

RESOLUTION NO. 2011- 1

**A RESOLUTION TO CLARIFY THE INTENT OF THE INTERLOCAL AGREEMENT
RELATING TO FINANCING COUNTYWIDE INFRASTRUCTURE DEVELOPMENT AND
ECONOMIC DEVELOPMENT TO BE FUNDED BY A ONE-HALF OF ONE CENT
COUNTYWIDE RETAILERS' SALES TAX**

WHEREAS, Shawnee County (County) and the City of Topeka (City) entered into an Interlocal Agreement on December 9, 2004 to continue the Joint Economic Development Organization (JEDO), a separate legal entity, and authorize the JEDO to provide the economic development program for the County and City and complete the countywide infrastructure improvements listed on the August 3, 2004 ballot question; and

WHEREAS, the JEDO shall establish its own operational policies and procedures; and

WHEREAS, the JEDO shall consist of a seven (7) member Policy Board consisting of the three (3) County Commissioners, the Mayor, Deputy Mayor, and two (2) City Council Members; and

WHEREAS, a JEDO Finance Committee was created to act as a ministerial agent for the JEDO financial account; and

WHEREAS, the JEDO financial account shall be drawn upon by the signatures of two members of the JEDO Finance Committee when money is needed for the economic development program or to further the infrastructure improvement projects; and

WHEREAS, the JEDO Finance Committee has identified inconsistent policy guidelines regarding the implementation and reimbursement of funds for countywide infrastructure improvements; and

WHEREAS, the JEDO Finance Committee desires clarification and direction from the JEDO Policy Board regarding the reimbursement of funds for countywide infrastructure improvements; and

WHEREAS, the JEDO Finance Committee recommends the JEDO Policy Board adopt the following policy guidelines regarding reimbursement of administrative fees and utility relocation costs associated with the countywide infrastructure improvements being funded by the one-half cent countywide sales tax:

1. The total costs for design and construction of the relocation of the City-owned water and sewer lines which need to be relocated for the SE 45th Street (Topeka Boulevard to California) improvement projects be paid with one-half cent sales tax proceeds.

2. The total costs of the future relocation of utilities owned by the City or County be included in the project costs and be reimbursed with the one-half cent sales tax proceeds when the relocation is necessitated by the one-half cent sales tax projects
3. The County be reimbursed two percent (2%) of total project costs for administrative expenses it has incurred for the countywide infrastructure improvements it has administered to date as follows:

<u>PROJECT</u>	<u>2% ADMIN FEE</u>
○ Wanamaker Road and 41 st Street Intersection	\$7,434
○ Wanamaker Road (39 th – 41 st)	\$6,371
○ Wanamaker Road and 53 rd Street Intersection	\$19,066
○ Wanamaker Road (41 st – 53 rd)	\$115,409
○ Wanamaker Road and 61 st Street Intersection	\$27,861
○ Croco Road (21 st – 29 th)	\$65,178
○ Croco Road (6 th – Sycamore)	\$27,402
○ Croco Road and 29 th Street Intersection	\$67,076

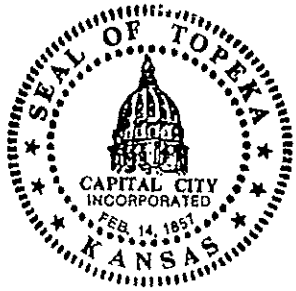
4. The County and City be reimbursed two percent (2%) of total project costs for administrative expenses for current and future countywide infrastructure improvements being funded by the one-half cent countywide sales tax that each entity administers
5. The City be reimbursed for actual expenses incurred for staking and inspection plus one and four-tenths percent (1.4%) for administration of those expenses for current and future countywide infrastructure improvements being funded by the one-half cent countywide sales tax that it administers

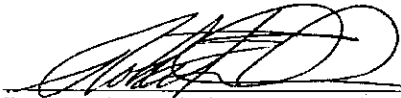
NOW THEREFORE, the JEDO Policy Board, meeting on this 12 day of MAY, 2011, does hereby resolve as follows:

The County and City shall be reimbursed for administrative fees and utility relocation costs associated with the countywide infrastructure improvements being funded by the one-half cent countywide sales tax as described herein in paragraphs 1-5 above. All other components of the December 9, 2004 Interlocal Agreement shall remain in full force and effect.

This resolution shall take effect as of the date first above written.

**JOINT ECONOMIC DEVELOPMENT
ORGANIZATION**





Bob Archer, Chair and Presiding Officer

ATTEST:



APPROVED AS TO FORM AND LEGALITY	
DATE <u>5/18/11</u>	BY <u>M Feighny</u>