

CITY COMMISSION MEETING
AGENDA FOR JUNE 12, 2018
5:30 P.M.
CITY HALL COMMISSION CHAMBERS
300 SOUTH FIFTH STREET

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS

SWEARING-IN: New Police Officer Codey Strong – **JUDGE HENSCHEL**
Human Rights Commission

RECOGNITION: Citizens’ Academy Graduates – **M. SMOLEN**

PRESENTATION(S): Community Scholarship Program – Lee Emmons, Executive Director,
Paducah Junior College, Inc.
Paducah Area Transit – Arthur Boykin, PATS Executive Director

Items on the Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Agenda and considered separately. The City Clerk will read the items recommended for approval.

	I.	<u>RESOLUTION</u>
		A. Refinancing of a Bond Issue for Baptist Health - Michelle Hayden, Baptist Health Representative & Beth Bird, Attorney
		B. Authorize City Engineer-Public Works Director to Be the Applicant Agent for the KEMA & FEMA Documentation for Federal Disaster Assistance Related to the 2018 Flood and Severe Weather Events – R. MURPHY
	II.	<u>CONSENT AGENDA:</u>
		A. <u>MINUTES</u>

		B. <u>MOTIONS</u>
		1. R & F Documents
		C. <u>MUNICIPAL ORDER(S)</u>
		1. Personnel Actions – M. RUSSELL
		2. Declaration & Sale of Surplus Property Located at 2315 Powell Street – T. TRACY
		3. CDBG Application for Four Rivers Behavioral Health/CenterPoint Recovery Center – T. TRACY
		4. Purchase Upgrade of Telephone and Data Switches – S. CHINO
		5. Purchase of Reconditioned Radios for Paducah Fire Department – S. KYLE
		6. 2018 Spring Quilt Show Contract for Services – INTERIM CITY MANAGER THOMPSON
	III.	<u>MUNICIPAL ORDER</u>
		A. Approval to Advertise & Distribute Preliminary Official Statement for Bond Issues for Riverfront Development & E911 Equipment (GOB 2018A) & Reissuance of KLC Bonds 2003 & 2009 (GOB 2018B) – J. PERKINS
		B. Contract Amendment with Commonwealth Economics for TIF Program – T. TRACY
	IV.	<u>ORDINANCE(S) – ADOPTION</u>
		A. Tyler Technologies Munis Contract Amendment for Post Implementation Training Days – M. SMOLEN
	V.	<u>ORDINANCE(S) – INTRODUCTION</u>
		A. Sale of 60+ Acres on Old Mayfield Road for Paducah Water – J. PETERSEN
		B. Approve Bond Issues for Riverfront Development & E911 Equipment (GOB 2018A) & Approve Refinancing of KLC

		Bonds 2003 & 2009 (GOB 2018B) – J. PERKINS
		C. Adoption of FY2019 Budget – J. PERKINS
	VI.	<u>COMMENTS</u>
		A. Comments from the City Manager
		B. Comments from the Board of Commissioners
		C. Comments from the Audience
	VII.	<u>EXECUTIVE SESSION</u>

Agenda Action Form Paducah City Commission

Meeting Date: *June 12, 2018*

Short Title: Resolution in support of the issuance by Kentucky Economic Development Finance Authority of Revenue Bonds for the refinance of construction costs relating to the facilities of Baptist Health Paducah located at in Paducah, Kentucky.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Lisa Emmons, City Attorney

Presentation By: Mark Thompson, City Manager and Michelle Hayden and
Elizabeth Bird of Baptist Health

Background Information:

Recently, the City of Paducah received a request from Stoll, Keenon & Ogden, bond counsel for Baptist Health, requesting support regarding the upcoming issuance of Kentucky Economic Development Finance Authority ("KEDFA") revenue bonds that will be used to refinance construction costs incurred by Baptist Healthcare System, Inc. in previous improvements to the health-related facility of Baptist Health Paducah located within the City of Paducah, Kentucky.

The KEDFA revenue bonds will refinance the costs of previous improvements to certain hospital, health care, and health-related facilities currently constituting Baptist Health Paducah in the City of Paducah, Kentucky, including without limitation the prior acquisition, construction, or renovation of facilities for hospital inpatient services, cardiovascular services, women's health services, diagnostic imaging services, cardiac rehabilitation services, cancer treatment services, and chaplain services, administration, parking, central plant improvements, safety system upgrades, and medical and office equipment and furnishings up to \$35,000,000.

The bonds will be repaid in their entirety by Baptist Healthcare System, Inc., and its affiliates. The City of Paducah will in no way be liable for any repayment of these bonds. Under Kentucky Revised Statutes § 103.210(1), however, the City is be required to pass a resolution that indicates a desire on the City's part for the bond financing to occur. The revenue bond financing is beneficial to the economy of the City of Paducah as it enables Baptist Health to continue to provide substantial employment for residents of the area.

The City Attorney has reviewed the proposed resolution and it appears to sufficiently fulfill the statutory requirements under Kentucky law. If the City Council is so willing, a motion and vote on this resolution would allow KEDFA to proceed with the revenue bond issue.

As a result, the City Attorney is recommending that the resolution be approved and adopted

by the Mayor and City Commission.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available:

Account Name: *N/A
Account Number:

6/6/2013
Finance *

Staff Recommendation: That the Mayor and Commission approve and adopt the proposed Resolution.

Attachments: Resolution

Department Head	City Clerk	 City Manager
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* - City of Paducah is not obligated for any Debt service on this debt obligation.

RESOLUTION

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY, RELATING TO THE ISSUANCE BY THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY OF REVENUE BONDS IN ORDER TO REFINANCE, AMONG OTHER THINGS, COSTS INCURRED BY BAPTIST HEALTHCARE SYSTEM, INC., IN CONSTRUCTING AND ACQUIRING CERTAIN HOSPITAL FACILITIES IN THE CITY

WHEREAS, Baptist Healthcare System, Inc. ("Baptist Health"), a Kentucky nonprofit corporation, desires to refinance the costs of previous improvements to certain hospital, health care, and health-related facilities currently constituting Baptist Health Paducah in the City of Paducah, Kentucky (the "City"), including without limitation the prior acquisition, construction, or renovation of facilities for hospital inpatient services, cardiovascular services, women's health services, diagnostic imaging services, cardiac rehabilitation services, cancer treatment services, and chaplain services, administration, parking, central plant improvements, safety system upgrades, and medical and office equipment and furnishings (collectively, the "Existing Projects"), up to \$35,000,000 of the costs of which are presently expected to be refinanced by the Bonds; and

WHEREAS, it is expected that the refinancing of the Existing Projects by Baptist Health will have a positive impact on the local economy and the delivery of hospital, health care, and health-related services to the citizens of the City and the surrounding areas and, in particular, will result in the provision of more efficient and effective hospital, health care, and health-related services in the area; and

WHEREAS, the Kentucky Economic Development Finance Authority ("KEDFA"), a body politic and corporate within the Economic Development Cabinet of the Commonwealth of Kentucky, created and existing pursuant to the provisions of KRS Chapter 154, possesses the legal authority to authorize and issue revenue bonds to provide for the refinancing of the Existing Projects upon the request of the City as required by KRS 103.210(1); and

WHEREAS, such refinancing, when undertaken by KEDFA, will enable Baptist Health to continue to provide substantial employment for residents of the area; and

WHEREAS, the City, for the reasons above stated, desires to renew its request for the issuance of such revenue bonds by KEDFA (the "Bonds") for the purposes of refinancing costs of the Existing Projects, and refinancing the costs of other projects for other hospitals, health care, and health-related facilities owned or operated by Baptist Health in other Kentucky cities, and it is appropriate that this Resolution be adopted in order to evidence such request;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF PADUCAH, KENTUCKY, ACTING BY AND THROUGH ITS BOARD OF COMMISSIONERS, AS FOLLOWS:

Section 1. It is hereby found, determined and declared that the statements of fact set forth in the preamble to this Resolution are true and accurate in all respects, and the preamble

and all of the recitals therein are incorporated in this Resolution by reference, as if set forth verbatim herein.

Section 2. The City hereby requests the issuance of the Bonds by KEDFA in order to refinance the Existing Projects for Baptist Health. Such request is made solely for the purpose of satisfying the statutory requirement of KEDFA for such local request and shall not be deemed to constitute an approval of the Existing Projects for any other municipal purpose of the City.

Section 3. The adoption of this Resolution shall not be deemed to and shall not constitute an approval of the Bonds or any representation made by KEDFA or Baptist Health in the issuance thereof and shall not impose any liability or responsibility, financial or otherwise, upon the City.

Section 4. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Board of Commissioners of the City of Paducah, Kentucky, on June 12, 2018, signed by the Mayor, attested by the City Clerk and declared to be in full force and effect.

Brandi Harless, Mayor

Attest:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\resoln\Baptist Health Care-KEDFA REVENUE BOND ISSUE 6-2018

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Paducah, Kentucky (the "City"), and as such Clerk, I further certify that the foregoing is a true, correct, and complete copy of a Resolution duly adopted by the Board of Commissioners of the City at a properly convened meeting held on June 12, 2018, signed by the Mayor and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand this June 12, 2018.

Tammara S. Sanderson, City Clerk

Agenda Action Form Paducah City Commission

Meeting Date: June 12, 2018

Short Title: Authorize the City Engineer-Public Works Director to be Applicant Agent for all FEMA and KEMA documentation required for Federal Disaster Assistance Related to the 2018 Flood and Sever Weather Events

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Chris Yarber, Assistant Public Works Director
Presentation By: Rick Murphy, P.E., City Engineer

Background Information:

In order to receive Federal disaster assistance for the 2018 Flood and Severe Weather Events, the City of Paducah is required to designate an applicant agent. This applicant agent will be officially authorized to provide to KYEM (state) and FEMA (FEMA) all documentation, assurances and agreements as required to obtain Federal and State financial assistance.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

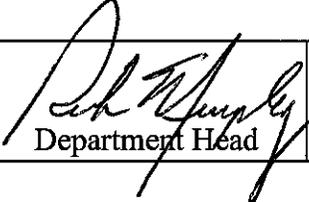
Funds Available: Account Name: Not Required
Account Number:
Project Number:

Finance

Staff Recommendation:

To adopt a Resolution designating the City Engineer-Public Works Director to be the City of Paducah's official applicant agent to provide to KEMA (state) and FEMA (federal) all documentation, assurances and agreements as required in order to obtain Federal and State financial assistance for the 2018 Flood and Sever Weather Events.

Attachments: Designation of Applicant Agent Form

 Department Head	City Clerk	 City Manager
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RESOLUTION

A RESOLUTION AUTHORIZING THE CITY ENGINEER-PUBLIC WORKS DIRECTOR TO EXECUTE DOCUMENTS FOR AND ON BEHALF OF THE CITY OF PADUCAH TO APPLY FOR FINANCIAL ASSISTANCE THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY RELATED TO THE 2018 FLOOD AND SEVERE WEATHER EVENTS
BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That Rick Murphy, P.E., City Engineer-Public Works Director is hereby authorized to execute for and in behalf of the City of Paducah, a public entity established under the laws of the Commonwealth of Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

SECTION 2. That the City of Paducah, a public entity established under the laws of the Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.

SECTION 3. That this resolution shall take effect upon adoption as provided by law.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\resoln\FEMA Funding – 2018 Flooding and Severe Weather

CERTIFICATION

I, Tammara S. Sanderson, duly appointed and City Clerk of the City of Paducah, Kentucky, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Commissioners of the City of Paducah, Kentucky on the 12th day of June, 2018.

Date: _____

(Official Position)

(Signature)

**TAB V-3-2
DESIGNATION OF APPLICANT'S AGENT**

RESOLUTION

BE IT RESOLVED BY _____ OF _____
(Governing Body) *(Public Entity)*

THAT _____,
(Name of Incumbent) *(Official Position)*

is hereby authorized to execute for and in behalf of _____
_____, a public entity established under the laws of the Commonwealth of

Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT _____, a public entity established under the laws of the Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.

Passed and approved this _____ day of _____, 20_____.

(Name and Title)

(Name and Title)

(Name and Title)

CERTIFICATION

I, _____, duly appointed and _____ of
(Title)

_____, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the _____ of _____
(Governing Body) *(Public Entity)*

on the _____ day of _____, 20_____.

Date: _____

(Official Position)

(Signature)

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

May 29, 2018

At a Called Meeting of the Board of Commissioners, held on Tuesday, May 29, 2018, at 5:30 p.m., in the Commission Chambers of City Hall located at 300 South 5th Street, Mayor Harless presided, and upon call of the roll by the Assistant City Clerk, the following answered to their names: Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5).

INVOCATION

Commissioner Holland gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Harless led the pledge.

DELETIONS

Interim City Manager Mark Thompson requested that items V(B) Repeal Paducah Water Rates Ordinance, V(C) Approve Ordinance Establishing Paducah Water Rates, and V(E) Restated MOU with Higdon for Greenway Village be deleted from the agenda.

CONSENT AGENDA

Mayor Harless asked if the Board wanted any items on the Consent Agenda removed. No one asked for any items to be removed. The Mayor asked the Assistant City Clerk to read the remaining items on the Consent Agenda.

I(A)	Minutes for the May 8, 9, 14, 22 & 23, 2018 City Commission Meetings
I(B)1	Personnel Actions
I(B)2	A MUNICIPAL ORDER ADOPTING AN AMENDMENT TO THE FY2017-2018 PAY GRADE SCHEDULE FOR THE EMPLOYEES OF THE CITY OF PADUCAH, KENTUCKY (M.O. # 2101; BK 10)
I(B)3	A MUNICIPAL ORDER AUTHORIZING THE FINANCE DIRECTOR TO PAY CLEAN EARTH, INC., FOR THE DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE AND ELECTRONIC WASTE COLLECTED DURING THE CITY/COUNTY FREE CLEAN-UP DAY(M.O. # 2102; BK 10)
I(B)4	A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE PAYMENT TO HEALTHWORKS MEDICAL LLC FOR ANNUAL MEDICAL SCREENING SERVICES REQUIRED FOR THE FIRE SUPPRESSION DIVISION OF THE PADUCAH FIRE DEPARTMENT (M.O. # 2103; BK 10)

Mayor Harless offered motion, seconded by Commissioner Holland, that the items on the consent agenda be adopted as presented.

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5).

MUNICIPAL ORDER(S)

TRANSFER FUNDS FROM COMMISSION CONTINGENCY TO LEGAL FEES ACCOUNT

May 29, 2018

Commissioner Abraham offered motion, seconded by Commissioner Holland, that a Municipal Order entitled, "A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO TRANSFER \$40,000 FROM THE COMMISSION CONTINGENCY FUND TO THE GENERAL LEGAL FUND FOR LEGAL BILLING FOR THE REMAINDER OF FISCAL YEAR 2018", be adopted.

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5). (M.O.#2104; BK 10)

ORDINANCE(S) – EMERGENCY

AUTHORIZE CONTRACT FOR CITY MANAGER POSITION

Commissioner Abraham offered motion, seconded by Commissioner Holland, that the Board of Commissioners introduce and adopt an ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PADUCAH TO ENTER INTO AN EMPLOYMENT CONTRACT WITH JAMES W. ARNDT AS CITY MANAGER AND DECLARING AN EMERGENCY TO EXIST." This Ordinance is summarized as follows: This Ordinance approves and authorizes the Mayor to enter into and execute an employment contract with James W. Arndt to employ Mr. Arndt as the City Manager for the City of Paducah, subject to legal terms approved by Corporation Counsel. Further, the City Commission declares an emergency to exist as to the approval of this ordinance pursuant to KRS 83A.060.

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5). (ORD # 2018-5-8530; BK 35)

ORDINANCE(S) – ADOPTION

RECLASSIFY CIVIL SERVICE POSITIONS AS NON-CIVIL SERVICE

Commissioner Rhodes offered motion, seconded by Commissioner Wilson, that the Board of Commissioners adopt an Ordinance entitled, "AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY, RECLASSIFYING THE CITY CLERK AND CHIEF BUILDING INSPECTOR POSITIONS WITHIN THE CITY OF PADUCAH AS NON-CIVIL SERVICE." This Ordinance is summarized as follows: This Ordinance reclassifies the positions of the City Clerk and the Chief Building Inspector from civil service to non-civil service. Notwithstanding the reclassification, persons currently in those positions will continue to be covered under civil service statutes until their employment ends.

AMEND PROPOSED ORDINANCE TO MAINTAIN CHIEF BUILDING INSPECTOR POSITION AS CIVIL SERVICE

Commissioner Abraham offered motion, seconded by Commissioner Rhodes that the proposed Ordinance be amended to remove wording pertaining to the Chief Building Inspector position in order to keep said Chief Building Inspector position classified as civil service.

Adopted on call of the roll, yeas, Commissioners Abraham, Rhodes, Wilson and Mayor Harless (4). Nays, Commissioner Holland (1).

ADOPT CIVIL SERVICE RECLASSIFICATION ORDINANCE AS AMENDED

Commissioner Wilson offered motion, seconded by Commissioner Rhodes that the Board of Commissioners adopt the Ordinance as amended.

May 29, 2018

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5). (ORD # 2018-5-8531; BK 35)

PUMP STATION #2 HDR AMENDED AGREEMENT

Commissioner Wilson offered motion, seconded by Commissioner Rhodes, that the Board of Commissioners of the City of Paducah adopt an Ordinance entitled, "AN ORDINANCE OF THE CITY OF PADUCAH KENTUCKY, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT FOR ENGINEERING SERVICES REQUIRED TO COMPLETE THE PROJECT DESIGN PLANS, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE IMPROVEMENT OF FLOOD CONTROL PUMP STATIONS #2 AND #9 WITH HDR ENGINEERING, INC.; AND AUTHORIZING THE EXECUTION OF SAID FIRST AMENDMENT." This Ordinance is summarized as follows: This Ordinance approves and authorizes the execution on behalf of the City of the First Amendment to the Professional Engineering Services Agreement with HDR Engineering, Inc., relating to the expansion of the scope of services to be rendered by HDR Engineering, Inc., in connection with the design, construction administration, inspection services of Flood Control Pump Station # 2 as required by the U.S. Department of the Army

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5). (ORD # 2018-5-8532; BK 35)

2018-2019 ASPHALT PROGRAM AWARD

Commissioner Abraham offered motion, seconded by Commissioner Holland, that the Board of Commissioners adopt an Ordinance entitled, "AN ORDINANCE ACCEPTING THE BID OF JIM SMITH CONTRACTING COMPANY, LLC, FOR THE CITY OF PADUCAH'S CALENDAR YEARS 2018 AND 2019 STREET RESURFACING PROGRAM, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SAME". This ordinance is summarized as follows: Accepting the bid of Jim Smith Contracting Company, LLC for the City of Paducah's calendar years 2018 and 2019 street resurfacing program and authorizing the Mayor to execute a contract for same. The contract has a one-year renewal option, ending December 31, 2020, upon mutual agreement by the City and Jim Smith Contracting Company, LLC. The unit bid prices are as follows:

<u>ITEM NO</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT BID PRICES</u>
1	Bituminous Surface/Base	TON	\$75.00
2	Milling Texture	TON	\$50.00
3	Shoulder Construction	TON	\$40.00

Adopted on call of the roll, yeas, Commissioners Abraham, Holland, Rhodes, Wilson and Mayor Harless (5). (ORD # 2018-5-8533; BK 35)

ORDINANCE(S) – INTRODUCTION

Commissioner Wilson offered motion, seconded by Commissioner Abraham that the Board of Commissioners introduce an Ordinance entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES FOR THE LICENSE OF SOFTWARE AND THE PROCUREMENT OF RELATED PRODUCTS AND

May 29, 2018

SERVICES.” This ordinance is summarized as follows: The City Commission hereby approves an amendment in the amount of \$22,950.00 to the original agreement with Tyler Technologies, Inc. and authorizes the Mayor to execute said amendment.

COMMENTS

COMMENTS FROM THE CITY MANAGER

Interim City Manager Thompson gave information about the 2018 Noble Park Fish Out Fishing Tournament. The free tournament for kids ages 6 to 11 will be Saturday, June 2nd at Noble Park Lake.

ADJOURN

Mayor Harless offered motion, seconded by Commissioner Holland to adjourn the meeting. All in favor.

Meeting ended at approximately 5:56 p.m.

ADOPTED: June 12, 2018

Assistant City Clerk

Mayor

City Clerk

June 12, 2018

Minute File:

1. Notices of Cancellation for the Board of Commissioners of the City of Paducah for May 15 & June 5, 2018
2. Notices of Called Meetings for the Board of Commissioners of the City of Paducah for May 9, 14, 22, 23, 2018
3. Amended Notices of Called Meetings for May 23 & 29, 2018

Deed File:

4. Quitclaim Deed with Lamarcus Harden for 2077 Broad Street (MO # 2086)
5. Commissioner's Deed for 1240 North 12th Street
6. Commissioner's Deed for 1411 Burnett Street

Contract File:

7. Agreement for Employment as City Manager with James W. Arndt (ORD # 2018-5-8530)
8. Agreement with Minter Roofing Company, Inc. for Civic Center & Probation & Parole Building Roofing (MO # 2097)
9. Agreement with Jim Smith Contracting Co., LLC for 2018-2019 Resurfacing Program (ORD # 2018-5-8533)
10. First Amendment to Agreement with HDR Engineering for Pump Station # 2 (ORD 2018-5-8532)
11. Termination of Easement with Four Rivers Behavioral Health for Parking Lot Area (ORD # 2018-4-8527)
12. Notice of Intent with Kentucky Pollutant Discharge Elimination System for Stormwater Discharges (MO # 2099)
13. Agreement with Arthur Rozzi Pyrotechnics, Inc. for July 4, 2018 Fireworks Display (Executed by CM)

Financials File:

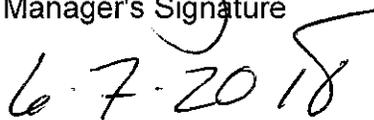
14. Paducah Water Financial Highlights for April 2018

CITY OF PADUCAH
June 12, 2018

Upon the recommendation of the City Manager, the Board of Commissioners of the City of Paducah order that the personnel changes on the attached list be approved.



City Manager's Signature



Date

**CITY OF PADUCAH
PERSONNEL ACTIONS
June 12, 2018**

NEW HIRES - FULL-TIME (FT)

<u>EPW - SOLID WASTE</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Chappell, Chris	Truck Driver	\$17.23/Hr.	NCS	Non-Ex	June 28, 2018
Kitchen, Robert C.	Truck Driver	\$17.23/Hr.	NCS	Non-Ex	June 28, 2018

NEW HIRES - PART-TIME (P/T)/TEMPORARY/SEASONAL

<u>PARKS SERVICES</u>	<u>POSITION</u>	<u>RATE</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
Gaines, Justan	Laborer	\$9.00/Hr.	NCS	Non-Ex	June 14, 2018

PAYROLL ADJUSTMENTS/TRANSFERS/PROMOTIONS/TEMPORARY ASSIGNMENTS

	<u>PREVIOUS POSITION AND BASE RATE OF PAY</u>	<u>CURRENT POSITION AND BASE RATE OF PAY</u>	<u>NCS/CS</u>	<u>FLSA</u>	<u>EFFECTIVE DATE</u>
<u>POLICE OPERATIONS</u>					
Laird, Brian G.	Police Captain \$34.10/Hr.	Police Assistant Chief \$37.36/Hr.	NCS	Ex	May 24, 2018
Watson, Travis L.	Police Officer \$25.43/Hr.	Police Sergeant \$26.77/Hr.	NCS	Non-Ex	May 10, 2018
Hopp, Matthew L.	Police Officer \$25.03/Hr.	Police Sergeant \$26.55/Hr.	NCS	Non-Ex	May 10, 2018
<u>EPW - STREET</u>					
Gross, Jamie F.	ROW Maintenance Person \$18.27/Hr.	Equipment Operator \$19.33/Hr.	NCS	Non-Ex	June 14, 2018
Winsett, James K.	ROW Maintenance Person \$18.27/Hr.	Equipment Operator \$19.33/Hr.	NCS	Non-Ex	June 14, 2018
<u>EPW - COMPOST</u>					
Irick, Matthew J.	ROW Maintenance Person \$18.27/Hr.	Compost Operator \$19.76/Hr.	NCS	Non-Ex	June 14, 2018

TERMINATIONS - FULL-TIME (FT)

<u>FIRE - SUPPRESSION</u>	<u>POSITION</u>	<u>REASON</u>	<u>EFFECTIVE DATE</u>
Brown, Veron L	Firefighter	Resignation	May 28, 2018
<u>PLANNING</u>			
Shull, Adam K.	Grants Administrator	Resignation	June 29, 2018

TERMINATIONS - PART-TIME (P/T)/TEMPORARY/SEASONAL

Simon, Robert	Laborer	Termination	June 4, 2018
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER ACCEPTING THE BID OF RANDAL AND CAROLYN LOFTON IN THE AMOUNT OF \$51.50 PLUS RECORDING AND DEED PREPARATION FEES FOR REAL PROPERTY LOCATED AT 2315 POWELL STREET AND AUTHORIZING THE MAYOR TO EXECUTE A DEED AND ALL OTHER DOCUMENTS NECESSARY TO COMPLETE THE SALE

WHEREAS, pursuant to 2-668 of the Code of Ordinances of the City of Paducah, Kentucky, a written determination has been made by the City Manager that the City does not have any use at this time or in the future for real property located at 2315 Powell Street, which constitutes surplus real estate; and

WHEREAS, the City advertised for bids on April 15, 2018 and opened bids on May 1, 2018; and

WHEREAS, the City desires to accept the bid of Randal and Carolyn Lofton who propose an investment of \$1,650.00 to clear the lot of debris, fill low spots and use in conjunction with the adjacent property.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the City of Paducah accepts the bid of Randal and Carolyn Lofton for the purchase of real property located at 2315 Powell Street for \$51.50 plus recording and deed preparation fees.

SECTION 2. The Mayor is hereby authorized to execute a deed and any necessary documents relating to same to complete the sale of the real property approved in Section 1 above.

SECTION 3. This Order shall be in full force and effect from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\mo\prop sale-2315 Powell Street



STAFF REPORT & DETERMINATION

DISPOSITION OF ASSETS

SOA 2018-023 JUNE 12, 2018

General Information

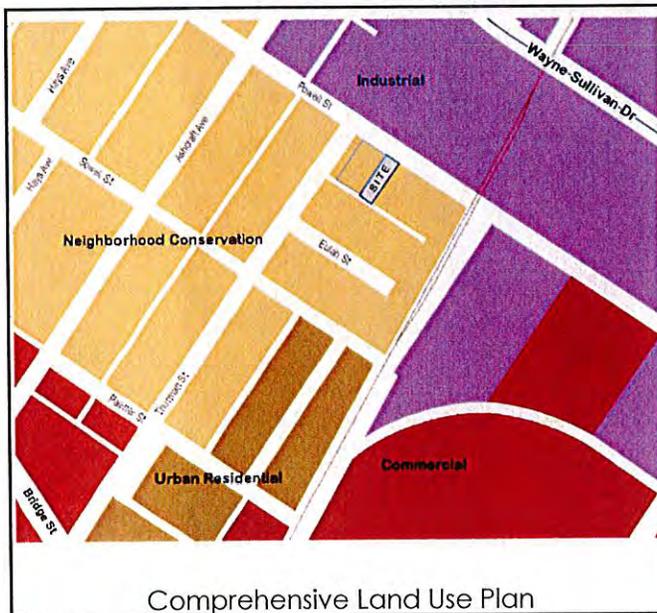
The disposition of surplus or excess property is governed by City Code Section 2-668; the sealed bid procedure is set out in City Code Section 2-645.

The disposition of any property requires a written determination that includes: a description of the property; its intended use at the time of acquisition; the reason why it is in the best interest of the city to dispose of the item; and the method of disposition to be used.

Property Description & Information

ADDRESS	2315 Powell Street	
CASE NO.	SOA 2018-023	
SIZE OF PROPERTY	0.12 acre; 40' by 135' approx.	
IMPROVEMENTS	None	
ZONING	R-3	
COMPREHENSIVE PLAN	Neighborhood Conservation	
FLOODPLAIN	No	

General Vicinity Map





Aerial - 2315 Powell Street is outlined

Acquisition of the Property

The City of Paducah demolished the house and placed a lien on the property for \$1,450.00. The City has been abating this property since 2003 and the total amount of liens on the property was \$39,339.54. On January 26, 2015 this property went through the foreclosure sale

and the City purchased this lot by deed dated March 24, 2015 and recorded in Deed Book 1294 Page 175 recorded on April 17, 2015 for \$334.00. The City had no intended use when it was acquired.

Disposition of the Property

It is in the best interest of the City to transfer ownership of this property to a responsible citizen placing the property back on the tax rolls and eliminating the maintenance and liability costs, provided the development would not destabilize or undermine property values in the surrounding area or be counter to future land use goals.

Bid Information

In accordance with these regulations, a legal ad ran in the Paducah Sun on April 15, 2018 requesting interested parties to submit a sealed bid on or before 9 AM on May 1, 2018. Notice was also posted on the property requesting sealed bids. Only one bid was received before the deadline.

BID #1	Randal and Carolyn Lofton	Bid Amount: \$51.50 plus deed preparation costs (\$77)
They propose clear lot of debris; fill low spots and use in conjunction with adjacent property. The total proposed investment on the property is \$1,650.		

The Bidders reside in Benton, KY. They own 6 other properties in Paducah, each with a residence:

- 414 Elizabeth Street
- 611 Elizabeth Street
- 426 Joe Clifton Drive
- 2305 Powell Street
- 2309 Powell Street

Staff Recommendation

While the bidders do not have any plans for the property in the immediate future, if development occurs, it must occur carefully so not to harm surrounding development, both existing and future. Consequently, any new home should be compatible and uphold the existing residential development pattern. The surrounding homes have front doors and ample porches oriented toward Powell Street; the dominant roof pitch matches or exceeds 6/12; and the construction of existing homes uses traditional residential materials and methods. These are the type of general characteristics that would be reviewed for compatibility.

Therefore, it is recommended to accept Bid #1 and transfer the property to Randal and Carolyn Lofton accepting the offer of \$51.50 plus the cost of deed preparation (\$60.00) and recording fee (\$17.00) subject to the review and approval by the Director of Planning of the final site plan, elevations and construction plans of any home that would be constructed or located on the property.

**Agenda Action Form
Paducah City Commission**

Meeting Date: 12 June 2018

Short Title: Center Point Recovery Center – 2018 CDBG Grant

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Adam Shull
Presentation By: Tammara Tracy

Background Information: The Department for Local Government (DLG) is set to receive funding for the 2018 Funding Cycle from the U.S. Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. Funds are designated for various program areas including Community Projects, Community Emergency Relief Fund, Economic Development, Housing and Public Facilities.

The CDBG program provides assistance to communities for use in revitalizing neighborhoods, expanding affordable housing and economic opportunities, providing infrastructure and/or improving community facilities and services. With the participation of their citizens, communities can devote these funds to a wide range of activities that best serve their own particular development priorities. All project activities must meet at least one of three national objectives:

- benefit to low and moderate income persons;
- prevention or elimination of slums or blight; and,
- meeting particularly urgent community development needs.

On behalf of Four Rivers Behavioral Health, the planning department is proposing the submittal of a CDBG application for the Center Point Recovery Center for personnel expenses. The application will be in the amount of \$220,000 through the Public Services program. These funds will be matched by the Four Rivers Behavioral Health with approximately \$1,030,599 in other federal and state funds. Local matching funds will not be required from the City of Paducah.

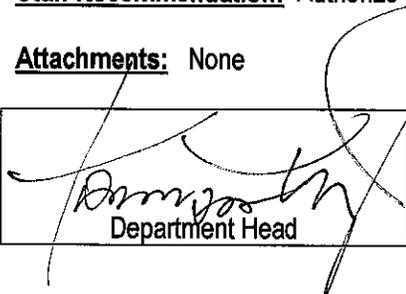
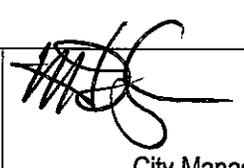
A fee of \$2,500 will be paid to the city for maintaining and providing administration of the funding.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Finance
Account Number:
Project Number:

Staff Recommendation: Authorize and direct the Mayor to sign all required grant application documents.

Attachments: None

 Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR A 2018 COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$220,000 FROM THE OFFICE OF THE GOVERNOR'S DEPARTMENT FOR LOCAL GOVERNMENT FOR THE FOUR RIVERS RECOVERY CENTER POINT PROJECT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The Mayor is hereby authorized to execute an application and all documents relating to same, requesting a Community Development Block Grant from the Office of the Governor Department for Local Development in the amount of \$220,000 on behalf of Four Rivers Behavioral Health for the Four Rivers Center Point Recovery Center. Funds will be matched by Four Rivers Behavioral Health. An administration fee of \$2,500 will be paid to the City of Paducah for maintaining and monitoring this funding.

SECTION 2. This order shall be in full force and effect from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners June 12, 2018

Recorded by Tammara Sanderson, City Clerk, June 12, 2018

\\mo\grants\cdbg-four rivers recovery center project 2018 6-2018

Agenda Action Form Paducah City Commission

Meeting Date: 6/12/2018

Short Title: Upgrade of City Core Switches

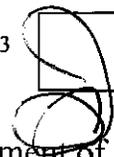
Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Greg Dowdy
Presentation By: Stephen Chino

Background Information: All city telephone and data functions run through two Cisco 2960 data switches, housed at the Information systems office at 500 Clark Street. These existing switches are greater than 7 years old and have been declared end of life by the manufacturer. Further support is no longer available for these old switches. The purpose of this action is to replace the two cisco 2960 switches with two new redundant Cisco model 3850 switches. The new switches are faster and will exceed specifications for the new 911 system and provide redundant data paths in case of disaster. The new switches will provide greater throughput for all city users, due to increased memory and faster processing speed. The cost of the project is currently budgeted in account EQ0028-000-40000-40010 and the cost is \$25,661.20. This project is part of an overall systems retrofit and the estimated completion/installation of the switches is July 20, 2018. Switch installation by this time is required for the 911 retrofit project to continue on schedule. Three quotes were obtained from Pomeroy Networks, CDW Government and POS Global. CDW-G was the lowest cost and priced the items from state contract AR-233 MA 758 1400000876. Due to the highly critical technical nature of these switches and time constraints, we have requested a written determination under City of Paducah code 2-659(9) to purchase these items from state contract rather than the bid process. There is no known local vendor for this equipment according to Cisco's partner website.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

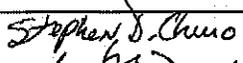
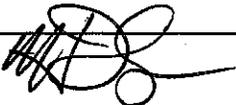
Funds Available: Account Name: I/T Infrastructure Upgrade 9.293
Account Number: EQ0028-000-40000-40010


6/12/18
Finance

Staff Recommendation: Approve the state contract replacement of 2 Cisco

2960 Switches with 2 new redundant Cisco model 3850 switches for the Information Systems Office.

Attachments:

 63  Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF TWO (2) REPLACEMENT CISCO MODEL 3850 SWITCHES FROM CDW GOVERNMENT IN THE AMOUNT OF \$25,661.20 FOR THE INFORMATION SYSTEMS OFFICE

WHEREAS, city telephone and data functions run through data switches housed at the Information Systems Office; and

WHEREAS, these data switches have been declared end of life by the manufacturer and must be replaced as part of the overall systems retrofit project; and

WHEREAS, the Information Technology Department is in need of two (2) new Cisco Model 3850 switches which will provide increased memory and faster processing speed for all city users; and

WHEREAS, said switches are available under State of Kentucky Master Agreement 7581400000876, and, therefore, competitive bidding is not required.

NOW THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Finance Director is hereby authorized to make payment to CDW Government in the amount of \$25,661.20 for the purchase of two (2) new Cisco model 3850 switches for the Paducah Information Technology Department, in compliance with the Kentucky State Purchasing Contract.

SECTION 2. This expenditure shall be charged to the I/T Infrastructure Upgrade Account No. EQ0028-000-40000-40010.

SECTION 3. This Municipal Order shall be effective from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\mo\Upgrade City Core Switches

City of Paducah Information Systems

MEMORANDUM

DATE: May 30, 2018

TO: File

FROM: City Manager Mark Thompson

SUBJECT: State Contract Purchase of Data Center Switches

The Information systems department intends to purchase 2 Cisco 3850 data center switches from CDW Government. The equipment is critical to all phone and computer operations. The equipment is required before the 911 implementation can take place and is needed quickly. We have obtained 3 quotes from vendors and CDW-G was the only vendor to provide equipment on the state contract and was the lowest quote. Pursuant to Paducah code 2-659(9) we have chosen to forgo the bid process and purchase directly from the state contract vendor CDW.

pc: File

QUOTE CONFIRMATION



DEAR GREG DOWDY,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
JVCG222	5/24/2018	REQUEST 3	2847149	\$25,661.20

IMPORTANT - PLEASE READ

Special Instructions: TAX: MULTIPLE TAX JURISDICTIONS APPLY
TAX: CONTACT CDW FOR TAX DETAILS

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<u>Cisco Catalyst 3850-48U-E - switch - 48 ports - managed - rack-mountable</u> Mfg. Part#: WS-C3850-48U-E UNSPSC: 43222612 MSRP \$22,440.00 Contract \$14586.00 Discount 50% TAX: PADUCAH, KY .0000% \$.00 Contract: Kentucky Cisco WSCA (AR-233 MA 758 1400000876)	2	3243453	\$11,220.00	\$22,440.00
<u>Cisco SMARTnet extended service agreement</u> Mfg. Part#: CON-SNT-WS3848UE UNSPSC: 81111812 MSRP \$1,414.00 Contract \$1247.40 Discount 20% Electronic distribution - NO MEDIA TAX: PADUCAH, KY .0000% \$.00 Contract: Kentucky Cisco WSCA (AR-233 MA 758 1400000876)	1	3294560	\$1,131.20	\$1,131.20
<u>Cisco Config 1 Secondary Power Supply - power supply - hot-plug / redundant</u> Mfg. Part#: PWR-C1-1100WAC/2 UNSPSC: 39121004 MSRP \$1900.00 Contract \$1235 Discount 50% TAX: PADUCAH, KY .0000% \$.00 Contract: Kentucky Cisco WSCA (AR-233 MA 758 1400000876)	2	2944946	\$950.00	\$1,900.00
<u>Cisco StackWise 480 - stacking cable - 1.6 ft</u> Mfg. Part#: STACK-T1-50CM UNSPSC: 26121609 MSRP \$100 Contract \$65 Discount 50% TAX: PADUCAH, KY .0000% \$.00 Contract: Kentucky Cisco WSCA (AR-233 MA 758 1400000876)	2	4752735	\$50.00	\$100.00
<u>Cisco StackPower - power cable - 1 ft</u> Mfg. Part#: CAB-SPWR-30CM UNSPSC: 26121636	2	4752739	\$45.00	\$90.00

QUOTE DETAILS (CONT.)

MSRP \$190
 Contract \$51.75
 Discount 50%
 TAX: PADUCAH, KY .0000% \$.00
 Contract: Kentucky Cisco WSCA (AR-233 MA 758 1400000876)

PURCHASER BILLING INFO	SUBTOTAL	\$25,661.20
Billing Address: CITY OF PADUCAH ACCTS PAYABLE PO BOX 2307 PADUCAH, KY 42002-2307 Phone: (270) 444-8594 Payment Terms: Net 30 Days-Govt State/Local	SHIPPING	\$0.00
	GRAND TOTAL	\$25,661.20
DELIVER TO	Please remit payments to:	
Shipping Address: CITY OF PADUCAH GREG DOWDY 300 S 5TH ST PADUCAH, KY 42003-1527 Shipping Method: DROP SHIP-GROUND	CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	

Need Assistance? CDW•G SALES CONTACT INFORMATION



Jeff Jones

(866) 668-9487

jeffjon@cdw.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
 For more information, contact a CDW account manager

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Agenda Action Form Paducah City Commission

Meeting Date: 6/12/2018

Short Title: Purchase of radios for the Fire Department

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Ronnie Rathman, Battalion Chief
Presentation By: Steve Kyle, Fire Chief

Background Information: The department needs to replace radios that are antiquated and won't upgrade to the new radio system once it is purchased. We have found radios that are a newer model that will both upgrade to the new radio system as well as work on the old. The radios are reconditioned and are of a significant savings to the department due to cost compared to the new purchase price. The new purchase price for the radio identified is \$5,741.73/each. The price for the reconditioned radio is \$2481.81/each from Sunny Communications, a savings of \$3259.92 per radio. This allows us to replace more radios than originally planned. The total for 16 reconditioned radios and all accessories comes to \$39,709.00 The allocation for this purchase as budgeted.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

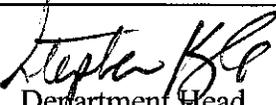
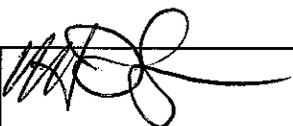
Funds Available: Account Name: Equipment/Communication
Account Number: 10001802-542130


6/6/2018
Finance

Staff Recommendation:

Recommend purchase of 16 radios and all accessories for the total of \$39,709.00

Attachments:

 Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SUNNY COMMUNICATIONS IN AN AMOUNT OF \$39,709.00 FOR RECONDITIONED RADIOS AND ACCESSORIES FOR THE PADUCAH FIRE DEPARTMENT

WHEREAS, a written determination has been made by the City Manager that this will be a noncompetitive negotiation purchase pursuant to Sec. 2-659(13) of the Code of Ordinances of the City of Paducah, Kentucky, based on findings by the Paducah Fire Department that the purchase of reconditioned radios will afford a purchase savings of \$3,259.92 per radio to the city.

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Finance Director is hereby authorized to make payment to Sunny Communications in the amount of \$39,709.00 for the purchase of 16 reconditioned Motorola APX6000XE 3.5 radios and accessories for the Paducah Fire Department.

SECTION 2. This expenditure shall be charged to the Fire Department Equipment/Communication Account No. 10001802-542130.

SECTION 3. This Municipal Order shall be effective from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

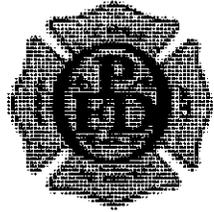
Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\mo\Non-Competitive Negotiation Fire Dept Radios 2018

Paducah Fire Department

Office of the Fire Chief

301 Washington Street

Paducah, KY 42003



Stephen D. Kyle, Fire Chief
skyle@paducahky.gov/270-444-8521

MEMORANDM FOR RECORD

TO: Mark Thompson
Interim City Manager

FROM: Stephen Kyle 
Fire Chief

SUBJECT: Written Procurement for Radios

DATE: June 6, 2018

This is a written procurement determination recommendation under ordinance 2-644 for the purchase of reconditioned radios. The radios being recommended to be purchased are Motorola APX6000XE 3.5. The new purchase price from the local vendor who does not offer reconditioned radios is \$5,741.73 each. The price from the recommended vendor for reconditioned radios is for \$2,481.81 each. These radios are P25 phase II compliant that will allow them to work on the new radio system being proposed and they will also work on our current system. This significant savings on the price of the reconditioned radio through the reseller justifies the purchase using the noncompetitive negotiation process. This is authorized where competition is not feasible under ordinance 2-659 item (13) where the contract is for a sale of supplies at reduced prices that will afford a purchase at savings to the city.

Agenda Action Form

Paducah City Commission

Meeting Date: June 12, 2018

Short Title: Contract with Paducah Convention & Visitors Bureau - \$25,000 (conduit for AQS)

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Claudia Meeks, Jonathan Perkins
Presentation By: Mark Thompson, Interim, City Manager

Background Information:

As part of the Investment Fund Decision Items for FY2018 (current year), the Commission approved appropriation to fund the American Quilters Society for the 2018 Quilt Show in the amount of \$25,000. When the City provides funds to any organization, we prepare a simple Contract for Services agreement that describes the public services the organization will provide as a result of receiving the City funds. In order to expedite and simplify the process, the Paducah-McCracken County Convention Visitor Bureau (CVB) has agreed to act as a conduit through which local agency funds may flow. Therefore, the City will need to execute a contract with the CVB to handle the \$25,000 payment.

History - In July 2007, the City verbally committed to a cash incentive of \$25,000 for the spring 2008 American Quilter Society (AQS) Show. Other local agencies also committed funds to the AQS show. The funds were to be used to market and promote events and venues related to the 2008 show.

On March 18, 2008 the City Commission authorized a municipal order committing \$25,000 in Commission contingency funds to the 2008 AQS show.

This process was repeated in 2009-2017. This payment request/contract is for Quilt Show 2018.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: This expenditure was appropriated in the FY2018 Budget.

Account Name: ~~Services-Other~~ A.Q.S.
Account Number: 2400 - 0401 - 580720

6/6/18
Finance

Staff Recommendation:

Authorize the Mayor to execute an agreement (and a one-time written Contract for Services) with the Paducah Convention & Visitors Bureau in the amount of \$25,000 on behalf of the AQS to be used for marketing and promoting events and venues related to the 2018 AQS Show.

Attachments:

Municipal Order
Contract

Department Head	City Clerk	City Manager
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MUNICIPAL ORDER _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE
A CONTRACT WITH THE PADUCAH-MCCRACKEN COUNTY CONVENTION
AND VISITORS BUREAU FOR \$25,000 FOR SPECIFIC SERVICES RELATED TO
THE AMERICAN QUILTERS SOCIETY SHOW

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Mayor is hereby authorized to execute a contract
with the Paducah-McCracken County Convention and Visitors Bureau in the amount of
\$25,000 to be used for marketing and promoting events and venues related to the 2018
American Quilters Society Show. This contract shall expire June 30, 2018.

SECTION 2. This expenditure shall be charged to the Services-Other
(2400-0401-58720) account.

SECTION 3. This Order shall be in full force and effect from and after
the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\mo\contract-Convention & Visitors Bureau (AQS 2018)

CONTRACT FOR SERVICES

This Contract for Services, effective this _____ day of _____, 2018, by and between the **CITY OF PADUCAH** ("City") and the **PADUCAH-McCRACKEN COUNTY CONVENTION & VISITORS BUREAU** (hereinafter referred to as Paducah CVB).

WITNESSETH:

WHEREAS, the Paducah CVB is a government organization funded by the transient room tax; and

WHEREAS, the Paducah CVB is dedicated to providing destination marketing for Paducah-McCracken County and is responsible for generating incremental economic benefit to the community through the attraction of leisure traveler, convention, trade show and group tour visits; and

WHEREAS, City funding would assist the Paducah CVB in assuring the American Quilters Society (AQS) 2018 show is held in Paducah; and

WHEREAS, the City of Paducah desires to contract with the Paducah CVB for the services to be described herein under the terms and conditions set forth in this Contract for Services.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants as herein set forth, the parties do covenant and agree as follows:

SECTION 1: TERM

The term of this contract for services shall be from the effective date of the contract until June 30, 2018.

SECTION 2: TERMINATION

Either party may terminate this Contract for Services upon failure of any party to comply with any provision of this agreement provided any such party notifies the other in writing of such failure and the breaching party fails to correct the breach within thirty (30) calendar days of the notice.

SECTION 3: OPERATIONS PAYMENT

In consideration of the fact that City funding assists the Paducah CVB, in assuring that the American Quilter Society (AQS) 2018 show is held in Paducah, the City shall, upon receipt of an invoice, pay the Paducah CVB, a one-time amount of Twenty-Five Thousand Dollars (\$25,000).

SECTION 4: OBJECTIVES AND SERVICES

During the term of this contract, the Paducah CVB will, on behalf of the City of Paducah, provide funds, including this \$25,000 to the AQS for the 2018 show to be used for marketing and promoting events and venues related to the show.

SECTION 5: ACCOUNTING

- (A) Paducah CVB shall continue to conduct all accounting, financial management, and
- (B) The Paducah CVB shall provide the City Commission their annual financial audit report for the Fiscal Year 2018.

SECTION 6: ENTIRE AGREEMENT

This contract for services embodies the entire agreement between the parties and all prior negotiations and agreements are merged in this agreement. This agreement shall completely and fully supersede all other prior agreements, both written and oral, between the parties.

SECTION 7: WITHDRAWAL OF FUNDS

Notwithstanding any other provision in this Contract for Services, in the event it is determined that any funds provided to Paducah CVB are used for some purpose other than in furtherance of the services described herein, the City shall have the right to immediately withdraw any and all further funding and shall immediately have the right to terminate this Contract for Services without advance notice and shall have the right to all remedies provided in the law to seek reimbursement for all monies not properly accounted.

Witness the signature of the parties as of the year and date first written above.

CITY OF PADUCAH

By _____
BRANDI HARLESS, Mayor

Date: _____

PADUCAH-MCCRACKEN COUNTY & VISITORS BUREAU

By Mary Hammond

Title Executive Director

Date: June 4, 2018

Agenda Action Form Paducah City Commission

Meeting Date: June 12, 2018

Short Title: **Approval to advertise and distribute a Preliminary Official Statement (POS) for the purchase of City of Paducah GOBs, Series 2018A and Series 2018B**

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jonathan Perkins
Presentation By: Jonathan Perkins

Background Information: The sale of GOBs 2018A & 2018B will take place in July 2018. We will need permission to advertise and distribute a Preliminary Official Statement (POS) for that sale.

Description of the GOBs being issued: GOB 2018A proceeds for \$2.91 million will be applied to the following project: a) Riverfront project, \$1.1 million; and, b) E911 Equipment project, \$1.7 million. The GOB 2018B proceeds will be used to refinance the variable interest rate KLC GOBs 2003 (2015A1) and 2009 (2016A1) and 'lock in' a fix rate of interest.

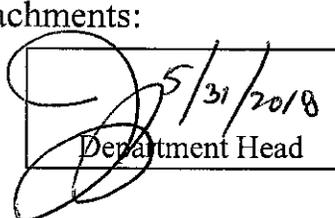
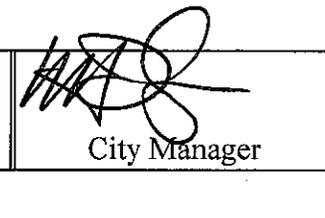
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number: Bond Fund

 5/31/2018
Finance

Staff Recommendation: That the Mayor and Commission approve this municipal order.

Attachments:

 5/31/2018 Department Head	City Clerk	 City Manager
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MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER APPROVING THE ADVERTISEMENT FOR BID AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2018A AND CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018B IN AGGREGATE PRINCIPAL AMOUNTS OF APPROXIMATELY \$2,910,000 AND \$2,845,000, RESPECTIVELY.

WHEREAS, the City of Paducah, Kentucky (the "City") has determined that it is a public purpose of the City to finance the acquisition, construction and installation of improvements to the City's riverfront and the acquisition and installation 911 equipment (collectively, the "2018 Project"); and

WHEREAS, the City further has determined that the present conditions of the municipal market are such that it is advantageous and in the best interests of the City for the City to currently refund a General Obligation Lease dated March 2, 2009, as amended (the "2009 Lease") between the City and the Kentucky League of Cities Funding Trust and a Lease Agreement dated as of July 1, 2003, as amended (the "2003 Lease") with the Kentucky League of Cities Funding Trust, the proceeds of which were used to finance various public improvements in the City, including (i) improvements to the City's floodwall, (ii) the construction of parking lots and related infrastructure at the Four Rivers Center, (iii) structural improvements and installation of an HVAC system at the City Building, (iv) the installation of an HVA system and related construction at the City's Police Building (v) playground equipment and restroom and shelter renovations at Kolb Park, (vi) basketball court and sprayground improvements as well as restroom renovations at Blackburn Park, (vii) trail development at Perkins Creek Nature Preserve and (viii) new restrooms and shelters and playground renovations at Noble Park (collectively, the "Prior Projects, " and together with the 2018 Project, the "Projects"); and

WHEREAS, in order to achieve the foregoing objectives of the City, the City has determined and does hereby confirm that it is necessary and desirable at this time for the City to proceed with the issuance of (i) its General Obligation Bonds, Series 2018A in the approximate principal amount of \$2,910,000 (which amount may be increased or decreased by up to \$290,000) (the "Series 2018A Bonds") to finance the 2018 Project and (ii) its General Obligation Refunding Bonds, Series 2018B in in the approximate principal amount of \$2,845,000 (which amount may be increased or decreased by up to \$285,000) (the "Series 2018B Bonds," and together with the Series 2018A Bonds, the "Bonds") to currently refund the 2003 Lease and 2009 Lease; and

WHEREAS, on the 12th day of June, 2018 the City gave first reading to, and on the 26th day of June, 2018 proposes to give second reading to and adopt, an ordinance providing for the issuance of the Bonds in order to provide funds to pay the costs, not otherwise provided for the financing and refinancing of the Projects, which ordinance is titled as follows:

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING THE ISSUANCE OF (I) CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2018A IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$2,910,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF SERIES 2018A BONDS BY UP TO \$290,000) FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF THE CONSTRUCTION OF RIVERFRONT IMPROVEMENTS AND THE ACQUISITION OF 911 EQUIPMENT, AND (II) CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018B IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$2,845,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF SERIES 2018B BONDS BY UP TO \$285,000) FOR THE PURPOSE OF CURRENTLY REFUNDING A GENERAL OBLIGATION LEASE AGREEMENT DATED MARCH 2, 2009 BETWEEN THE CITY AND THE KENTUCKY LEAGUE OF CITIES FUNDING TRUST AND A LEASE AGREEMENT DATED JULY 1, 2003 BETWEEN THE CITY AND THE KENTUCKY LEAGUE OF CITIES FUNDING TRUST, THE PROCEEDS OF WHICH IN TURN FUNDED THE COSTS OF VARIOUS PUBLIC IMPROVEMENTS WITHIN THE CITY; APPROVING THE FORMS OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING BOND PAYMENT FUNDS; MAINTAINING THE HERETOFORE ESTABLISHED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, it is appropriate at this time that the City authorize the advertisement for bid for the purchase of the Bonds.

NOW, THEREFORE, BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY, AS FOLLOWS:

SECTION 1. The City shall comply with the requirements of KRS Chapters 66 and 424 by advertising for bids for the purchase of the Bonds. Actions heretofore taken by the City in connection with the preparation of such instruments and the distribution of such information by the City as shall be necessary to accomplish the foregoing, including the preparation of a Preliminary Official Statement (the "Preliminary Official Statement") which Preliminary Official Statement shall be deemed final by the Mayor of the City in accordance with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), are hereby ratified and approved. In order to enable prospective purchasers to submit a bid for the purchase of the Bonds, the City hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure undertaking (the "Continuing Disclosure Undertaking") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing

Disclosure Undertaking shall not constitute a default on the Bonds; however, any holder of the Bonds, including the beneficial owners of the Bonds, may take such action as may be necessary and appropriate, including seeking specific performance, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

SECTION 2. Proposals for the purchase of the Bonds shall be opened and reviewed by the Finance Director of the City, and shall be acted upon by the City Manager or Finance Director on that same day, based upon the advice of the City's financial advisor, J.J.B. Hilliard, W.L. Lyons, LLC, without the need for further action by this Board of Commissioners. The City hereby ratifies and approves the use of the "Notice of Bond Sale," substantially in the form attached hereto, which shall be published as required by law.

SECTION 3. The Mayor, City Manager or Finance Director of the City shall, in a certificate of award accepting the successful bid or bids for the Bonds (the "Certificate of Award"), determine the exact principal amount of Bonds to be awarded and the exact rate or rates of interest which said Bonds shall bear, and the interest rate or rates on said Bonds shall be automatically fixed at the rate or rates set out in the successful bid accepted by said Certificate of Award. The proceeds of the sale of said Bonds shall be applied to the costs of the Projects and the costs of issuing the Bonds and shall be expended as provided in the Ordinance authorizing the Bonds.

SECTION 4. In the event that no bid shall be accepted for the purchase of the Bonds, bids may again be solicited for the purchase of the Bonds at a future date and hour at the discretion of the Mayor, without the necessity of further authorization by the City.

SECTION 5. All motions, orders, resolutions and parts thereof in conflict herewith, are hereby repealed to the extent of such conflict, and this Municipal Order shall be effective immediately.

SECTION 6. This Municipal Order shall be in full force and effect immediately upon its adoption.

INTRODUCED, PUBLICLY READ, AND FINALLY APPROVED on one reading, this 12th day of June, 2018.

Brandi Harless, Mayor

Attest:

Tammara Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018
\\mo\Bond-Advertisement for bid 2018A & 2018B

CERTIFICATE

I, Tammara Sanderson, hereby certify that I am the duly qualified and acting City Clerk of the City of Paducah, Kentucky, that the foregoing is a full, true, and correct copy of a Municipal Order adopted by the Board of Commissioners of the City, at a meeting duly held on June 12, 2018, that said Municipal Order (together with the Notice of Bond Sale approved therein) appears as a matter of public record in the official records of the City, that said meeting was duly held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820, and 61.823, that a quorum was present at said meeting, that said Municipal Order has not been modified, amended, revoked, or repealed; and that same is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this ____ day of _____,
2018.

City Clerk

EXHIBIT A

NOTICE OF BOND SALE

Notice is hereby given that electronic bids will be received by the City of Paducah, Kentucky (the "City"), until 10:00 a.m., C.T. and 10:30 a.m. C.T., respectively, on July 11, 2018 (or at such later time and date announced at least forty-eight hours in advance via the **BiDCOMP™/PARITY™** system) for the purchase of approximately \$2,910,000 of the City's General Obligation Bonds, Series 2019A (the "Series A Bonds") and \$2,845,000 of the City's General Obligation Refunding Bonds, Series 2018B (the "Series B Bonds," and collectively with the Series A, the "Bonds"). Alternatively, written sealed or facsimile bids for one or more series of the Bonds by the designated time will be received by the Finance Director, 300 South Fifth Street, Paducah, Kentucky 42002 (FAX: (270) 440-8589).

The Bonds will each be dated their date of initial delivery, will be issued as fully registered bonds in denominations in multiples of \$5,000 (within the same maturity), and will mature in varying amounts as described in the Preliminary Official Statement relating to the Bonds. Electronic bids may be submitted via **BiDCOMP™/PARITY™**, in the manner described below.

Additional information, including the Preliminary Official Statement, the Official Terms and Conditions of Bond Sale and the Official Bid Form, may be obtained from the City's Financial Advisor, J.J.B. Hilliard, W.L. Lyons, LLC; 2929 Broadway Street, Paducah, Kentucky, 42001, Telephone (270) 443-8240 or at <http://pos.hilliard.com>. Further information regarding **BiDCOMP™/PARITY™** may be obtained from **BiDCOMP™/PARITY™**, 1359 Broadway - 2nd Floor, New York, NY 10018, Telephone: (800) 850-7422.

Sale of Bonds on tax-exempt basis. Issuance of Bonds subject to approving legal opinion of Dinsmoe & Shohl LLP, Bond Counsel, Covington, Kentucky. The City has designated each of the Bonds as "qualified tax-exempt obligations" pursuant to Section 265 of the Internal Revenue Code of 1986, as amended. Right to reject bids or waive informality reserved.

CITY OF PADUCAH, KENTUCKY

By /s/ Brandi Harless
Mayor

MUNICIPAL ORDER NO. _____

A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH COMMONWEALTH ECONOMICS PARTNERS, LLC IN AN AMOUNT NOT TO EXCEED \$78,000 FOR THE TAX INCREMENT FINANCING (TIF) PROGRAM AND DEVELOPMENT OF A BUILD GRANT APPLICATION BENEFIT COST ANALYSIS FOR THE PADUCAH RIVERFRONT DEVELOPMENT PROJECT

BE IT ORDERED BY THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. That the Mayor is hereby authorized to execute a professional services agreement with Commonwealth Economics Partners, LLC, for the Tax Increment Financing (TIF) Program and the development of a BUILD grant application Benefit Cost Analysis for the Paducah Riverfront Development project. This agreement shall expire June 30, 2018 and supersedes and replaces the current agreement with Commonwealth Economics dated July 2016.

SECTION 2. This agreement shall be in the amount of \$6,500.00 per month plus any direct expenses incurred and shall not exceed \$78,000. This expenditure shall be charged to Project No. DT0044.

SECTION 3. This Order will be in full force and effect from and after the date of its adoption.

Mayor

ATTEST:

Tammara S. Sanderson, City Clerk

Adopted by the Board of Commissioners, June 12, 2018
Recorded by Tammara Sanderson, City Clerk, June 12, 2018
MO\contract-Commonwealth Economics Partners TIF

The logo for Commonwealth Economics, featuring the text "Commonwealth Economics" in white, sans-serif font on a solid black rectangular background.

Commonwealth
Economics

City of Paducah
Downtown Redevelopment Project:
Incentive Program Analysis and Coordination

Submitted To:
City of Paducah

Submitted By:
Commonwealth Economics Partners, LLC

June 2018



June 8, 2018

Dear Mayor Harless:

Thank you for the opportunity to provide consulting services to the City of Paducah (the "City") for the proposed downtown TIF project in Paducah, KY (the "Project"). Commonwealth Economics Partners, LLC ("Commonwealth Economics" or "CE") is a regional leader in providing economic consulting, project finance, and quantitative services to state and local governments, quasi-governmental agencies, higher education, and private developers throughout the region.

Commonwealth Economics was founded in 2007 and has advised over 100 clients. CE routinely develops economic impact studies, market analyses, fiscal assessments, and incentive feasibility studies. We have assisted clients successfully obtain over \$1.8 billion in federal, state, and local incentives.

Of particular note, CE frequently advises local governments and agencies regarding the feasibility and fiscal impact of Tax Increment Financing ("TIF"). We have been engaged for TIF feasibility and project work in Lexington, Louisville, Owensboro, Paducah, Fort Mitchell, Midway, Versailles, Campbellsville, Oak Grove, Somerset, Corbin, and a number of other cities across the Commonwealth.

CE is a registered Municipal Advisor with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board.

I. PLAN OF ACTION

Commonwealth Economics agrees to provide the following services:

- A. Assist in Developing BUILD Application Benefit Cost Analysis:** Commonwealth Economics will work with various City officials and partners to develop a Benefit Cost Analysis per the guidelines as described in the Department of Transportation's "Notice of Funding Opportunity for the Department of Transportation's National Infrastructure Investments under the Consolidated Appropriations Act, 2018." It should be understood that some, but not all, of the discussed Project's impacts will be quantifiable and that qualitative discussion may be required for certain components.
- B. Coordination of the establishment of a TIF Development Area, completion of Local TIF ordinances and State TIF application:** Commonwealth Economics will coordinate the Paducah Project development team with the

process of establishing a local Development Area through the completion and execution of the required local steps and documents, including the TIF Development Plan, Local Participation Agreement, and the TIF Ordinance.

This will include coordination with Project officials and working with the City's designated team to identify a TIF Development Area, a TIF Footprint, and potential highest and best uses for the TIF program.

Commonwealth Economics will use a TIF Project pro forma estimate to model various financing scenarios. The modeling will include financial analysis, quantitative analytics, tax revenue projections for the applicable state and local TIF eligible taxes, and estimated tax recovery summaries to be used during meetings with local stakeholders and negotiations with potential third parties, such as private developers.

Additionally, Commonwealth Economics will accompany City' Project team members in presentations of the Project at the required public hearing and to the City and/or County, as necessary. This includes assisting the Project team in identifying and mapping a strategic TIF footprint and the associated Project elements and revenue projections for inclusion in the State TIF application. The finalizing of the application will require coordination with various City and/or County officials for their overall approval, contact information, signatures, etc.

- C. Presentation of the Project to State government committees:** Commonwealth Economics will accompany the Project team members in presentations of the Project to the State government committees, as necessary. This will include discussions with, and presentations to, staff at the Cabinet for Economic Development and the Kentucky Economic Development Finance Authority ("KEDFA") in order to receive preliminary approval of the State TIF application.
- D. Negotiate terms of the deal with the State:** Commonwealth Economics will assist the Project throughout the required meetings and discussions with KEDFA and the State's third party TIF consultant regarding the economic and fiscal impacts of the Project, and will work with the Project team members to negotiate and finalize the TIF incentive award with KEDFA.

II. FEES AND COMPENSATION

Compensation payable to Commonwealth Economics for all services rendered pursuant to this Agreement shall be as follows:

A. Section I (A-D):

A fee of \$6,500.00 per month or the pro-rated portion thereof

- B.** Any direct expenses incurred, such as a trip to Paducah, a trip to Frankfort or printing expenses related to presentations, shall be reimbursed by Paducah. All expected expenses above \$500.00 must be pre-approved by Paducah management. Expenses shall not exceed \$1,500.00 per month unless pre-approved by Paducah Management.
- C.** Payment shall be due within 15 days pursuant to an invoice presented upon reaching project milestones or monthly as expenses may occur, and such invoice shall indicate a description of any out of pocket and third-party expenses incurred over the prior month.

III. DURATION

- A.** This Agreement shall be considered a professional service contract, which shall commence on the date the last party executes this Agreement and shall continue through the end of June 2019 or until notified of cancellation by either party as provided under item C in this section.
- B.** At the expiration of its initial term, this Agreement may, at the option of the parties hereto, be extended upon the same terms and conditions as set forth herein for further periods not to exceed twelve (12) months each, subject to the advance approval of the City of Paducah.
- C.** This Agreement may be terminated by either party by submitting thirty (30) days' notice to the non-terminating party of such intent to terminate. In the event of termination, payment for services rendered up to and including the date of termination shall be based upon the work completed at the rates and conditions identified in this Agreement.
- D.** Upon notice of termination, Commonwealth Economics shall immediately discontinue performance of the service to the extent specified in the notice. In no event shall Commonwealth Economics be paid for unabsorbed overhead or anticipatory profit.

- E. Execution of this Agreement shall constitute written notice to proceed. Execution of this Agreement replaces and supersedes the contract between Paducah and CE dated April 2016 and payment, services rendered, and any other obligations required under such prior contract are deemed to have been fully met by both parties.

IV. EMPLOYER/EMPLOYEE RELATIONSHIP

It is expressly understood that NO employer/employee relationship is created by this agreement nor does it cause Commonwealth Economics to be an officer or official of Paducah. Commonwealth Economics shall at all times be acting as an independent contractor in all matters related to this Agreement, and shall have no authority to act as agent of Paducah and shall not hold itself out as such. By executing this Agreement, the parties hereto certify that its performance will not constitute or establish a violation of any statutory or common law principle pertaining to conflict of interest, nor will it cause the unlawful benefit or gain to be derived by either party.

V. CONFIDENTIALITY

Any reports, information, data, etc., provided to, prepared, or assembled by Commonwealth Economics shall be kept confidential and shall not be made available by Commonwealth Economics to any individual or organization other than the City without the prior written approval of Paducah. All documents, including but not limited to; studies, surveys, reports, date notes, computer files, and files and other documents prepared, developed or discovered in connection with providing any services under this Agreement, shall become the property of Paducah. The provisions of this section shall survive any termination of this Agreement.

VI. LIMITATIONS & DISCLAIMER

It is expressly acknowledged that Commonwealth Economics cannot guarantee the performance or success of any proposed project, bond issue, loan, grant or the ability to obtain funding from any source. Furthermore, Commonwealth Economics cannot guarantee: the availability of funds or a specified rate of return on any investment; the market value of any security; the future value of any investment or



real property; the performance of any investment manager, advisor, municipal advisor, custodial firm or any other third-party consultant.

The services provided by Commonwealth Economics are based upon certain projections, judgments, and assumptions, in certain cases provided by third parties, for which Commonwealth Economics cannot guarantee. Circumstances may occur over the life of the contract and Projects that are counter to the assumptions, projections, and judgments and may affect the realized value from the Projects. Further, projections made and used are for multi-year periods; the results for individual years may vary significantly from forecasted values and there is no assurance that the actual impacts and revenues received will be sufficient to justify the proposed project or to repay any obligations, including TIF Revenue Bonds, which may be associated with the project.

The parties further acknowledge that Commonwealth Economics has not agreed with Paducah, in this Agreement or any other agreement, verbal or written, to offer or sell any security, act as an underwriter, placement agent, broker-dealer or market-maker in any security. The compensation paid to Commonwealth Economics herein is not, and shall not be construed as, compensation for the offer or sale of any security or for the purpose of underwriting, making a market or acting as a broker-dealer or placement agent in any security, or the submission of an application to make a market in any security.



If this proposal meets your approval, please indicate by signing in the appropriate space below. Should you have any questions please feel free to contact me at (859) 246-3060.

Sincerely,

John R. Farris

Client Signature: _____

Title: _____

Date: _____

CE Signature: _____

Title: _____

Date: _____

Commonwealth Economics

Commonwealth Economics is a leader in developing the following types of reports and analyses for clients in the public and private sector: economic impact analyses, market analyses, fiscal analyses, and feasibility studies. Commonwealth Economics' has helped dozens of companies and municipalities analyze the potential benefits of TIF.

Commonwealth Economics has helped clients successfully obtain over \$1.8 billion in federal, state, and local incentives. We have specialized knowledge, experience, and proven processes to help clients take full advantage of available credits and ensure compliance. We are experts in tax increment financing (TIF), economic impact analysis, and federal loan and tax credit programs.

Commonwealth Economics Partners, LLC



John R. Farris

John Farris founded Commonwealth Economics in 2007 and is President and Managing Partner of the company. He served as an economist at the Center for Economics Research at the Research Triangle Institute, as well as a senior economics consultant with both the World Bank and the International Finance Corporation. From 2006 to 2007, Mr. Farris served as Secretary of the Finance and Administration Cabinet for the Commonwealth of Kentucky. Mr. Farris is Chairman of the Board of Directors for Kentucky Retirement Systems (KRS), and also serves on the Board of Directors of Kentucky Employers' Mutual Insurance (KEMI), Green Brick Partners (NASDAQ: GRBK), and Kentucky Technology Inc. Mr. Farris also acts as a Senior Investment Advisor to the Centre College Endowment.

Mr. Farris received a full-tuition fellowship to study economics and finance at the Woodrow Wilson School at Princeton University, where he was awarded a Master's Degree. Before attending Princeton, Mr. Farris studied economics and philosophy at Centre College from which he graduated Phi Beta Kappa. Mr. Farris holds the FINRA/MSRB Series 50 Municipal Advisor designation.



F. Thomas Howard

F. Thomas (Tom) Howard joined Commonwealth Economics in 2013 as a Partner. He retired from the Commonwealth of Kentucky's Office of Financial Management ("OFM") in the Finance and Administration Cabinet where he served as the Executive Director since 2005 and previously as the Deputy Executive Director. In that capacity, he oversaw the Commonwealth's \$12 billion investment and appropriation-supported debt programs.

Mr. Howard has a background in banking and investment management. Before joining the Commonwealth in 1989 as a portfolio manager, Mr. Howard held various positions with First Security Bank & Trust Company and Eclipse Capital Management, Inc. In addition, Mr. Howard served three years as a public member and issuer representative of the Municipal Securities Rulemaking Board, which regulates the activities of banks and broker-dealers under the direction of the Securities and Exchange Commission. He is also a past chair of the State Debt Management Network, an affiliate of the National Association of State Treasurers.

During his tenure, Mr. Howard assisted the Commonwealth's legal team with the Department of Revenue v. Davis Case, which worked its way through the state court system before being heard by the United States Supreme Court. The question before the court was for providing an income tax exemption for interest on bonds issued by the state, while denying the exemption to interest on bonds issued by other states. The Supreme Court ultimately ruled in favor of the Commonwealth. Additionally, Mr. Howard was very active in planning and financing many of the state's highest profile projects, such as the Louisville Yum Center Project, the Louisville Southern Indiana Ohio River Bridges Project, the University of Kentucky Hospital and Louisville Metro Center City (Omni) Project.

Mr. Howard received his Bachelor's of Business Administration with a concentration in finance from the University of Kentucky and holds the FINRA/MSRB Series 50 designation as a Municipal Advisor.



Brett L. Antle, CPA

Brett Antle is a Partner at Commonwealth Economics. Mr. Antle has over 25 years of experience in financial consulting, government finance and accounting. Since joining Commonwealth Economics in 2013, Mr. Antle has provided quantitative and financial analysis on several types of projects, including sports arenas, infrastructure, and a variety of mixed use commercial developments.

Before retiring from the Commonwealth of Kentucky's Finance and Administration Cabinet in 2012, Mr. Antle served in various roles within the Office of State Controller where he managed the implementation of several financial, reporting and eCommerce systems. He served the last several years of his career with the Commonwealth as the Deputy Executive Director of the Office of Financial Management where he managed the Commonwealth's appropriation-supported debt program and participated in the structuring and issuance of several billion dollars of taxable and tax-exempt bonds. Mr. Antle has also worked as an independent consultant on a number of financial system implementations.

Mr. Antle received his Bachelor of Science degree in Accounting from the University of Kentucky and is a licensed Certified Public Accountant in Kentucky and holds the FINRA/MSRB Series 50 designation as a Municipal Advisor.



Casey R. Bolton

Casey Bolton is a Partner at Commonwealth Economics. Mr. Bolton has specialized in various forms of economic analysis, including managing a number of feasibility analyses and economic and fiscal impact studies since joining CE in 2009. Mr. Bolton has conducted feasibility analyses and impact studies for a wide variety of businesses

and development projects and has guided several of them through the approval process towards receiving millions of dollars in funding. Mr. Bolton has experience in dealing with various forms of economic incentive programs at both the State and Federal level, especially Tax Increment Financing. Mr. Bolton also has experience working with early stage companies to develop business plans, scenario-based financial models, pitch books, and offering documents in order to raise capital.

Mr. Bolton received his Bachelor of Science degree in Financial Economics with a minor in Political Economy from Centre College in Danville, Kentucky and holds the FINRA/MSRB Series 50 Municipal Advisor designation.



Austin M. Arnold

Austin Arnold joined Commonwealth Economics in 2017 as an Associate. Mr. Arnold is responsible for conducting feasibility analyses, economic and fiscal impact studies, as well as examination of State and Federal level economic incentive programs.

Before joining Commonwealth Economics, Mr. Arnold served the Centre College Athletic Administration where he assisted the implementation of a new financial database. Additionally, Mr. Arnold has experience analyzing quantitative and financial data in his role as a Financial Counselor for 21st Mortgage Corporation.

Mr. Arnold received his Bachelor of Science degree in Economics & Finance from Centre College in Danville, Kentucky and is working toward his FINRA/MSRB Series 50 Municipal Advisor designation.

A Few Examples of our Experience on KY State TIF Projects

1. *Summit Lexington* (Lexington, KY):

Commonwealth Economics was retained to take the lead in guiding the proposed Summit Lexington mixed-use development project through the Tax Increment Financing (TIF) process in order to provide financial support necessary for the public infrastructure needs, particularly, the excessive sanitary and storm water sewer issues associated with the site. With the guidance of Commonwealth Economics, the project successfully received approval for over \$31 million of TIF support from the State and local governments.

In addition to other responsibilities, Commonwealth Economics' major contributions throughout the TIF approval process for this project included the following:

- Provided a TIF Project Feasibility Analysis explaining the TIF program and detailing the project's TIF qualifications, the anticipated revenues generated for TIF by this project, and suggestions to improve applicability.
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David Silverstein
Principal
Bayer Properties
2222 Arlington Avenue
Birmingham, AL 35205

2. *Downtown Owensboro TIF Project* (Owensboro, KY)

Commonwealth Economics was retained by the City of Owensboro to provide consultation regarding the feasibility and incentive structure of the Downtown Owensboro Master Plan. In this capacity, Commonwealth Economics performed the following services:

- Reviewed the Downtown Owensboro Master Plan and performed a detailed parcel-by-parcel review of the existing inventory of buildings and space. The review included an analysis of buildings primed for redevelopment, those that have already been redeveloped, and undeveloped or vacant parcels.
- Interviewed major landowners and developers in the area to discuss potential new developments. Discussions centered around plans for future development and the timing and scope of any potential projects, as well as the need for public improvements and infrastructure necessary in order to achieve successful growth in Downtown Owensboro.
- Based on the findings of the downtown survey and discussions with key developers and economic leaders in the community, Commonwealth Economics completed a Tax Increment Financing (TIF) feasibility study, which outlined the potential projects, their tax impacts, and the applicability and potential benefit of establishing a TIF district in order to incentivize downtown development.
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Ed Ray
City of Owensboro, City Attorney
101 East 4th St.
Owensboro, KY 42303
270-687-8580

3. Downtown Somerset Development Corporation Project (Somerset, KY):

Commonwealth Economics was retained by the Downtown Somerset Development Corporation to provide consultation regarding the redevelopment of Somerset's Downtown, particularly with regard to Tax Increment Financing and potential incentive structures for use in negotiations with local developers and business owners. In this capacity, Commonwealth Economics performed the following services:

- Met with local officials to discuss Project needs and goals, along with desired timing, scope, and financial participation with regard to redeveloping Downtown Somerset.
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- Commonwealth Economics worked along with the design team to develop the project goals into an achievable scope based on the current state of Downtown Somerset. The quality and location of existing roadways and other infrastructure, as well as the current uses, ownership, and quality of private buildings was considered.
- Once the scope of the proposed Downtown Somerset redevelopment plan was determined, Commonwealth Economics conducted a detailed Tax Increment Financing Feasibility Analysis to specifically quantify the feasibility of using TIF incentives to catalyze redevelopment. The analysis quantified the taxes that would be generated by the new design and recommended incentive structures that could be utilized to finance the necessary infrastructure improvements and provide redevelopment assistance to building owners.

Gib Gosser
Somerset Downtown Development Corp., Executive Director
209 E. Mt. Vernon St. 42501
Somerset, KY
606-679-8376

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Commonwealth Economics was retained by Louisville Metro to be a TIF consultant, with regard to the Center City Development project, which includes a 600-room Omni Hotel as its featured component. In this capacity, Commonwealth Economics performed the following services:

- Provided assistance in reviewing and analyzing the existing TIF agreements and worked with city officials to complete the required amendments to the local ordinances, local participation agreement, and development agreement.
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- Assisted in communications with local media, various Metro committee and council meetings, individual Metro Council members, and state officials to coordinate the approval process and negotiate the revised Project Grant Agreement with KEDFA, where the project was ultimately awarded \$204 million in state TIF incentives.
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Jeff Mosley
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In addition to other responsibilities, Commonwealth Economics' major contributions throughout the TIF approval process for this project have included the following:

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- Drafted and negotiated the required development agreement between the project's developers and the Lexington-Fayette Urban County Government (LFUCG).
- Advised and assisted in drafting the TIF-Sharing Agreement between the developers of the project's various components.

Joe Costa
Manager
The Lexington Trots Breeders Assn.
1200 Red Mile Rd
Lexington, KY 40504

The logo for Commonwealth Economics, featuring the company name in white text on a black rectangular background.

Commonwealth
Economics

City of Paducah
Downtown Redevelopment Project

State & Local TIF Program
Analysis and Approval

Submitted To:
Paducah Riverfront Development Authority

Submitted By:
Commonwealth Economics Partners, LLC

April 2016



April 29, 2016

Dear Mr. Doolittle:

Thank you for the opportunity to provide consulting services to the Paducah Riverfront Development Authority ("Paducah") for the proposed downtown redevelopment project in Paducah, KY ("the Project"). Commonwealth Economics Partners, LLC ("Commonwealth Economics" or "CE") is a regional leader in providing economic consulting, project finance, and quantitative services to state and local governments, quasi-governmental agencies, higher education, and private developers throughout the region.

Commonwealth Economics was founded in 2007 and has advised over 100 clients. CE routinely develops economic impact studies, market analyses, fiscal assessments, and incentive feasibility studies. We have assisted clients successfully obtain over \$1.3 billion in federal, state, and local incentives.

Of particular note, CE frequently advises local governments and agencies regarding the feasibility and fiscal impact of Tax Increment Financing (TIF). We have been engaged for TIF feasibility and project work in Lexington, Louisville, Owensboro, Fort Mitchell, Midway, Versailles, Campbellsville, Oak Grove, Somerset, Corbin, and a number of other cities across the Commonwealth.

CE is a registered Municipal Advisor with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board.

I. PLAN OF ACTION

Commonwealth Economics agrees to provide the following services:

- A. TIF Program Overview - Internal Report:** This analysis will look at the Project as it relates to the State Mixed-Use TIF Program. The analysis will include an assessment of the size and scope of the Project, potential elements of the Project vis-à-vis the language in the statutes, suggestions for the refinement of the Project in order to qualify for the State Mixed-Use program, and advice to the Project's development team as to enhance the Project's applicability. Additionally, it will analyze the costs, timing and benefits of the program, as well as the likelihood of successfully obtaining state level incentives.

Commonwealth Economics will use a given Project pro forma estimate to model various financing scenarios. The modeling will include financial

analysis, quantitative analytics, tax revenue projections for the applicable state and local TIF eligible taxes, and estimated tax recovery summaries to be used during meetings with local stakeholders and negotiations with potential third parties, such as private developers.

- B. Assistance in the establishment of the Development Area, completion of Local TIF ordinances and State TIF applications:** Commonwealth Economics will assist the Project development team with the process of establishing a local Development Area through the completion and execution of the required local steps and documents, including the TIF Development Plan, Local Participation Agreement, and the TIF Ordinance. This will include coordination with Project officials and working with the Project's legal team to ensure the necessary economic findings have been met. Additionally, Commonwealth Economics will accompany Project team members in presentations of the Project at the required public hearing and to the City and/or County, as necessary. This includes assisting the Project team in identifying and mapping a strategic TIF footprint and the associated Project elements and revenue projections for inclusion in the State TIF application. The finalizing of the application will require coordination with various City and/or County officials for their overall approval, contact information, signatures, etc.
- C. Presentation of the Project to State government committees:** Commonwealth Economics will accompany the Project team members in presentations of the Project to the State government committees, as necessary. This will include discussions with, and presentations to, staff at the Cabinet for Economic Development and the Kentucky Economic Development Finance Authority ("KEDFA") in order to receive preliminary approval of the State TIF application.
- D. Negotiate terms of the deal with the State:** Following preliminary approval by KEDFA, Commonwealth Economics will assist the Project throughout the required meetings and discussions with KEDFA and the State's third party TIF consultant regarding the economic and fiscal impacts of the Project, and will work with the Project team members to negotiate and finalize the TIF incentive award with KEDFA.

II. FEES AND COMPENSATION

Compensation payable to Commonwealth Economics for all services rendered pursuant to this Agreement shall be as follows:

A. Section I (A):

A flat fee of \$15,000.00;

\$7,500.00 due upon the execution of this agreement;

\$7,500.00 upon completion of the program overview and financial modeling/revenue projections presented to Paducah;

B. If Paducah decides to pursue TIF incentives as described in Sections I(B-D):

A flat fee of \$7,500.00 per month or the pro-rated portion thereof shall be billed for services related to Sections I(B-C)

A flat fee of \$3,250.00 per month or the pro-rated portion thereof shall be billed for services related to Section I(D)

C. Any direct expenses incurred, such as a trip to Paducah, a trip to Frankfort or printing expenses related to presentations, shall be reimbursed by Paducah. All expected expenses above \$100.00 must be pre-approved by Paducah management.

D. Payment shall be due within 15 days pursuant to an invoice presented upon reaching project milestones or monthly as expenses may occur, and such invoice shall indicate a description of any out of pocket and third-party expenses incurred over the prior month.

III. DURATION

A. This Agreement shall be considered a professional service contract, which shall commence on the date the last party executes this Agreement and shall continue until notified of cancellation by either party as provided in the following section.

B. This Agreement may be terminated by either party by submitting thirty (30) days written notice to the non-terminating party of such intent to terminate. In the event of termination, payment for services rendered up to and including the date of termination shall be based upon the work completed at the rates and conditions identified in this Agreement.

- C. Upon notice of termination, Commonwealth Economics shall immediately discontinue performance of the service to the extent specified in the notice. In no event shall Commonwealth Economics be paid for unabsorbed overhead or anticipatory profit.
- D. Execution of this Agreement and payment of the fee set forth in Section II (A), above, shall constitute written notice to proceed.

IV. EMPLOYER/EMPLOYEE RELATIONSHIP

It is expressly understood that NO employer/employee relationship is created by this agreement nor does it cause Commonwealth Economics to be an officer or official of Paducah. Commonwealth Economics shall at all times be acting as an independent contractor in all matters related to this Agreement, and shall have no authority to act as agent of Paducah and shall not hold itself out as such. By executing this Agreement, the parties hereto certify that its performance will not constitute or establish a violation of any statutory or common law principle pertaining to conflict of interest, nor will it cause the unlawful benefit or gain to be derived by either party.

V. CONFIDENTIALITY

Any reports, information, data, etc., provided to, prepared, or assembled by Commonwealth Economics shall be kept confidential and shall not be made available by Commonwealth Economics to any individual or organization other than the City without the prior written approval of Paducah. All documents, including but not limited to; studies, surveys, reports, date notes, computer files, and files and other documents prepared, developed or discovered in connection with providing any services under this Agreement, shall become the property of Paducah. The provisions of this section shall survive any termination of this Agreement.

VI. LIMITATIONS & DISCLAIMER

It is expressly acknowledged that Commonwealth Economics cannot guarantee the performance or success of any proposed project, bond issue, loan, grant or the ability to obtain funding from any source. Furthermore, Commonwealth Economics cannot guarantee: the availability of funds or a specified rate of return on any



investment; the market value of any security; the future value of any investment or real property; the performance of any investment manager, advisor, municipal advisor, custodial firm or any other third party consultant.

The services provided by Commonwealth Economics are based upon certain projections, judgments, and assumptions, in certain cases provided by third parties, for which Commonwealth Economics cannot guarantee. Circumstances may occur over the life of the contract and Projects that are counter to the assumptions, projections, and judgments and may affect the realized value from the Projects. Further, projections made and used are for multi-year periods; the results for individual years may vary significantly from forecasted values and there is no assurance that the actual impacts and revenues received will be sufficient to justify the proposed project or to repay any obligations, including TIF Revenue Bonds, which may be associated with the project.

The parties further acknowledge that Commonwealth Economics has not agreed with Paducah, in this Agreement or any other agreement, verbal or written, to offer or sell any security, act as an underwriter, placement agent, broker-dealer or market-maker in any security. The compensation paid to Commonwealth Economics herein is not, and shall not be construed as, compensation for the offer or sale of any security or for the purpose of underwriting, making a market or acting as a broker-dealer or placement agent in any security, or the submission of an application to make a market in any security.



If this proposal meets your approval, please indicate by signing in the appropriate space below. Should you have any questions please feel free to contact me at (859) 246-3060.

Sincerely,

Casey R. Bolton

Client Signature:

Title: City Manager

Date: July 11, 2016

CE Signature: _____

Title: _____

Date: _____

Commonwealth Economics - Partners



John R. Farris

John Farris founded Commonwealth Economics in 2007 and is a Partner. He began his career as an economist at the Project for Economics Research at the Research Triangle Institute. Mr. Farris continued his professional career as a senior economics consultant with the World Bank and the International Finance Corporation. From 2006 - 2007, Mr. Farris served as Secretary of the Finance and Administration Cabinet for the Commonwealth of Kentucky, where he oversaw the collection, investment and distribution of over \$8 billion dollars in annual tax revenue. Mr. Farris served as an adjunct Professor of Economics and Finance at Centre College in Danville, KY from 2008 to 2012. Mr. Farris sits on the Board of Directors for: Green Brick Partners, Inc (GRBK), Farmers Capital Bank Corporation (NASDAQ: FFKT), Kentucky Technology Inc. (KTI), and as advisor to several other Boards.

Mr. Farris received a full-tuition fellowship to study economics and finance at the Woodrow Wilson School at Princeton University, where he was awarded a Master's Degree. Before attending Princeton, Mr. Farris studied economics and philosophy at Centre College from which he graduated, Phi Beta Kappa, attaining a Bachelor of Science degree in Economics and Philosophy.



F. Thomas Howard

F. Thomas (Tom) Howard joined Commonwealth Economics in 2013 and is a Partner. He retired from the Commonwealth of Kentucky's Office of Financial Management in the Finance and Administration Cabinet at the end of 2012 where he served as the Executive Director since 2005 and previously as the Deputy Executive Director. In that capacity he oversaw the Commonwealth's \$12 billion investment and appropriation-supported debt programs.

Mr. Howard has a background in banking and investment management. Before joining the Commonwealth in 1989 as a portfolio manager, Mr. Howard held various positions with First Security Bank & Trust Company and Eclipse Capital Management, Inc. In addition, Mr. Howard served three years as a public member and issuer representative of the Municipal Securities Rulemaking Board, which regulates the activities of banks and broker-dealers under the direction of the Securities and Exchange Commission. He is also a past chair of the State Debt Management Network, an affiliate of the National Association of State Treasurers. Mr. Howard received his Bachelor's of Business Administration with a concentration in finance from the University of Kentucky.

During his tenure, Mr. Howard assisted the Commonwealth's legal team with the Department of Revenue v. Davis Case, which worked its way through the state court system before being heard by the United States Supreme Court. The question before the court was for providing an income tax exemption for interest on bonds issued by the state, while denying the exemption to interest on bonds issued by other states. The Supreme Court ultimately ruled in favor of the Commonwealth. Additionally, Mr. Howard was very active in the planning and financing many of the state's highest profile projects, such as the Louisville Yum Project, the Louisville Southern Indiana Ohio River Bridges Project, the University of Kentucky Hospital and Metro Louisville Project City Project.



Brett L. Antle, CPA

Brett Antle is a Partner at Commonwealth Economics. Mr. Antle has over 23 years of experience in financial consulting, government finance and accounting. Since joining Commonwealth Economics in 2013, Mr. Antle has provided quantitative and financial analysis on several types of projects, including sports arenas, infrastructure, and a variety of mixed use commercial developments.

Before retiring from the Commonwealth of Kentucky's Finance and Administration Cabinet in 2012, Mr. Antle served in various roles within the Office of State Controller where he managed the implementation of several financial, reporting and eCommerce systems. He served the last several years of his career with the Commonwealth as the Deputy Executive Director of the Office of Financial Management where he managed the Commonwealth's appropriation-supported debt program and participated in the structuring and issuance of several billion dollars of taxable and tax-exempt bonds. Mr. Antle has also worked as an independent consultant on a number financial system implementations.

Mr. Antle received his Bachelor of Science degree in Accounting from the University of Kentucky and is a licensed Certified Public Accountant in Kentucky.

**Casey R. Bolton**

Casey Bolton is a Partner at Commonwealth Economics. Mr. Bolton has specialized in various forms of economic analysis, including a number of feasibility and impact studies since joining CE in 2009. Mr. Bolton has worked with a wide variety of businesses in conducting feasibility and impact studies and has guided several of them through the approval process towards receiving millions of dollars in funding. Mr. Bolton has experience in dealing with various forms of economic incentive programs at both the State and Federal level, especially Tax Increment Financing. Mr. Bolton also has experience working with early stage companies to develop business plans, pitch books, scenario-based financial models, and offering documents in order to raise capital.

Mr. Bolton received his Bachelor of Science degree in Financial Economics with a minor in Political Economy from Centre College in Danville, Kentucky.

A Few Examples of our Experience on KY State TIF Projects

1. *Summit Lexington* (Lexington, KY):

Commonwealth Economics was retained to take the lead in guiding the proposed Summit Lexington mixed-use development project through the Tax Increment Financing (TIF) process in order to provide financial support necessary for the public infrastructure needs, particularly, the excessive sanitary and storm water sewer issues associated with the site. With the guidance of Commonwealth Economics, the project successfully received approval for over \$31 million of TIF support from the State and local governments.

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Joe Costa
Manager
The Lexington Trots Breeders Assn.
1200 Red Mile Rd
Lexington, KY 40504

Agenda Action Form Paducah City Commission

Meeting Date: 5/29/2018

Short Title: Tyler Technologies Munis Contract Amendment for Post Implementation Training Days

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Michelle Smolen, Assistant to the City Manager
Presentation By: Michelle Smolen, Assistant to the City Manager

Background Information:

The City's Enterprise Resource Planning (ERP) software Request for Proposals in 2015 included options for on-going support services in the form of additional training for the departmental software leaders. Tyler Technologies responded with 18 post implementation training days for the entire project, but the City did not initially include these training days in the contract. The organization has been processing financials and budget in Munis for approximately one year. The software leaders have identified a number of critical areas for follow up training related to these areas. Additionally, it is anticipated that each of the six Munis phases will require post implementation training to maximize the use of the software. Therefore, the Project Manager is proposing to amend the Tyler Technologies Munis contract to include the 18 post implementation days from the initial RFP response to be shared across all phases.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

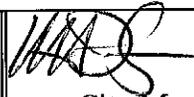
Funds Available: Account Name: ERP Software Project
Account Number: EQ0022


5/22/2018
Finance

Staff Recommendation: Approve the contract amendment adding 18 post implementation training days to the Tyler Technologies contract for \$22,950.

Attachments:

Tyler Technologies Contract Amendment

Department Head	City Clerk	 City Manager
-----------------	------------	--

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES FOR THE LICENSE OF SOFTWARE AND THE PROCUREMENT OF RELATED PRODUCTS AND SERVICES

WHEREAS, by Ordinance No. 2016-6-8373, the City and Tyler Technologies, Inc. executed a contract for Tyler to provide software and related products and services that will accommodate the City's data processing needs; and

WHEREAS, the software and related products and services provided under that agreement will enhance the City's data processing capabilities, and improve the efficiency of the City's governmental operations and services; and

WHEREAS, it has become necessary to include 18 post implementation days from the initial RFP response to be shared across all six phases.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

SECTION 1. The City Commission hereby approves an amendment in the amount of \$22,950.00 to the original agreement with Tyler Technologies, Inc..

SECTION 2. The City Commission does hereby authorize and instruct the Mayor to execute the "Amendment" in behalf of the City.

SECTION 3. Payment for the additional training with Tyler will be charged to Account Project Number EQ0022.

SECTION 4. This ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

MAYOR

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners, May 29, 2018.
Adopted by the Board of Commissioners, June 12, 2018.
Recorded by Tammara S. Sanderson, City Clerk, June 12, 2018.
Published by The Paducah Sun, _____
\\ord\contract-software amendment-Tyler



AMENDMENT

This amendment ("Amendment") is made this _____ day of _____, 2018 by and between Tyler Technologies, Inc. with offices at One Tyler Drive, Yarmouth, Maine 04096 ("Tyler") and the City of Paducah, with offices at 300 South Fifth Street, Paducah, KY 42002 ("Client").

WHEREAS, Tyler and the Client are parties to an agreement dated June 15, 2016 ("Agreement"); and

WHEREAS, Tyler and Client desire to amend the terms of the Agreement as provided herein.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. Eighteen (18) Post Go-Live Support days, totaling \$22,950.00 (at a rate of \$1,275.00 per day), are hereby added to the Agreement as set forth in the Investment Summary attached hereto as Exhibit 1. Services added to the Agreement pursuant to this Amendment, plus expenses, will be invoiced as provided and/or incurred.
2. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.
3. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

Tyler Technologies, Inc.

City of Paducah, KY

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



Exhibit 1 Investment Summary

The following Investment Summary details the software and services to be delivered by us to you under the Agreement. This Investment Summary is effective as of the Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

In the event a comment in the following sales quotation conflicts with a provision of this Amendment, the provision in this Amendment shall control.

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Quoted By: Adam Griffiths
Date: 5/16/2018
Quote Expiration: 11/3/2018
Quote Name: City of Paducah-ERP-Implementation Days
Quote Number: 2018-49518
Quote Description: Munis Implementation Days

Sales Quotation For
City of Paducah
PO Box 2267
Paducah, KY 42002-2267
Phone +1 (270) 444-8800

Other Services

Description	Quantity	Unit Price	Unit Discount	Extended Price
Post Go-Live Support	18	\$1,275.00	\$0.00	\$22,950.00
TOTAL:				\$22,950.00

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$0.00	\$0.00
Total Tyler Services	\$22,950.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
Summary Total	\$22,950.00	\$0.00
Contract Total	\$22,950.00	

Unless otherwise indicated in the contract or Amendment thereto, pricing for optional items will be held for Six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____ Date: _____
Print Name: _____ P.O. #: _____

All primary values quoted in US Dollars

Comments

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Tyler's cost is based on all of the proposed products and services being obtained from Tyler. Should significant portions of the products or services be deleted, Tyler reserves the right to adjust prices accordingly.

Client agrees that items in this sales quotation are, upon Client's signature of same, hereby added to the Agreement between the parties, and subject to its terms. Additionally, and notwithstanding anything in the Agreement to the contrary, payment for said items shall conform to the following conditions: License fees for Tyler and 3rd party products are due when Tyler makes such software available for download by the Client (for the purpose of this quotation, the 'Availability Date') or delivery (if not software); Maintenance fees, prorated for the term commencing when on the Availability Date and ending on the last day of the current annual support term for Tyler Software currently licensed to the Client, are due on the Availability Date; Fees for services, unless otherwise indicated, plus expenses, are payable upon delivery.

**AGENDA ACTION FORM
PADUCAH CITY COMMISSION**

Meeting Date: June 12, 2018

Short Title: APPROVAL OF THE SALE AND TRANSFER BY PADUCAH WATER OF THE SURPLUS REAL PROPERTY KNOWN AS THE HENDRON WELL PROPERTY.

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jason Petersen/Bill Robertson
Presentation By: Jason Petersen- Paducah Water

Background Information:

Paducah Water has declared this real property of the old Hendron Water System as surplus property. The Board of Commissioners of the City of Paducah by Municipal Order No. 2073 authorized a public auction of the surplus property. The absolute auction was conducted by Robert Alexander Real Estate and Auction Company of Paducah, Kentucky on April 19, 2018. Howerton Properties, LLC, was the highest bidder offering to pay \$2,750.00 per acre, with 63.052 acres, plus buyer's premium of \$17,339.30 for a total consideration amount of \$190,732.30. Paducah Water is now desirous of obtaining approval for the sale and transfer to Howerton Properties, LLC, for the consideration of \$190,732.30; and the authorization for the Mayor to execute a general warranty deed conveying same as outlined in the proposed deed.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: Finance
Account Number:

Staff Recommendation:

Approval of the transfer of the real property and execution of general warranty deed to the highest bidder, Howerton Properties, LLC.

Attachments:

Proposed quitclaim deed

Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2018-_____**AN ORDINANCE APPROVING THE SALE AND TRANSFER OF
MUNICIPALLY OWNED SURPLUS REAL PROPERTY
LOCATED NEAR THE INTERSECTION OF OLD MAYFIELD
ROAD AND HOUSER ROAD; AND AUTHORIZING THE
EXECUTION OF A GENERAL WARRANTY DEED**

WHEREAS, certain real property generally located at the intersection of Old Mayfield Road and Houser Road, Paducah, Kentucky, and known as the Hendron Well property which real property was originally purchased by Hendron Water District and subsequently conveyed to the City of Paducah, Kentucky, for the use and benefit of the Commissioners of WaterWorks of the City of Paducah, DBA Paducah Water (“Paducah Water”) on July 18, 2012, in Deed Book 1234, page 467, McCracken County Court Clerk’s office; and

WHEREAS, the subject property is located in McCracken County, Kentucky and is more particularly described in the attached **Exhibit A** (the “Property”); and

WHEREAS, on February 27, 2018, the Board of Commissioners of the City adopted a Municipal Order No. 2073 declaring the Property to be surplus and authorizing the sale of the Property at public auction;

WHEREAS, Paducah Water retained the services Robert Alexander Real Estate and Auction Company of Paducah, Kentucky and on April 19, 2018, the Property was sold to, Howerton Properties, LLC, a Kentucky limited liability company, as the highest bidder for the consideration of two thousand seven hundred fifty dollars (\$2,750.00) per acre; and

WHEREAS, by Resolution dated May 30, 2018, (see attached **Exhibit B**) Paducah Water desires to accept the bid of Howerton Properties, LLC, and further recommends to the City of

Paducah, Kentucky that it approve and authorize the sale of the Property to Howerton Properties, LLC, for the sum of \$173,393.00 (\$2,750.00 x 63.052 acres) plus buyer's premium of \$17,339.30 for a total consideration amount of \$190,732.30; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PADUCAH, KENTUCKY:

Section 1. Recitals and Authorizations. The Board of Commissioners hereby approves the sale and transfer of the Property to Howerton Properties, LLC, a Kentucky limited liability company, for the total consideration of \$190,732.30, and further authorizes that the sum of \$173,393.00 of the sale proceeds be deposited into the general fund account of Paducah Water and \$17,339.30 be paid to Robert Alexander Real Estate and Auction Company of Paducah, Kentucky, as the buyer's premium.

Section 2. Recitals and Authorizations. That the Mayor of the City of Paducah, Kentucky for the use and benefit of the Commissioners of Waterworks of the City of Paducah, DBA Paducah Water, be and is hereby authorized to execute and deliver a general warranty deed vesting fee title in and to the Property in Howerton Properties, LLC, a Kentucky limited liability company, and all other documentation necessary to effectuate the sale and transfer of the Property.

Section 3. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Compliance with Open Meetings Laws. The City Commission hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an

open meeting of the City Commission, and that all deliberations of this City Commission and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 5. Conflicts. All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed and the provisions of this Ordinance shall prevail and be given effect.

Section 6. Effective Date. This Ordinance shall be read on two separate days and will become effective upon summary publication pursuant to KRS Chapter 424.

Mayor Brandi Harless

ATTEST:

Tammara S. Sanderson, City Clerk

Introduced by the Board of Commissioners June 12, 2018

Adopted by the Board of Commissioners _____

Recorded by Tammara S. Sanderson, City Clerk, _____

Published by *The Paducah Sun*, _____

Ord\pww-old mayfield road surplus property 2018

Ordinance by Denton Law Firm

EXHIBIT A

LEGAL DESCRIPTION

OF

The Property containing 63.052 ACRES

Lying on the Easterly side of Old Mayfield Road (Kentucky Highway 994) and being part of the Hendron Water District property recorded in Deed Book 644, page 808, McCracken County Court Clerk's office, McCracken County, Kentucky and more particularly bounded and described as follows to wit:

Beginning at a point in the Easterly right-of-way line of Old Mayfield Road at its intersection with the center of Champion Creek, said point being N 84°44'23" E 85.96 feet from a point in a concrete bridge over Champion Creek that is 41.77 feet from the North edge of said Concrete Bridge and 44.42 feet from a point at the South edge of said bridge that is approximately 532 feet as measured Northwestwardly along the centerline of said Old Mayfield Road from its intersection with the centerline of Old Houser Road; THENCE FROM SAID POINT OF BEGINNING N 24°29'34" W with the Easterly right-of-way line of said Old Mayfield Road and passing a ½" rebar with cap set at 56.00 feet as witness corner for a total distance of 270.20 feet to a ½" rebar with cap no. 2105 set at a point opposite and 60 feet Northeastwardly therefrom centerline station 34+00; thence N 10°19'37" W and continuing with said Easterly right-of-way line to Old Mayfield Road 243.75 feet to an existing 4" x 4" concrete monument with cap no. 1682 at the Southwest corner of the Matthew and Jarrett Leigh White property per Deed Book 1357, page 140; thence S 85°57'05" E with the South line of said White property 1,055.02 feet to an existing ½" rebar with cap no. 1682 at the Southeast corner thereof; thence N 3°48'38" E with the East line of said White property 404.49 feet to an existing ½" rebar with cap no. 1955; thence N 11°35'41" E and continuing with the East line of said White property 101.79 feet to an existing iron spike with tee post at the Northeast corner thereof and at the Southeast corner of the James L. Boone property per Deed Book 1277, page 691; thence N 10°54'35" E with the East line of said Boone property 101.42 feet to a ½" rebar with cap no. 2105 set at the Northeast corner thereof and Southeast corner of the Karla and Garrette Wooley property per Deed Book 873, page 744; thence N 10°31'18" E with the East line of said Wooley property 157.90 feet to an existing ½" rebar with cap no. 1955 at a corner in the Southerly line of the Royce and Ruth Mason property per Deed Book 422, page 33; thence N 89°22'58" E with the Southerly line of said Mason property 537.89 feet to an existing 4" x 4" concrete monument at the Southeast corner of said Mason property per Deed Book 422, page 33; thence N 5°30'33" E with the East line of said Mason property and the East line of The Isabel Stearns property per Deed Book 1356, page 113 a distance of 433.16 feet to an existing 4" x 4" concrete monument at the Southwest corner of Lot 1 to Hartfords' Rosewood Estate's; recorded in Plat Section "G" Page 238; thence S 81°03'15" E with the South line of said Lot 1 and the South line of Lot 2 per said Plat Section "G", page 238 and passing a ½" rebar at 300.0 feet at the Southeast corner of said Lot 1 for a total distance of 499.81 feet to an existing ½" rebar at the Southeast corner of said Lot 2; thence S 81°09'18" E with the South line of lots 3 and 4 to said Hartfords' Rosewood Estate's per Plat Section "G", page 238 a distance of 575.24 feet to an existing 4" x 4" concrete monument at the Southeast corner of said Lot 4; thence S 4°22'18" W 190.14 feet to an existing ½" rebar at a corner in the West line of the John and Cindy Davis property per Deed Book 962, page 757; thence Southwardly with the West line of said Davis property for the following 3 calls; S 4°22'06" W 771.94 feet to an existing 4" x 4" concrete monument; thence S 1°10'20" W 375.52 feet to an existing ½" rebar with cap no. 2105; and S 5°21'42" E and passing a ½" rebar with cap no. 2105 set at 111.53 feet for a total distance of 141.53 feet to a point in Champion Creek at the Southwest corner

of said Davis property per Deed Book 962, page 757; thence Westwardly with the centerline meanders of said Champion Creek for the following 12 calls: N 66°59'42" W 414.62 feet to a point; S 82°06'50" W 558.21 feet to a point; S 83°25'34" W 333.49 feet to a point; S 88°32'44" W 152.72 feet to a point; S 73°47'29" W 355.18 feet to a point; N 86°47'11" W 197.43 feet to a point; S 64°04'29" W 42.95 feet to a point; S 88°02'00" W 90.66 feet to a point; N 69°12'09" W 120.51 feet to a point; N 84°06'16" W 132.27 feet to a point; N 77°26'40" W 219.40 feet to a point; and S 84°44'23" W 21.63 feet to the Point of Beginning and containing 63.052 Acres as shown on "Plat of Survey for Paducah Water" prepared by Shawnee Professional Services dated May 29, 2018.

The above Legal Description was written by Rod H. Martin, Kentucky Licensed Surveyor, on the 29th day of May, 2018 and is correct to the best of my knowledge and belief.

Exhibit B

Paducah Water Resolution

See attached.

**RESOLUTION OF THE COMMISSIONERS OF WATERWORKS OF THE CITY OF
PADUCAH REQUESTING THE BOARD OF COMMISSIONERS OF THE CITY APPROVE
THE SALE OF REAL PROPERTY LOCATED NEAR THE INTERSECTION OF OLD
MAYFIELD ROAD AND HOUSER ROAD**

WHEREAS the Commissioners of Waterworks declared real property located near the intersection of Old Mayfield Road and Houser Road in Paducah, Kentucky, to be surplus on January 31, 2018, and;

WHEREAS, a description of said property is attached hereto, and;

WHEREAS the Board of Commissioners of the City adopted a Municipal Order No. 2073 on February 27, 2018, declaring said property to be surplus and authorized the sale of such property at public auction, and;

WHEREAS the General Manager entered into a Real Estate Auction Contract with Robert Alexander Real Estate and Auction Company of Paducah, Kentucky, on March 8, 2018, for the sale of said property at absolute public auction, and;

WHEREAS a public auction was held on April 19, 2018, at the office of Robert Alexander Real Estate and Auction Company, located at 4000 Olivet Church Road, Paducah, Kentucky, and;

WHEREAS the auction concluded with a high bid in the amount of two thousand seven hundred fifty dollars (\$2,750) per acre for a total sale price of one hundred seventy thousand five hundred dollars (\$170,500) and;

WHEREAS the Commissioners of Waterworks approved a resolution requesting the Board of Commissioners of the City approve the sale of said property on April 25, 2018, and;

WHEREAS subsequent to that resolution, a boundary survey was performed at the request of the Purchaser and approved by the Seller, and total acreage of said property was precisely determined to be 63.052 acres, and;

WHEREAS the total recomputed sale price for 63.052 acres as determined by boundary survey at the high bid amount of two thousand seven hundred fifty dollars (\$2,750.00) per acre is therefore one hundred seventy three thousand three hundred ninety three dollars (\$173,393.00).

NOW THEREFORE, BE IT RESOLVED, the Commissioners of Waterworks declare it would be in the best public interest to accept the high bid amount of one hundred seventy three thousand three hundred ninety three dollars (\$173,393.00), resulting from the public auction, and;

BE IT FURTHER RESOLVED that the Board of Commissioners of the City of Paducah, Kentucky are hereby requested to authorize the Commissioners of Waterworks to approve the sale of said real property and direct the Mayor and City Clerk to execute the necessary Deeds of Conveyance to effectuate the sale of the aforesaid real property.

Adopted this the 30TH day of MAY, 2018.

COMMISSIONERS OF WATERWORKS

By W. E. Barker

Chair

Attest: W. D. Chalkley

Secretary

DEED OF CONVEYANCE

THIS DEED made and entered into this the _____ day of June, 2018, by and between CITY OF PADUCAH, KENTUCKY FOR THE USE AND BENEFIT OF THE COMMISSIONERS OF WATERWORKS, DBA PADUCAH WATER, a municipal corporation of the Home Rule class, duly organized and existing under the laws of the Commonwealth of Kentucky, of P.O. Box 2377, Paducah, Kentucky 42002-2377, hereinafter called Grantor, and HOWERTON PROPERTIES, LLC, a Kentucky limited liability company, of P O Box 194, Paducah, KY 42002-0194, hereinafter called Grantee;

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of \$190,732.30, cash in hand paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor sold and does by these presents grant, bargain, sell, alien and convey unto the Grantee, its successors and assigns forever, together with all the improvements, appurtenances and rights thereunto belonging, the following described property, lying and being in McCracken County, Kentucky, and more particularly described as follows:

See Exhibit "A" attached hereto and made a part hereof.

Being the same property conveyed to The City of Paducah, Kentucky for the use and benefit of the Commissioners of Water Works for the City of Paducah, Kentucky d/b/a Paducah Water, a municipal corporation, by deed dated July 18, 2012, and recorded in Deed Book 1234, page 467, in the McCracken County Court Clerk's Office.

TO HAVE AND TO HOLD the same, together with all improvements thereon and all rights and appurtenances thereunto pertaining, unto Grantee, its successors and assigns forever,

with Covenant of General Warranty, except easements, covenants and restrictions of record.

Grantor and Grantee hereby swear and affirm, under penalty of perjury, that the consideration recited herein is the full actual consideration paid or to be paid for the property transferred hereby. The Grantee joins this deed for the sole purpose of certifying the consideration.

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands.

GRANTOR:

GRANTEE:

CITY OF PADUCAH, KENTUCKY, FOR
THE USE AND BENEFIT OF THE
COMMISSIONERS OF WATERWORKS
OF THE CITY OF PADUCAH,
DBA PADUCAH WATER,

HOWERTON PROPERTIES, LLC

By: _____
BRANDI HARLESS, MAYOR

By: _____
J. WILLIAM HOWERTON,
SOLE MEMBER

STATE OF KENTUCKY)
COUNTY OF McCRACKEN)

The foregoing instrument was sworn and acknowledged before me this ____ day of June, 2018, by Brandi Harless, Mayor, of the City of Paducah, Kentucky for the use and benefit of the Commissioners of WaterWorks of the City of Paducah, dba Paducah Water, a municipal corporation of the Home Rule class, duly organized and existing under the laws of the Commonwealth of Kentucky, on behalf of the municipal entity, Grantor.

My commission expires: _____

NOTARY PUBLIC, STATE AT LARGE
Notary ID # _____

STATE OF KENTUCKY)

COUNTY OF MCCRACKEN)

The foregoing instrument was sworn and acknowledged before me this ____ day of June, 2018, by J. William Howerton, sole member, of Howerton Properties, LLC, a Kentucky limited liability company, on behalf of said company, Grantee.

My commission expires _____.

NOTARY PUBLIC, STATE AT LARGE

Notary ID # _____

This instrument prepared by:

DENTON LAW FIRM, PLLC
P. O. Box 969
Paducah, KY 42002-0969
212473

Send current year tax bill to:
Howerton Properties, LLC
P O Box 194
Paducah, KY 42002-0194

EXHIBIT A

LEGAL DESCRIPTION

OF

The Property containing 63.052 ACRES

Lying on the Easterly side of Old Mayfield Road (Kentucky Highway 994) and being part of the Hendron Water District property recorded in Deed Book 644, page 808, McCracken County Court Clerk's office, McCracken County, Kentucky and more particularly bounded and described as follows to wit:

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of said Davis property per Deed Book 962, page 757; thence Westwardly with the centerline meanders of said Champion Creek for the following 12 calls: N 66°59'42" W 414.62 feet to a point; S 82°06'50" W 558.21 feet to a point; S 83°25'34" W 333.49 feet to a point; S 88°32'44" W 152.72 feet to a point; S 73°47'29" W 355.18 feet to a point; N 86°47'11" W 197.43 feet to a point; S 64°04'29" W 42.95 feet to a point; S 88°02'00" W 90.66 feet to a point; N 69°12'09" W 120.51 feet to a point; N 84°06'16" W 132.27 feet to a point; N 77°26'40" W 219.40 feet to a point; and S 84°44'23" W 21.63 feet to the Point of Beginning and containing 63.052 Acres as shown on "Plat of Survey for Paducah Water" prepared by Shawnee Professional Services dated May 29, 2018.

The above Legal Description was written by Rod H. Martin, Kentucky Licensed Surveyor, on the 29th day of May, 2018 and is correct to the best of my knowledge and belief.

Agenda Action Form Paducah City Commission

Meeting Date: June 12, 2018

Short Title: General Obligation Bonds (GOB) 2018A, E911 Equipment & Riverfront; and, GOB 2018B, refinancing KLC GOBs 2003 (2015A1) and 2009 (2016A1)

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: Jonathan Perkins

Presentation By: Jonathan Perkins

Background Information:

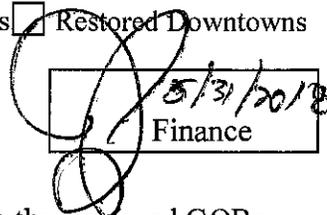
The GOB 2018A proceeds for \$2.91 million will be applied to the following project: a) Riverfront project, \$1.1 million; and, b) E911 Equipment project, \$1.7 million.

The GOB 2018B proceeds will be used to refinance the variable interest rate KLC GOBs 2003 (2015A1) and 2009 (2016A1) and 'lock in' a fix rate of interest.

The sale date for GOB 2018A and GOB 2018B is set for July 9, 2018. Bank closing is scheduled for late July 2018. The GOB 2018B amortization schedule will closely reflect the former KLC 2003 and 2009 payment schedules.

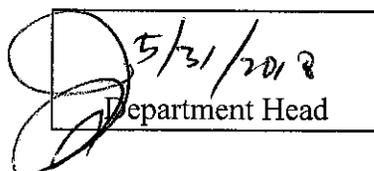
Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name: GOB proceeds
Account Number: Bond Fund


Finance

Staff Recommendation: That the Mayor & Commission approve the proposed GOBs 2018A and GOB 2018B authorization.

Attachments:

 Department Head	City Clerk	 City Manager
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ORDINANCE NO. 2018-__ -__

AN ORDINANCE OF THE CITY OF PADUCAH, KENTUCKY AUTHORIZING THE ISSUANCE OF (I) CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2018A IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$2,910,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF SERIES 2018A BONDS BY UP TO \$290,000) FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF THE CONSTRUCTION OF RIVERFRONT IMPROVEMENTS AND THE ACQUISITION OF 911 EQUIPMENT, AND (II) CITY OF PADUCAH, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018B IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$2,845,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF SERIES 2018B BONDS BY UP TO \$285,000) FOR THE PURPOSE OF CURRENTLY REFUNDING A GENERAL OBLIGATION LEASE AGREEMENT DATED MARCH 2, 2009 BETWEEN THE CITY AND THE KENTUCKY LEAGUE OF CITIES FUNDING TRUST AND A LEASE AGREEMENT DATED JULY 1, 2003 BETWEEN THE CITY AND THE KENTUCKY LEAGUE OF CITIES FUNDING TRUST, THE PROCEEDS OF WHICH IN TURN FUNDED THE COSTS OF VARIOUS PUBLIC IMPROVEMENTS WITHIN THE CITY; APPROVING THE FORMS OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING BOND PAYMENT FUNDS; MAINTAINING THE HERETOFORE ESTABLISHED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASERS FOR THE PURCHASE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the City of Paducah, Kentucky (the "City") has determined and does hereby confirm that it is a public purpose of the City to acquire, construct and install improvements to the City's riverfront and to acquire and install 911 equipment (collectively, the "2018 Project") for the well-being and benefit of the citizens of the City; and

WHEREAS, the City heretofore entered into a General Obligation Lease dated March 2, 2009, as amended (the "2009 Lease") with the Kentucky League of Cities Funding Trust and a Lease Agreement dated as of July 1, 2003, as amended (the "2003 Lease") with the Kentucky League of Cities Funding Trust, the proceeds of which were used to finance various public

improvements in the City, including (i) improvements to the City's floodwall, (ii) the construction of parking lots and related infrastructure at the Four Rivers Center, (iii) structural improvements and installation of an HVAC system at the City Building, (iv) the installation of an HVA system and related construction at the City's Police Building (v) playground equipment and restroom and shelter renovations at Kolb Park, (vi) basketball court and sprayground improvements as well as restroom renovations at Blackburn Park, (vii) trail development at Perkins Creek Nature Preserve and (viii) new restrooms and shelters and playground renovations at Noble Park (collectively, the "Prior Projects, " and together with the 2018 Project, the "Projects"), all for the well-being and benefit of the citizens of the City; and

WHEREAS, the City has determined that the present conditions of the municipal market are such that it is advantageous and in the best interests of the City for the City to currently refund the 2009 Lease and 2003 Lease in order to achieve expected future debt service savings for the City; and

WHEREAS, in order to achieve the foregoing objectives of the City, the City has determined and does hereby confirm that it is necessary and desirable at this time for the City to proceed with the issuance of (i) its General Obligation Bonds, Series 2018A in the approximate principal amount of \$2,910,000 (which amount may be increased or decreased by up to \$290,000) (the "Series 2018A Bonds") to finance the 2018 Project and (ii) its General Obligation Refunding Bonds, Series 2018B in in the approximate principal amount of \$2,845,000 (which amount may be increased or decreased by up to \$285,000) (the "Series 2018B Bonds," and together with the Series 2018A Bonds, the "Bonds") to currently refund the 2003 Lease and 2009 Lease; and

WHEREAS, pursuant to the Constitution and Laws of the Commonwealth of Kentucky, and particularly Sections 66.011 et. seq. of the Kentucky Revised Statutes, as amended (the "General Obligation Act") and Sections 58.010 et. seq. of the Kentucky Revised Statutes, as amended (the "Public Project Act"), a city may issue bonds, subject to the requirements of the General Obligation Act and/or Public Project Act, to pay all or any portion of the costs of financing or refinancing any public project to the extent that such city is authorized to cause the acquisition, construction, installation and equipping thereof; and

WHEREAS, the City desires to cause the Projects to be financed and refinanced through the issuance of the Bonds to be sold and awarded to the successful bidder or bidders (the "Purchasers") at public, competitive sale in accordance with the provisions of Chapter 424 of the Kentucky Revised Statutes, as amended.

NOW, THEREFORE, BE IT ORDAINED by the City of Paducah, Kentucky, as follows:

Section 1 -- Necessity, Authorization and Purpose. The City hereby declares that it is desirable and necessary to issue, and hereby authorizes the issuance, of its General Obligation Bonds, Series 2018A, in the aggregate principal amount of \$2,910,000, subject to a permitted adjustment (the "Series 2018A Permitted Adjustment") increasing or decreasing the principal amount of Series 2018A Bonds awarded to the purchasers thereof by up to \$290,000, for the purpose of (i) paying the costs of the 2018A Project and (ii) paying the costs of issuance of the Series 2018A Bonds.

The City hereby further declares that it is desirable and necessary to issue, and hereby authorizes the issuance, of its General Obligation Refunding Bonds, Series 2018B, in the aggregate principal amount of \$2,910,000, subject to a permitted adjustment (the "Series 2018B Permitted Adjustment," and together with the Series A Permitted Adjustment, the "Permitted

Adjustments") increasing or decreasing the principal amount of Series 2018B Bonds awarded to the purchasers thereof by up to \$290,000, for the purpose of (i) paying the costs of the 2018B Project and (ii) paying the costs of issuance of the Series 2018B Bonds.

The exact principal amount of Series 2018A Bonds and Series 2018B Bonds to be issued shall be established in the Certificate of Award (as hereinafter defined).

Section 2 – Form of Bonds. The Series 2018A Bonds shall be issued as fully registered Bonds, shall be designated "General Obligation Bonds, Series 2018A", shall each express upon their face the purpose for which they are issued, that they are issued under the Act and shall be substantially in the form set forth in Annex A. The Series 2018B Bonds shall be issued as fully registered Bonds, shall be designated "General Obligation Refunding Bonds, Series 2018B", shall each express upon their face the purpose for which they are issued, that they are issued under the Act and shall be substantially in the form set forth in Annex B.

The Bonds shall be in denominations as requested by the Purchasers, which shall be in integral multiples of five thousand dollars (\$5,000). The Bonds shall each be dated their date of initial issuance and delivery, or such other date as is determined in a certificate of award accepting the bids of the Purchasers (the "Certificate of Award") to be executed by the Mayor, the City Manager or the Finance Director of the City on the date of the sale of the Bonds.

Interest on the Bonds shall be payable each February 1 and August 1 (an "Interest Payment Date"), commencing February 1, 2019, at the stated interest rate or rates on the principal amounts thereof, calculated on the basis of a 360 day year with 30 day months.

The Series 2018A Bonds shall be serial or term Bonds maturing or subject to mandatory sinking fund redemption on August 1, 2019 and each August 1 thereafter in the years and in the amounts to be established in the Certificate of Award after advertised competitive sale of the

Series 2018A Bonds based on the interest rates set forth in the successful bid for the Series 2018A Bonds the ("Series 2018A Bid") and the provisions of this Section 2, provided that the final maturity date of the Series 2018A Bonds shall be as set forth in the Certificate of Award but shall be no later than August 1, 2033.

The Series 2018B Bonds shall be serial or term Bonds maturing or subject to mandatory sinking fund redemption on February 1, 2019 and each August 1 thereafter in the years and in the amounts to be established in the Certificate of Award after advertised competitive sale of the Series 2018B Bonds based on the interest rates set forth in the successful bid for the Series 2018B Bonds (the "Series 2018B Bid," and together with the Series 2018A Bid, the "Bids") and the provisions of this Section 2, provided that the final maturity date of the Series 2018B Bonds shall be as set forth in the Certificate of Award but shall be no later than August 1, 2028.

The interest rate or rates on the Bonds shall be determined in the Certificate of Award based on the Bids; provided that the aggregate net interest cost of the Series 2018A Bonds shall not exceed six percent (6.0%), and the aggregate net interest cost of the Series 2018B Bonds shall not exceed five percent (5.0%).

The Bonds issued as term Bonds shall be subject to mandatory sinking fund redemption on the dates, in the years and in the amounts as set forth in the Certificate of Award.

The Series 2018A Bonds shall be subject to optional redemption prior to their maturity on any date on or after August 1, 2028, in whole or in part, in such order of maturity as shall be designated in writing by the City, and by lot within a maturity, at the election of the City upon 35 days' written notice to U.S. Bank National Association, Louisville, Kentucky, the paying agent and registrar designated for the Bonds (the "Paying Agent and Registrar") at a redemption price

equal to the par amount thereof, plus accrued interest to the date of redemption. The Series 2018B Bonds shall not be subject to optional redemption prior to their maturity.

At least thirty (30) days before the optional or mandatory sinking fund redemption date of any Bonds, the Paying Agent and Registrar shall cause a notice of such redemption either in whole or in part, signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed at their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by their terms on a single date then outstanding shall be called for redemption, the distinctive series, number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been mailed in the manner under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Bond Payment Fund by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

The Bonds may be issued in book-entry-only form through the services of the Depository Trust Company ("DTC"). If the City determines to issue the Bonds in book-entry-only form the Designated Officers (hereinafter defined) are authorized to execute all documents necessary to accomplish such form of issuance.

Section 3 -- Execution and Delivery. The Bonds shall be executed by the manual or facsimile signature of the Mayor and duly attested by the manual or facsimile signature of the City Clerk (which, together with any other person as may be authorized by resolution or municipal order are referred to as "Designated Officers") and shall have the seal of the City or a facsimile thereof affixed thereto. Additionally, the Bonds shall bear the manual authenticating signature of the Paying Agent and Registrar. The Designated Officers are further authorized and directed to deliver the Bonds to the Purchasers, upon the terms and conditions provided herein, in the Certificate of Award and in the Bids for the Bonds, receive the proceeds therefor, execute and deliver such certificates and other closing documents and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the Bonds.

The City authorizes and directs the Paying Agent and Registrar to authenticate the Bonds and to deliver the Bonds to the Purchasers upon payment of the purchase price thereof.

Section 4 -- Payment. Payment of or on account of the interest on and principal of the Bonds shall be made directly to the Paying Agent and Registrar for the account of the registered owner. Interest on the Bonds shall be payable by check, mailed to the person whose name appears on the fifteenth day preceding an Interest Payment Date on the bond registration records as the registered owner, on each Interest Payment Date or by other transfer of funds acceptable to such registered owner and the Paying Agent and Registrar. Principal shall be payable in such coin or currency of the United States of America as shall be legal tender for the payment of public and private debts at the time and place of payment upon delivery of the Bonds to the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent and

Registrar and such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bonds to the extent of the sum or sums so paid.

Section 5 -- Filing. The Designated Officers are hereby authorized to undertake and cause all filings which may be required by law to be filed by the City with respect to the Bonds, including, but not limited to, the filing with the State Local Debt Officer required by law.

Section 6 -- Bond Payment Fund; Payment of Bonds. There is hereby established with the Paying Agent and Registrar a bond payment fund in the name of the City to be known as General Obligation Bonds, Series 2018A Bond Payment Fund (the "2018A Bond Payment Fund"), into which the City covenants to deposit, and into which the Designated Officers are hereby authorized and directed to deposit from the sinking fund (the "Sinking Fund") established pursuant to Ordinance No. 2001-5-6353 adopted by the City (the "2001 General Obligation Ordinance"), on or before the twenty-fifth day of each month which precedes an Interest Payment Date, the amount required to pay principal of and interest due on the Series 2018A Bonds on such Interest Payment Date. The Paying Agent and Registrar shall, without further authorization from the City, withdraw from the 2018A Bond Payment Fund, on such Interest Payment Date, the amounts necessary to pay principal of, and interest on, the Series 2018A Bonds to the registered owner of the same.

There is hereby further established with the Paying Agent and Registrar a bond payment fund in the name of the City to be known as General Obligation Refunding Bonds, Series 2018B Bond Payment Fund (the "2018B Bond Payment Fund," and together with the 2018A Bond Payment Fund, the "Bond Payment Funds"), into which the City covenants to deposit, and into which the Designated Officers are hereby authorized and directed to deposit from the Sinking Fund on or before the twenty-fifth day of each month which precedes an Interest Payment Date,

the amount required to pay principal of and interest due on the Series 2018B Bonds on such Interest Payment Date. The Paying Agent and Registrar shall, without further authorization from the City, withdraw from the 2018B Bond Payment Fund, on such Interest Payment Date, the amounts necessary to pay principal of, and interest on, the Series 2018B Bonds to the registered owner of the same.

The Paying Agent and Registrar is hereby appointed depository of the Bond Payment Funds with respect to the Bonds.

If the City shall fail or refuse to make any required deposit in the Bond Payment Funds from the Sinking Fund, the Paying Agent and Registrar shall (i) notify any agency of the Commonwealth of Kentucky or any political subdivision thereof which may collect and distribute taxes or revenues for the City to seek any available necessary or proper remedial action; and (ii) upon being indemnified against cost and expense, exercise any remedy provided in the Act or at law or in equity for the benefit of the owner of the Bonds or its assignee, and shall disburse all funds so collected to the owners of the Bonds as payment of the Bonds.

Section 7 -- General Obligation. The Bonds shall be full general obligations of the City and, for the payment of said Bonds, and the interest thereon, the full faith, credit and revenue of the City are hereby pledged for the prompt payment thereof. During the period the Bonds are outstanding, there shall be and there hereby is levied on all the taxable property in the City, in addition to all other taxes, without limitation as to rate, a direct tax annually in an amount sufficient to pay the principal of and interest on the Bonds when and as due, it being hereby found and determined that current tax rates are within all applicable limitations. Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general

purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that the other lawfully available funds of the City are available for the payment of the Bonds, and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of such other funds so available and appropriated.

Section 8 -- Maintenance of Sinking Fund. The Sinking Fund heretofore established by the City is hereby ordered to be continued and maintained as long as any of the Bonds shall remain outstanding. The funds derived from the tax levy required by Section 7 hereof or other lawfully available funds shall be placed in the Sinking Fund and, together with interest collected on the same, are irrevocably pledged for the payment of the interest on and principal of all bonds issued under the Act and Tax-Supported Leases, as defined in the Act, when and as the same fall due. Amounts shall be transferred from the Sinking Fund to the Bond Payment Funds at the times and in the amounts required by Section 6 hereof.

Section 9 -- Sale of Bonds; Certificate of Award. The Designated Officers are hereby directed to sell the Bonds to the Purchasers at advertised competitive sale, the final principal amount of, the principal amortization of and the interest rate or rates on the Bonds to be established in accordance with the requirements of Sections 1 and 2 hereof by adoption of the Certificate of Award. Each of the Mayor, City Manager and Finance Director of the City is hereby authorized to execute the Certificate of Award establishing the terms of the Bonds described herein without any further action by the City Commission.

Section 10 -- Bonds Registered Owners; Transfer; Exchange. As long as the Bonds executed and delivered hereunder shall remain outstanding, the Paying Agent and Registrar shall

maintain an office for the Registration of such Bonds and shall also keep at such office books for such registration and transfers. The registered owner of the Bonds, as set forth in the registration books maintained by the Paying Agent and Registrar on the fifteenth day preceding an Interest Payment Date, or its assignees, for purposes of this Bond Ordinance, to the extent of its interest, shall be treated as the owner of the applicable Bonds and shall be entitled to all rights and security of the owner of the Bonds hereunder.

Upon surrender for registration of transfer of Bonds at the office of the Paying Agent and Registrar with a written instrument of transfer satisfactory to the Paying Agent and Registrar, duly executed by the registered owner or the registered owner's duly authorized attorney, the Paying Agent and Registrar shall execute and deliver, in the name of the designated transferee or transferees, one or more Bonds of the same series of any authorized denomination and of a like tenor and effect.

All Bonds, upon surrender thereof at the office of the Paying Agent and Registrar, may, at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same series of any authorized denomination.

In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Paying Agent and Registrar shall execute and deliver Bonds in accordance with the provisions of this Section. Every such exchange or transfer of Bonds, whether temporary or definitive, shall be without charge; provided that the Paying Agent and Registrar may impose a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

Section 11 -- Disposition of Proceeds of Bonds. The proceeds of the sale of the Series 2018A Bonds shall be deposited, together with other available funds of the City, as follows: (a) accrued interest and rounding amount, if any, shall be deposited to the 2018A Bond Payment Fund created in Section 6 hereof; (b) an amount sufficient to pay the costs of issuing the Series 2018A Bonds shall be deposited to a special cost of issuance fund hereby directed to be established and designated as the "City of Paducah, Kentucky General Obligation Bonds, Series 2018A Cost of Issuance Fund" (the "Series A Cost of Issuance Fund"); and (c) the remainder of the proceeds shall be deposited to a special construction fund (the "City of Paducah 2018A Construction Fund") to be held by the construction fund depository designated in the Certificate of Award (the "2018A Construction Fund Depository") and used for the acquisition, construction, installation and equipping of the 2018A Project.

The proceeds of the sale of the Series 2018B Bonds shall be deposited, together with other available funds of the City, as follows: (a) accrued interest and rounding amount, if any, shall be deposited to the 2018B Bond Payment Fund created in Section 6 hereof; (b) an amount sufficient to pay the costs of issuing the Series 2018B Bonds shall be deposited to a special cost of issuance fund hereby directed to be established and designated as the "City of Paducah, Kentucky General Obligation Bonds, Series 2018B Cost of Issuance Fund" (the "Series B Cost of Issuance Fund"); and (c) the remainder of the proceeds, together with any other available funds of the City, shall be applied to retire and redeem the 2003 Lease and 2009 Lease within ninety days of the issuance of the Bonds and shall be remitted to the Kentucky League of Cities Funding Trust, or its designee, on the dates and in the times necessary to accomplish the current refunding of the 2003 Lease and 2009 Lease in accordance with instructions to be provided by the Kentucky League of Cities Funding Trust.

Section 12 -- Further Actions. In connection with the undertaking and implementation by the City of the plan of financing herein described, which is hereby expressly directed, the Designated Officers are hereby authorized and directed to take and carry out such further necessary, desirable or appropriate actions to effect such plan of financing, including executing and delivering financial advisory services agreements with the City's financial advisor, J.J.B. Hilliard, W.L. Lyons LLC.

Section 13 -- Designation of Bonds. The City designates each of the Series 2018A Bonds and Series 2018B Bonds as "qualified tax-exempt obligations" for the purposes set forth in § 265(b)(3) of the Internal Revenue Code of 1986, as amended. The City does not anticipate issuing more than \$10,000,000 of "qualified tax-exempt obligations" during calendar year 2018.

Section 14 -- Discharge of Bond Ordinance. If the City shall pay or cause to be paid, or there shall otherwise be paid, to the owners of the Bonds the total principal and interest due or to become due thereon through maturity, in the manner stipulated therein and in this Bond Ordinance, then the pledges made under this Bond Ordinance, and all covenants, agreements and other obligations of the City hereunder, shall thereupon cease, terminate and become void and be discharged and satisfied.

Section 15 -- Severability. If any one or more of the provisions of this Bond Ordinance should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed to be severable from all remaining provisions and shall not affect the validity of such other provisions.

Section 16 -- Inconsistent Actions. All prior ordinances, resolutions, orders or parts thereof inconsistent herewith are hereby repealed.

Section 17 -- Open Meetings Compliance. All meetings of the City Commission and of its committees and any other public bodies, at which the formal actions in connection with the issuance of the Bonds were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings, after proper notice, were open to the public, in compliance with all legal requirements including KRS Sections 61.805 through 61.850.

Section 18 -- Effective Date. This Bond Ordinance shall become effective immediately upon adoption and publication of a summary thereof, as provided by law.

INTRODUCED AND PUBLICLY READ ON FIRST READING on the 12th day of June, 2018.

PUBLICLY READ, ADOPTED AND APPROVED ON SECOND READING, this the 26th day of June, 2018.

CITY OF PADUCAH, KENTUCKY

By: _____
Mayor

Attest:

By: _____
City Clerk

Introduced by the Board of Commissioners, June 12, 2018

Adopted by the Board of Commissioners, _____

Recorded by Tammara S. Sanderson, City Clerk, _____

Published by *The Paducah Sun*, _____

\ord\finance\bond-2018A & 2018B – Riverfront, E911 & KLC Refinance

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly qualified and acting City Clerk of the City of Paducah, Kentucky, and as such City Clerk, I further certify that the foregoing is a true, correct and complete copy of a Bond Ordinance duly enacted by the City Commission of the City at a duly convened meeting held on the 26th day of June, 2018, on the same occasion signed by the Mayor as evidence of his approval, and now in full force and effect, all as appears from the official records of the City in my possession and under my control.

Witness my hand and the seal of said City as of the ____ day of _____, 2018.

City Clerk

[SEAL]

ANNEX A

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC") to 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.

COMMONWEALTH OF KENTUCKY
CITY OF PADUCAH, KENTUCKY
GENERAL OBLIGATION BOND, SERIES 2018A

No. RA-1 \$ _____

BOND DATE: July __, 2018

MATURITY DATE: August 1, _____

INTEREST RATE: _____ %

REGISTERED HOLDER: _____

PRINCIPAL AMOUNT: _____

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Paducah, Kentucky (the "City"), for value received, hereby acknowledges itself obligated to, and promises to pay to the registered holder identified above, or registered assigns, the principal sum identified above (or, if any part thereof has been paid, the balance thereof remaining unpaid), on the maturity date specified above, and to pay interest on said principal sum (or, if any part thereof has been paid, the balance thereof remaining unpaid) from the date hereof, payable each February 1 and August 1, commencing February 1, 2019, at the Interest Rate per annum identified above, calculated on the basis of a 360 day year with 30 day months, except as the provisions hereinafter set forth with respect to prior redemption may be and become applicable hereto. The principal of and interest on this bond are payable, without deduction for exchange, collection, or service charges, in lawful money of the United States of America. Principal is payable at the designated corporate trust office of U.S. Bank National Association, Louisville, Kentucky, or any successor (the "Paying Agent and Registrar") or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. All interest on this bond and principal payable prior to the final maturity date shall be payable by check or draft mailed to the record date registered holder hereof at the address shown on the registration records kept by the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. The record date shall be the fifteenth day of the month preceding each interest payment date.

This Bond is one of an issue of Bonds of like tenor and effect, except as to denomination and maturity, numbered from RA-1 upward, inclusive, of the denomination of \$5,000 or any integral multiple thereof originally aggregating _____

dollars (\$_____) in principal amount, issued for the purpose of (i) financing the costs of the construction of riverfront improvements and the acquisition of 911 equipment (collectively, the "Project") and (ii) paying the costs of issuance of the Bonds, all pursuant to and in full compliance with the general laws of the Commonwealth of Kentucky and particularly Chapter 66 of the Kentucky Revised Statutes, and pursuant to an ordinance duly adopted by the City Commission of the City on the 26th day of June, 2018 (the "Bond Ordinance") upon the affirmative vote of at least a majority of the members of its City Commission at a public meeting duly and regularly held, and after filing proper notice with the State Local Debt Officer of the Commonwealth of Kentucky.

This Bond and the issue of which it forms a part is a general obligation of the City and the full faith, credit and revenue of the City are pledged to the payments due hereunder. THIS BOND IS CONTINUALLY SECURED BY THE FAITH, CREDIT AND REVENUE OF THE CITY.

The Bonds mature on the 1st day of August of the following years, in the respective principal amounts and bear interest at the following rates of interest:

<u>Maturity Date</u>	<u>Amount</u>	<u>Interest Rate Per Annum</u>
August 1, 2019		
August 1, 2020		
August 1, 2021		
August 1, 2022		
August 1, 2023		
August 1, 2024		
August 1, 2025		
August 1, 2026		
August 1, 2027		
August 1, 2028		
August 1, 2029		
August 1, 2030		
August 1, 2031		
August 1, 2032		
August 1, 2033		

The Bonds maturing on or after August 1, 2029 shall be subject to optional redemption prior to their maturity on any date on or after August 1, 2028, in whole or in part, in such order of maturity as shall be designated in writing by the City, and by lot within a maturity, at the election of the City upon 35 days' written notice to the Paying Agent and Registrar at a redemption price equal to the par amount thereof, plus accrued interest to the date of redemption.

[INSERT ANY MANDATORY SINKING FUND REDEMPTION REQUIREMENTS]

At least thirty (30) days before the redemption date of any Bonds the Paying Agent and Registrar shall cause a notice of such redemption signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed at

their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by their terms on a single date then outstanding shall be called for redemption, the distinctive number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been published in the manner under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Payment Fund by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

No recourse shall be had for the payment of the principal of or the interest on this Bond, or for any claim based hereon, against any officer, agent or employee, past, present or future, of the City, as such, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise; all such liability of such officers, agents or employees is hereby renounced, waived and released as a condition of and as consideration for the issuance, execution and acceptance of this Bond.

It is hereby certified that all acts, conditions and things required to be done, to occur or be performed precedent to and in the issuance of this Bond, or in the creation of the obligations of which this Bond is evidence, have been done, have occurred and have been performed in regular and due form and manner as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal hereof and interest hereon; that the repayment obligation represented by this Bond is not in excess of any constitutional or statutory limitation; and that due provision has been made for the levy and collection of a tax sufficient in amount to pay the interest on this Bond as it falls due and to provide for the redemption of this Bond at maturity or upon earlier redemption.

IN WITNESS WHEREOF, the City has caused this Bond to be signed either manually or by facsimile in its name by its Mayor and duly attested either manually or by facsimile by its City Clerk and an impression or facsimile of the City's seal to be imprinted hereon, as of the date set forth above.

CITY OF PADUCAH, KENTUCKY

By: _____
Mayor

(SEAL)

Attest:

By: _____
City Clerk

CERTIFICATE OF AUTHENTICATION

This is to certify that this Bond is one of the Bonds described hereinabove.

Authorized Signature
U.S. Bank National Association
Paying Agent and Registrar

Date of Authentication: _____

CERTIFICATE

It is hereby certified that the following is a correct and complete copy of the text of the legal opinion of Dinsmore & Shohl LLP, Covington, Kentucky, regarding the issue of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for said issue and a copy of which is on file with the undersigned.

City Clerk

[FORM OF APPROVING OPINION]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto:

(please print or typewrite social security number or other identifying number and name and
address of transferee)

the within Bond and does hereby irrevocably constitute and appoint the _____
_____ or its successor as Bond Paying Agent and Registrar to transfer the said
Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Note: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

ANNEX B

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC") to 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.

COMMONWEALTH OF KENTUCKY
CITY OF PADUCAH, KENTUCKY
GENERAL OBLIGATION REFUNDING BOND, SERIES 2018B

No. RB-1 \$ _____

BOND DATE: July __, 2018

MATURITY DATE: [February 1, ____][August 1, ____]

INTEREST RATE: _____ %

REGISTERED HOLDER: _____

PRINCIPAL AMOUNT: _____

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Paducah, Kentucky (the "City"), for value received, hereby acknowledges itself obligated to, and promises to pay to the registered holder identified above, or registered assigns, the principal sum identified above (or, if any part thereof has been paid, the balance thereof remaining unpaid), on the maturity date specified above, and to pay interest on said principal sum (or, if any part thereof has been paid, the balance thereof remaining unpaid) from the date hereof, payable each February 1 and August 1, commencing February 1, 2019, at the Interest Rate per annum identified above, calculated on the basis of a 360 day year with 30 day months, except as the provisions hereinafter set forth with respect to prior redemption may be and become applicable hereto. The principal of and interest on this bond are payable, without deduction for exchange, collection, or service charges, in lawful money of the United States of America. Principal is payable at the designated corporate trust office of U.S. Bank National Association, Louisville, Kentucky, or any successor (the "Paying Agent and Registrar") or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. All interest on this bond and principal payable prior to the final maturity date shall be payable by check or draft mailed to the record date registered holder hereof at the address shown on the registration records kept by the Paying Agent and Registrar or by other transfer of funds acceptable to the Paying Agent and Registrar and such owner. The record date shall be the fifteenth day of the month preceding each interest payment date.

This Bond is one of an issue of Bonds of like tenor and effect, except as to denomination and maturity, numbered from RB-1 upward, inclusive, of the denomination of \$5,000 or any integral multiple thereof originally aggregating _____

dollars (\$ _____) in principal amount, issued for the purpose of currently refunding certain prior obligations of the City, the proceeds of which in turn financed the acquisition, construction, installation and equipping of various public improvements in the City (the "Projects") and (ii) paying the costs of issuance of the Bonds, all pursuant to and in full compliance with the general laws of the Commonwealth of Kentucky and particularly Chapter 66 of the Kentucky Revised Statutes, and pursuant to an ordinance duly adopted by the City Commission of the City on the 26th day of June, 2018 (the "Bond Ordinance") upon the affirmative vote of at least a majority of the members of its City Commission at a public meeting duly and regularly held, and after filing proper notice with the State Local Debt Officer of the Commonwealth of Kentucky.

This Bond and the issue of which it forms a part is a general obligation of the City and the full faith, credit and revenue of the City are pledged to the payments due hereunder. THIS BOND IS CONTINUALLY SECURED BY THE FAITH, CREDIT AND REVENUE OF THE CITY.

The Bonds mature on the dates, in the years, in the respective principal amounts and bear interest at the rates of interest as follows:

<u>Maturity Date</u>	<u>Amount</u>	<u>Interest Rate Per Annum</u>
February 1, 2019		
August 1, 2019		
August 1, 2020		
August 1, 2021		
August 1, 2022		
August 1, 2023		
August 1, 2024		
August 1, 2025		
August 1, 2026		
August 1, 2027		
August 1, 2028		

The Bonds are not subject to optional redemption prior to their maturities.

[INSERT ANY MANDATORY SINKING FUND REDEMPTION REQUIREMENTS]

At least thirty (30) days before the redemption date of any Bonds subject to mandatory sinking fund redemption the Paying Agent and Registrar shall cause a notice of such redemption signed by the Paying Agent and Registrar, to be mailed, first class, postage prepaid, to all registered owners of the Bonds to be redeemed at their addresses as they appear on the registration books kept by the Paying Agent and Registrar, but failure to mail any such notice shall not affect the validity of the proceedings for such redemption of Bonds for which such notice has been sent. Each such notice shall set forth the date fixed for redemption, the redemption price to be paid and, if less than all of the Bonds being payable by their terms on a single date then outstanding shall be called for redemption, the distinctive number or letters, if any, of such Bonds to be redeemed.

On the date so designated for redemption, notice having been published in the manner under the conditions hereinabove provided and moneys for payment of the redemption price being held in the Payment Fund by the Paying Agent and Registrar for the registered owners of the Bonds to be redeemed, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds so called for redemption shall cease to accrue, and the registered owners of such Bonds shall have no right in respect thereof except to receive payment of the redemption price thereof.

No recourse shall be had for the payment of the principal of or the interest on this Bond, or for any claim based hereon, against any officer, agent or employee, past, present or future, of the City, as such, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise; all such liability of such officers, agents or employees is hereby renounced, waived and released as a condition of and as consideration for the issuance, execution and acceptance of this Bond.

It is hereby certified that all acts, conditions and things required to be done, to occur or be performed precedent to and in the issuance of this Bond, or in the creation of the obligations of which this Bond is evidence, have been done, have occurred and have been performed in regular and due form and manner as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal hereof and interest hereon; that the repayment obligation represented by this Bond is not in excess of any constitutional or statutory limitation; and that due provision has been made for the levy and collection of a tax sufficient in amount to pay the interest on this Bond as it falls due and to provide for the redemption of this Bond at maturity or upon earlier redemption.

IN WITNESS WHEREOF, the City has caused this Bond to be signed either manually or by facsimile in its name by its Mayor and duly attested either manually or by facsimile by its City Clerk and an impression or facsimile of the City's seal to be imprinted hereon, as of the date set forth above.

CITY OF PADUCAH, KENTUCKY

By: _____
Mayor

(SEAL)

Attest:

By: _____
City Clerk

CERTIFICATE OF AUTHENTICATION

This is to certify that this Bond is one of the Bonds described hereinabove.

Authorized Signature
U.S. Bank National Association
Paying Agent and Registrar

Date of Authentication: _____

CERTIFICATE

It is hereby certified that the following is a correct and complete copy of the text of the legal opinion of Dinsmore & Shohl LLP, Attorneys, Covington, Kentucky, regarding the issue of which the within bond is one, the original of which opinion was manually executed, dated and issued as of the date of delivery of and payment for said issue and a copy of which is on file with the undersigned.

City Clerk

[FORM OF APPROVING OPINION]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto:

(please print or typewrite social security number or other identifying number and name and
address of transferee)

the within Bond and does hereby irrevocably constitute and appoint the _____

_____ or its successor as Bond Paying Agent and Registrar to transfer the said

Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Note: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

12944696v2

Agenda Action Form Paducah City Commission

Meeting Date: June 12, 2018

Short Title: City of Paducah, Kentucky's Fiscal Year 2018-2019 Budget

Ordinance Emergency Municipal Order Resolution Motion

Staff Work By: JPerkins, AHerndon, SYoung, EMidkiff, HRushing & CCole
Presentation By: Mark Thompson, Jonathan Perkins

Background Information:

The FY2019 budget ordinance adopts the plan for revenues and expenditures for the City of Paducah, Kentucky for the fiscal year ending June 30, 2019.

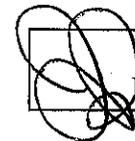
All changes directed by the City Commission on May 23, 2018, have been incorporated into the budget document and are contained within this proposed ordinance.

Administrative policy language changes worth noting:

- a) Increased the 'undesignated cash balance minimum' for the General, Investment, and Solid Waste Funds from 10% to 12%; and the Debt Service 'minimum undesignated cash balance' is set at \$800,000;
- b) Unanticipated revenues throughout the fiscal year may be offset by increased appropriations;
- c) Department directors are responsible for keeping their respective departmental appropriations positive; and,
- d) Vehicles in the City's Fleet Lease Trust Fund are owned by the Trust Fund and are only leased to the respective departments.

Goal: Strong Economy Quality Services Vital Neighborhoods Restored Downtowns

Funds Available: Account Name:
Account Number:

 6/6/2018
Finance

Staff Recommendation:

Approve the FY2019 Budget Ordinance

Attachments:

FY2019 Budget Ordinance

Department Head	City Clerk	 City Manager
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AN ORDINANCE ADOPTING THE CITY OF PADUCAH, KENTUCKY, ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2018, THROUGH JUNE 30, 2019, BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

WHEREAS, an Annual Operating Budget proposal has been prepared and delivered to the Board of Commissioners of the City of Paducah, KY; and,

WHEREAS, the Board of Commissioners has reviewed and discussed the proposed Annual Operating Budget and desires to adopt it for Fiscal Year 2019.

NOW, THEREFORE, BE IT ORDAINED by the City of Paducah, Kentucky as follows:

Section 1: The Annual Operating Budget for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019, including all sources of estimated revenues and appropriations for all City funds as set forth in Exhibit Number 1 attached hereto is hereby adopted.

Section 2: The balance of all capital construction, renovation, improvement projects and grants currently approved and/or nearing completion are hereby approved for re-appropriation and carry over for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

Section 3: The City does hereby adopt the following financial management policies:

- A. The General Fund's minimum undesignated cash balance shall be 12% of the General Fund's budgeted appropriations. The Investment Fund's minimum undesignated cash balance shall be 12% of the Investment Fund's budgeted appropriations. The Solid Waste Fund's minimum unreserved cash balance shall be 12% of the Solid Waste's budgeted operating expenses. The Debt Service Fund's minimum cash balance shall be not less than \$800,000.
- B. The City Manager or designee is authorized to transfer appropriated amounts between funds, departmental budget line items, projects, between divisions of departments, and between departments as shown in Exhibit Number 1.
- C. Appropriations designated as Commission contingency shall be obligated upon approval by the City Commission by municipal order.
- D. Funds appropriated as Administrative contingency shall be obligated at the discretion of the City Manager or his designee; however, the Board of Commissioners shall be notified five calendar days prior to obligation of the proposed expenditure. If any individual member of the Board of Commissioners requests Commission review of a proposed expenditure, the City Manager shall bring expenditure before the Commission for approval by municipal order, or not proceed.
- E. City Manager or designee shall assure that recurring revenues and resources are greater than or equal to recurring expenditures. The City Manager or his designee shall be authorized to increase appropriations in an amount not to exceed any unanticipated increases in revenue or resources.
- F. The City Manager or designee has the authority to enact a budget allocation program or to transfer funds to or from any departmental line item appropriation. Department Directors shall be responsible for keeping all appropriated accounts within their respective departments positive.
- G. As vehicles are acquired, the City will fully fund the Fleet Lease Trust Fund in order to replace rolling stock owned by the Fleet Lease Trust Fund as it achieves obsolescence. The Fleet Lease Trust Fund shall be funded with monthly lease charges assigned to rolling stock as determined by the Finance Director or his designee. All rolling stock is owned by the City's Fleet Lease Trust Fund, and leased to respective departments for use.
- H. The City will maintain a self-insurance fund called Health Insurance Trust Fund through the use of user fees as set by administrative policy.
- I. The City will continue to maintain the Appointive Employees Pension Fund (AEPF) in a fully funded status through sound financial management and/or annual General Fund transfers as designated in the budget document. The AEPF may be combined with the PFPF should it be determined, by the Finance Director, that such a combination is administratively more effective and/or financially prudent.
- J. In fiscal year 2006, the City issued a General Obligation Bond (GOB) for the Police and Firefighters' Pension Fund (PFPF) bringing the fund up to an actuarially sound basis; however, the multi-year recession starting in fiscal year 2009 reduced the fund's corpus leaving a new unfunded liability. Funding is provided in the General Fund of this ordinance to further address the PFPF unfunded liability.
- K. The City will provide to all eligible employees up to a \$727 per month credit (for the months of July - December 2018) to be applied to the Comprehensive Health Insurance Benefit Plan (Cafeteria Plan) as

directed by the employee. In January 2019, this monthly credit may be adjusted by the Board of Commissioners as recommended by the City Manager or his designee.

- L. The City will maintain a special fund called Investment Fund, and is considered an extension of the General Fund. The Investment Fund will be funded with a 1/2 cent increase in the City's occupational license fee (employee payroll withholding tax). This fund is dedicated to the following expenditures: economic development, neighborhood re-development, infrastructure capital investment and property tax relief.
- M. The Oak Grove Cemetery (PF0048) project will be funded in the following manner: 20% of all cemetery lot sales and 5% of all cemetery crypt sales will be credited to the project. Proceeds are to be used solely for the general care, maintenance, and embellishments of the cemetery.

Section 4: The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

Section 5: All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

Section 6: This ordinance shall be read on two separate days and will become effective upon publication in full pursuant to KRS Chapter 424.

Mayor

ATTEST:

Tammara Sanderson, City Clerk

Introduced by the Board of Commissioners, June 12, 2018
Adopted by the Board of Commissioners, June 26, 2018
Recorded by Tammara Sanderson, City Clerk, June __, 2018
Published by The Paducah Sun, _____
ORD\Finance\Budget FY2019

City of Paducah
Annual Operating Budget for All Funds and Categories of Government
Estimated Appropriations & Expenditures
FY2019 (July 1, 2018 to June 30, 2019)
Exhibit No. 1

	General Fund	Special Revenues	Capital Projects	Debt Service	Enterprise Funds	Internal Service	Trust Funds	Total
Sources:								
Fines	\$ 76,000	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 101,000
Grants	819,000	790,000	-	50,830	234,335	-	-	1,894,165
Interest Income	260,000	25,000	-	-	48,100	56,520	140,100	529,720
Bond Proceeds	-	2,910,000	1,100,000	-	-	-	-	4,010,000
Charges for Service	705,120	28,000	-	-	4,500,940	5,480,150	10,780	10,724,990
Other Fees	32,000	-	-	-	5,000	-	-	37,000
Occupational License	24,828,600	5,320,000	-	685,095	-	-	-	30,833,695
Permits & Fees	487,000	-	-	-	7,500	-	-	494,500
Property Rent	416,425	252,840	-	289,000	82,000	979,690	-	2,019,955
Property Taxes	6,888,000	-	-	-	-	-	-	6,888,000
Recreation Fees	93,500	-	-	-	-	-	-	93,500
Sales	18,200	-	-	-	100,000	51,000	458,500	627,700
Other Taxes	-	1,320,000	-	-	-	-	-	1,320,000
Total	\$ 34,623,845	\$ 10,670,840	\$ 1,100,000	\$ 1,024,925	\$ 4,977,875	\$ 6,567,360	\$ 609,380	\$ 59,574,225
Fund Transfers In	\$ 720,000	\$ 1,729,145	\$ 1,268,500	\$ 2,744,405	\$ 57,250	\$ 342,960	\$ 374,035	\$ 7,236,295
Total Sources	\$ 35,343,845	\$ 12,399,985	\$ 2,368,500	\$ 3,769,330	\$ 5,035,125	\$ 6,910,320	\$ 983,415	\$ 66,810,520
Expenditures:								
General Government	\$ 2,502,435	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,502,435
Finance	1,132,655	1,602,800	250,000	3,756,330	-	4,375,650	79,300	11,196,735
Information Systems	776,745	-	-	-	-	-	-	776,745
Planning	782,905	250,000	498,500	-	189,320	-	-	1,720,725
Police	10,115,460	40,750	-	-	-	-	-	10,156,210
Fire	8,815,325	-	75,000	-	-	-	-	8,890,325
Engineering/Public Works	4,127,470	1,554,750	250,000	-	-	605,795	-	6,538,015
Parks	3,438,475	-	195,000	-	251,055	-	-	3,884,530
Cable Authority	100,605	-	-	-	-	-	-	100,605
Human Rights	14,220	-	-	-	-	-	-	14,220
Engineering	1,298,865	-	1,500,000	-	-	-	-	2,798,865
Human Resources	345,480	-	-	-	-	3,795,000	-	4,140,480
Investment Fund	-	1,247,750	-	-	-	-	-	1,247,750
E911	-	1,855,185	-	-	-	-	-	1,855,185
Solid Waste	-	-	-	-	5,223,085	-	-	5,223,085
Pensions	-	-	-	-	-	-	1,140,330	1,140,330
Fund Transfers Out	1,893,205	7,503,380	-	-	623,210	-	-	10,019,795
Total Expenditures	\$ 35,343,845	\$ 14,054,615	\$ 2,768,500	\$ 3,756,330	\$ 6,286,670	\$ 8,776,445	\$ 1,219,630	\$ 72,206,035
Reserves Utilized	\$ -	\$ (1,654,630)	\$ (400,000)	\$ 13,000	\$ (1,251,545)	\$ (1,866,125)	\$ (236,215)	\$ (5,395,515)