Texas, Oklahoma, Missouri, Louisiana, Colorado, New Mexico, Arizona and Kansas) and is located in Fort Worth, Texas.

Logan Di Liello, B.S., Sport Management, Florida State University; Masters, Sport Administration, Florida State University. Key responsibilities include pre-client consultation, conduct product demonstrations via the web, and manage existing customer accounts. Experience: three years of business management and seven years in customer service. Currently serves as Account Executive for the East Region.

Hilda Stevens, B.B.A., International Business and Marketing, St. Mary's University; M.B.A, Organizational Management and Leadership, George Fox University; Certified Public Information Practitioner. Key responsibilities include pre-client consultation, conduct product demonstrations, attending industry trade shows, and manage existing customer accounts. Experience: six years as Public Information Officer for County Government and seven years technical software consultative experience, three of which have been exclusively working with municipal, school/college districts, special district and federal governments. Currently services as Account Executive for the Midwest Region (Alaska, Hawaii, California, Nevada, Utah, Wyoming, Idaho, Oregon, Montana and Washington).

MCCAdvantage

MCCAdvantage, a subsidiary of MCC, provides clients with design, printing and mailing services for customer billing/statements of all types.

J. Scott Molenburg, B.S. Business & Industrial Communications, Drake University. Key responsibilities include strategic decision making, product development and enterprise level client consultation. Experience: Twenty five years in billing, statement rendering, customer service, remittance processing, project management, resource allocation and strategic marketing. Former member of MTAC, Board of Directors Major Mailers Association and Board of Directors United Way Allocations and Priorities. Currently serves as General Manager of MCCa.

Starlett Lovel, 32 years of experience in typesetting, editing, composition and printing of Codes, Supplements and Statements.

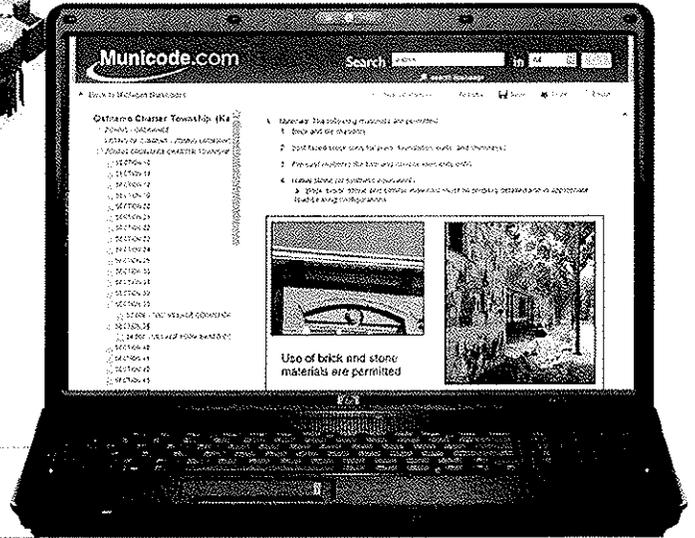
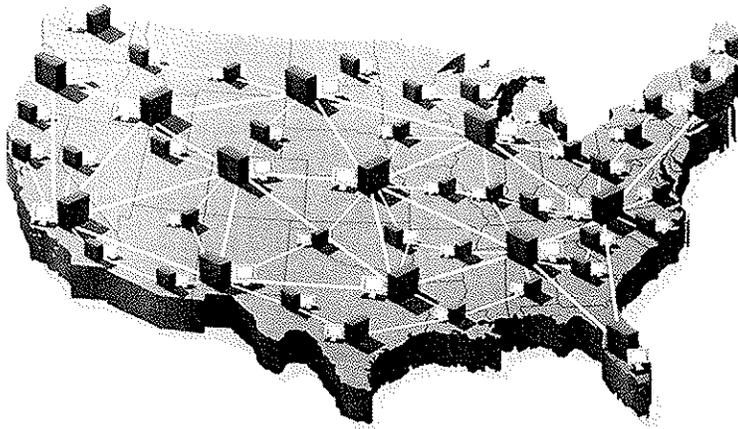
Municipal Code Corporation Executives

A. Lawton Langford, President and CEO. Received his Bachelor of Arts from Vanderbilt University, with a double major in Economics and Business Administration, a Juris Doctor from the Florida State University College of Law, and a Masters of Business Administration from the Florida State University College of Business. Twenty-five years experience with MCC.

H. E. "Rick" Grant, Executive Vice President and C.O.O. Received his Bachelor of Science degree from the U. S. Naval Academy and his Juris Doctor from Florida State University. A former naval aviator and Navy attorney (JAG Corps) who retired as The Judge Advocate General, the Navy's senior attorney. Eleven years of experience as COO of Municipal Code Corporation.

Michelle Eagen, Chief Financial Officer and Vice President of Finance. Received Bachelor of Science in Accounting from the University of Florida and Master of Accounting degree from Nova Southeastern University. She is a licensed and active Florida CPA and has six years experience with MCC, and over sixteen years of professional accounting experience in the publishing industry.

Sure, Municode.com has a bold new look - but it's what's *inside* that counts.



(5) Building Materials and Colors.

a. Intent.

To specify building materials that are durable, attractive, and have low maintenance requirements; and reduce the use of bright, intense colors.

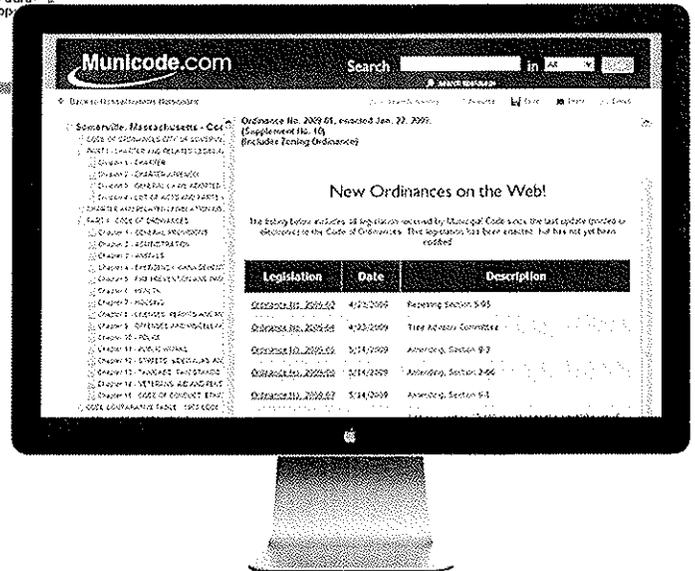
b. Building materials.

1. All primary buildings shall be constructed or clad with materials that are durable and of a quality that will retain their appearance over time, including, but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; high-quality prestressed concrete systems; Exterior Installation Finish Systems (EIFS); or glass. See Figure 18.12-11.7.



Figure 18.12-11.7: All primary buildings shall be constructed or clad with materials that are durable and of a quality that will retain their appearance over time.

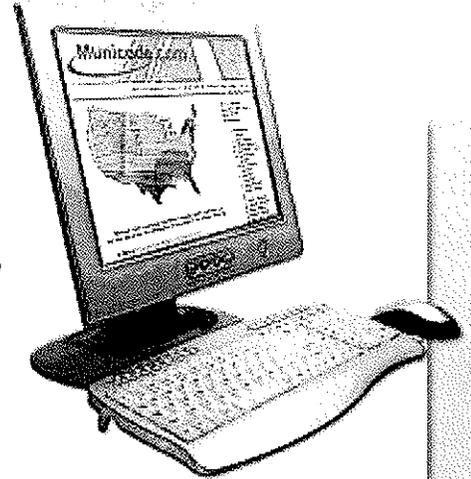
Maximize access to your Code - Publish in Print, Digitally, and Online



*New Ordinances on the Web
Expanded Graphics
Link from your website to Code sections
Print, save, or e-mail at every section level
Personalized search features
You're invited...
www.municode.com*



Municipal Code Corporation 800.262.2633 info@municode.com



Take a look at our Electronic Services!

There are many benefits to getting your Code in electronic format:

- No retyping ordinances to amend the Code
- Easy access and searching
- Unlimited public access to the Code online
- Reduction in printed supplements
- Multiple delivery options - CD, download, or e-mail

DATABASE

We can prepare your Code or a chapter of your Code for use with most word processing packages, such as WordPerfect or Microsoft Word. We can also provide text options like HTML, XML and TXT. **\$150**

PDF FORMAT

MCC can provide the Code in PDF format. The PDF format mirrors the printed Code. **\$295**

SEARCH & RETRIEVAL SOFTWARE

Purchase a portable, *searchable* version of your Code of Ordinances and experience some of the most sophisticated search and retrieval tools available. This is the absolute best choice for customizable printing, exporting, searching, and content management for your Code of Ordinances. **\$495***

CODE ON INTERNET

Let us host your Code on our site with the latest search software, ProPublish. This allows access to your Code of Ordinances to anyone with an Internet connection. We can even customize the look of your Code on our site to integrate seamlessly with your existing site. Annual subscription price... **\$500**

MULTIPLE CODE SEARCH

Need to search several cities or counties at once? Save time and money with our new multi code search subscription service. Perform one keyword search and access every available city or county Code of Ordinances within a state simultaneously. Annual subscription price... **\$200**

E-SUPPLEMENTS

Once you have selected an electronic product, you can update it more often than the printed supplements for the same price as your supplement per page rate!

N.O.W. (New Ordinances on the Web) SERVICE

With your electronic product, we can even post your ordinances with the online Code. We offer a 1 to 3 day turnaround! Price per ordinance **\$25**

UPDATED ELECTRONIC PRODUCTS

MCC will update the electronic product you have chosen after each supplement. Price per update... **\$75**

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What are people saying about MCC Supplement Service?

"I am always and continually impressed with the level of service from you. Thanks again."

April Beachum - Town Clerk, Fort Mill, SC

"Amazed at the quality of the search engine with the Code Online and love the ability of NOW for quick public notice and access of new ordinances. Making the effortless switch to Municipal Code has provided us with a valuable tool for managing our city ordinances."

Barbara Van Clake, CMC, WCMC - Deputy Clerk/Treasurer, Omro, WI

"I think the customer service is excellent. Whenever I communicated an issue it was addressed the same day whenever possible."

Sharon Tudor - Deputy County Clerk, Franklin County, VA

"I think that MCC does a wonderful job ... you've always helped me out with getting everything that I need..."

Anita Byrd - Legal Administrative Assistant, Pasco County Attorney's Office, FL

"Everyone at MCC is very helpful. I couldn't do without all of you! Over the ten years we've been associated, we've enjoyed a great relationship with MCC. You have always been right on the spot."

Cheryl A. Chorney, CMC - Town Clerk, Exeter, RI

"Publishing Codes is a tedious and extreme responsibility that the governing bodies, the public, businesses, and institutions depend on whether in bound versions or via the web. I have nothing but great things to say about Municipal Code Corporation. Keep up the good work."

Lynne A. Kyle - NCCP Business Process Manager, Charlotte, NC

"MCC's Code on the Internet is very convenient and nice, easy access for the Board members and citizens."

Pam Donohoe - Clerk, Village of Somerset, WI

"The City of Knox was very satisfied with the services that we received from Municipal Code Corporation. They got the job done in a reasonable time and were accurate. We were especially happy with the format they used to post our code on the web. We would recommend them to anyone."

Jeffery J. Houston - Clerk-Treasurer, Knox, IN

"Municipal Code has proven to be a huge time saver. Previously, the township kept ordinance books on hand for purchase and provided the service of mailing updates for a nominal fee. Now we simply refer individuals to Municipal Code to purchase our ordinances and it's hassle free."

Linda Kerr - Charter Township Clerk, Charter Township of Texas, MI

"Our office enjoys working with Municipal Code; the company is always friendly and easy to work with."

Anita Gomez - Administrative Secretary, Irving, TX

"I've always found everyone at MCC to be extremely helpful, friendly, and very patient. Time is always taken to assist me. It's been a pleasure working with Municipal Code."

Cathy Eckles - Paralegal, Stafford County Attorney's Office, VA

Memorandum

To: Mark Loughry
CC: Mr. Mayor and City Council
From: Mitch Pleak
Date: 9-26-10
Re: Architectural Design Standards

The Planning Commission and Staff have been working on revising the current commercial development guidelines since early April through multiple workshop meetings. The existing commercial development guidelines were adopted in 2003. The Planning Commission and Staff goals were to forecast growth, develop defined direction in building criteria, protect existing residential development, and review/forecast growth on an annual basis. On September 14, the Planning Commission held a public hearing on the proposed standards. That evening following the public hearing the Planning Commission unanimously approved the proposed standards.

The Planning Commission and Staff followed suit with the comprehensive plan which dedicates arterial streets. Arterial streets will be the gateway to our commercial and residential developments throughout the City, new and old. Developments along the designated arterial streets typically have higher building standards than along a lower classification roadway. Higher building standards encourage a welcoming feeling the community and preserve existing development such as home values. Typically, property is more expensive along arterial streets due to higher traffic volumes, which in turn results in more customers for businesses.

The proposed architectural design standards are not a city wide set of standards and focuses on the corridor. The corridor details streets that are or will be a higher classification of roadway that convey a welcome to the City and secure surrounding residential developments. The proposed standards adhere to commercial, multi-family, and planned residential buildings.

General Highlights to the Proposed Standards

- The corridor (page 4), details the forecasting growth on higher classification of roadways and which the proposed standards shall adhere to.
- Four-sided design (page 9 and 43), buildings shall have a consistent “four-sided” quality design. It can be found that the majority of the buildings built in the past are built with higher quality on the side facing the business entrance and less quality on the back of the building which may butt up to residential housing. The proposed standard ensures quality building design around the proposed building.
- Building height & transition adjacent to residential use (pg 13 and 44). Buildings shall not overpower surrounding residential use. Commercial buildings shall have a maximum 12’ increase in height to surrounding residential homes for a minimum distance of 50’ to the shared property line.
- Building materials (page 15 and 47). Like the existing standards that define appropriate building materials, the proposed standards define building materials and the percentage of heavy materials needed in a design.
- Building Modulation & Articulation (page 20 and 52). The proposed standards discourage monotonous building that can be overpowering to surrounding businesses and residential housing.
- Two-family residential, multi-family residential, and planned residential building variety (page 40). Developments with at least five buildings of the same building type shall be required to use more than one building form to break up repetitive building footprints.
- Incentives (page 65). Incentives encourage unique and innovative developments. Incentives are not guaranteed and must be approved by the Planning Commission. In no case shall the total incentives exceed 25% of the density allowed in zoning districts.
- Review checklist (page 71). The checklist enables the reviewer to verify the conformance with each standard. In no case can the reviewer approve a design that doesn’t meet the proposed standards. To approve such irregularities the design must be approved by the Planning Commission and/or the City Council.

Recommendation

Staff recommends the adoption of the proposed architectural design standards.

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. _____

Meeting Date:

TOPIC: Blacktop Paving final payment in association with the construction at Wolf Creek Parkway.

ACTION REQUESTED: Approve the final payment and release of retainage.

NARRATIVE: Blacktop Paving opened Wolf Creek Parkway on September 8th. The contractor has since completed the punch list. The final payment is \$93,037.99 and the retainage held is \$111,126.25. Final payment and release of retainage equal \$204,164.24.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mitch Pleak, City Engineer

ADMINISTRATION RECOMMENDATION:

Approve final payment.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Staff Memo (2 pages)

PROJECTOR NEEDED FOR THIS ITEM? NO

Memorandum

To: Mark Loughry
CC: Mr. Mayor and City Council
From: Mitch Pleak
Date: 9-24-10
Re: Blacktop Paving Final Payment

Approved Work

To date the City Council has approved \$1,321,291.69 to the construction of Wolf Creek Junction. A detailed analysis is shown below.

Wolf Creek Junction - Approved Work	\$
Original Contract	\$929,824.03
Change Order #1 (Approved)	\$8,341.12
Change Order #2a (Approved)	\$20,753.94
Change Order #3a (Approved)	\$129,296.60
Change Order #3b (Approved)	\$3,076.00
Change Order #4b (Approved)	\$30,000.00
Change Order #5 (Approved)	\$200,000.00
Total	\$1,321,291.69

Final Payment

Blacktop Paving Final Payment	\$
Work Completed in Pay Application #8	\$93,037.99
Retainage Release	\$111,126.25
Total	\$204,164.24

Project Cost

Wolf Creek Junction Project	\$
Budgeted Amount (Approved)	\$1,321,291.69
Blacktop Previous Payments	\$1,000,136.23
Blacktop Paving Final Payment	\$204,164.24
Balance Between Approved Work and Blacktop's Contract	\$116,991.22

Remaining Balance of \$116,991.22

June 21, 2010 Staff proposed a cost of \$78,000 for storm water improvements for the permanent roadway on the east end. This was before the design was completed. Staff anticipated additional storm water infrastructure on the east end of the project. During the completion of the design, no new drainage system was needed to complete the street besides tying into the existing system along 150th Street. The remaining balance includes the budgeted \$30,000 for streetlights, which is not to be completed by Blacktop Paving.

Balanced Project Cost	\$116,991.22
Storm Water System	\$75,000.00
Streetlight Installment	\$30,000.00
Remaining Project Budget	\$11,991.22

Recommendation

Upon final payment, the maintenance bond will begin. Under the maintenance bond, the construction and installation including all materials and workmanship will be guaranteed for a period of two (2) years. Staff recommends the approval of final payment to Blacktop Paving and Construction.

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. _____

Meeting Date: _____

TOPIC: Larkin Excavating final payment in association with the construction at 150th Street.

ACTION REQUESTED: Approve the final payment and release of retainage.

NARRATIVE: Larkin has completed re-seeding/re-grading and all items from the punchlist. The City is holding the permanent seeding payment of \$3,765.00 until lawns are established. Liquidated damages in the amount of \$12,900 has been deducted from the final payment. With the deductions the final payment and release of retainage equal \$32,342.87.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mitch Pleak, City Engineer

ADMINISTRATION RECOMMENDATION:

Approve final payment.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Staff Memo (2 pages)

PROJECTOR NEEDED FOR THIS ITEM? NO

Memorandum

To: Mark Loughry
CC: Mr. Mayor and City Council
From: Mitch Pleak
Date: 9-24-10
Re: Larkin Paving Final Payment

Approved Work

150th Street project was budgeted for \$885,957. A detailed analysis is shown below.

150th Street Project - Approved Work	\$
Original Contract	\$665,264.50
Change Order #1 (Approved)	\$6,520.53
Change Order #2 (Approved)	\$1,570.00
Change Order #3 (Approved)	\$8,898.12
Change Order #4 (Approved)	\$500.00
Change Order #5 (Approved)	\$6,338.00
Change Order #6 (Approved)	\$420.00
Change Order #7 (Approved)	\$16,891.84
Change Order #8 (Approved)	\$6,027.00
Total	\$712,429.99

- Change Order #1 was approved to remove bad subgrade material found during construction and to place a french drain.
- Change Order #2 was for a modification of an inlet during construction.
- Change Order #3 was for the modification of residential driveways.
- Change Order #4 was for the additional grading at the Amy Surprise residence. The additional grading allowed for a lesser slope.
- Change Order #5 was for Susan Guy's retaining wall and fence.
- Change Order #6 was for the trenching of Westar's electrical line. The electrical line was proposed to be above ground and was changed to be underground.
- Change Order #7 was for temporary aggregate used for local traffic during construction.

- Change Order #8 was for the installation of pop up drains for sump pump lines day lighting at the right-of-way, riprap at Amy Surprise's property, installation of underdrain pipe, and Georg Smith's water/electrical lines.

Final Payment

Larkin Excavating Final Payment	\$
Work Completed in Pay Application #6	\$10,325.90
Liquidated Damages	-\$12,900.00
Retainage Release	\$34,916.97
Total	\$32,342.87

Note: Permanent seeding item of \$3,765 is not being paid until lawns are established.

Project Cost

150th Street Project	\$
Budgeted Amount (Approved)	\$885,957.00
Larkin Previous Payments	\$663,422.12
Larkin Excavating Final Payment	\$32,342.87
Costs Associated to the Project Outside Larkin's Contract	\$133,984.10
Remaining Project Budget	\$56,207.91

Recommendation

Upon final payment, the maintenance bond will begin. Under the maintenance bond, the construction and installation including all materials and workmanship will be guaranteed for a period of two (2) years. Staff recommends the approval of the final payment to Larkin Excavating.