



Kansas Association of City/County Management

Kansas Association of City/County Management

Board of Directors Meeting

Zoom

October 29, 2020 10:00 a.m.

Agenda

▲ See Attachment

1. Call Meeting to Order, *Kathy Sexton*
2. Approval of Minutes
 - a. July 24, 2020 ▲
3. Treasurer's Report, *Nathan Law*
 - a. Approve Financial Statement ▲
 - b. Approve Quarterly Invoice ▲
4. ICMA Update, *Karen Daly & Diane Stoddard*
5. Committee Reports
 - a. Nominating Committee Report, *Nathan Law* ▲
 - b. Awards/Recognition, *Jonathan Mitchell*
 - i. Awards Committee Report ▲
 - c. Conference Planning, *Becky Berger*
 - i. Planning for 2020 KACM Conference
 - ii. Planning for 2021 Winter Seminar
 - d. Ethics, *Jennifer Cunningham*
 - i. Ethics Policy ▲
 - e. Membership, *Taggart Wall*
 - f. Endowment, *Kathy Sexton*
 - g. Website, *Michael Webb*
6. Senior Advisors Report, *Ray Hummert*
7. League Administrative Services Agreement, *Becky Berger* ▲
8. Next Board Meeting: December 1, 2020 at 10:00am-11:30am in conjunction with KACM Annual Conference
9. Adjourn



Kansas Association of City/County Management

Kansas Association of City/County Management

Board of Directors Meeting

Conference Call

July 24, 2020

Draft Minutes

In Attendance: Kathy Sexton, Becky Berger, Jonathan Mitchell, Nathan Law, Jason Hilgers, Barack Matite, Michael Ort, Ethan Reimer, Michael Schrage, Taggart Wall, and Michael Webb. **Senior Advisors:** Ray Hummert, Jay Wieland, and Jim Witt. **Guests:** Karen Daly. **League Staff:** Trey Cocking, Kate Cooley, and Kaitlyn Willis. **Absent:** Jennifer Cunningham, JD Gilbert, and Cherise Tieben.

1. **Call Meeting to Order.** President Sexton called the meeting to order at 10:03 a.m.
2. **Approval of Minutes.** Mitchell moved and Law seconded a motion to approve the minutes from April 23, 2020, April 24, 2020, May 7, 2020, and June 2, 2020. Motion was approved.
3. **Treasurer's Report.** Law reviewed the financial statements and discussed the balances.
 - a. **Approve Financial Statement.** Webb moved and Reimer seconded a motion to approve the financial statement. Motion was approved.
 - b. **Approve Quarterly Invoice.** Law moved and Berger seconded a motion to approve the quarterly invoice. Motion was approved.
 - c. **Board Insurance Renewal.** Sexton moved and Law seconded a motion to renew the Board Insurance for another three years. Motion was approved.
4. **Committee Reports**
 - a. **Awards/Recognition.**
 - i. **Life Members.** Mitchell and Sexton discussed nominations for life members, and the board approved life membership for William Buchanan, Carol Bloodworth, and Yvonne Coon.
 - ii. **Awards.** Mitchell reviewed the awards that will be presented at the Annual Conference. In the fall, nominations will be collected for the Early Career Excellence Award, Career Achievement Award, and Buford Watson, Jr Award.
 - b. **Conference Planning.**
 - i. **Planning for 2020 Annual Conference.** Berger reported that the Conference Committee met and discussed having the Annual Conference virtually. The board discussed what changes would need to be made for a virtual conference and how to facilitate regional meetings. Wall moved and Matite seconded a motion to approve



Kansas Association of City/County Management

having the 2020 Annual Conference virtually, the 2021 Annual Conference in Atchison, and the 2022 Annual Conference in Great Bend.

- c. **Ethics.** Cunningham was not present to give a report. Sexton reported that Cunningham is reviewing individuals with potential ethical violations. Cunningham has also completed the policy and procedures for ethical complaints. The Ethics committee will meet to review it and a final copy will be presented at the next board meeting.
 - d. **Membership.** Wall discussed the membership dues increase and reminded the board to keep the Bylaws Amendment in mind for the annual conference. Sexton also encouraged the board to review the Bylaws for changes so they can be discussed at the next board meeting.
 - e. **Endowment.** Sexton gave an update on the Endowment Committee's activities and the board discussed who may serve on the committee and how to get funding for the scholarships.
 - f. **Website.** Webb encouraged members to share information with Willis if any issues are noticed on the website.
5. **ICMA.** Daly gave an update on the virtual ICMA Annual Conference. ICMA is working on the platform and content. Dianne Stoddard, Assistant City Manager in Lawrence, is on the ICMA Executive Board as a Regional Vice President.
 6. **Senior Advisors Report.** Hummert gave an update on the Senior Advisors activities.
 7. **Public Relations Campaign on Council-Manager Form.** Sexton gave an update on the campaign with WSU's Public Policy and Management Center (PPMC). Social media accounts for KACM have been created on Twitter, Facebook, and YouTube. Sexton encouraged members to follow and share their accounts.
 8. **Next Board Meeting Date/Time:** Sexton discussed having the next meeting on September/October.
 9. **Adjourn.** The meeting was adjourned at 11:16 a.m.

KACM Financials - 2020

Revenues	9/30/2020	2020 Budget	2019	2018	2017
Membership Dues	36,150.00	34,650	23,835.00	24,775.00	25,515.00
Spring Conference		2,500	1,680.00	1,975.00	1,952.22
Annual Conference		30,000	32,530.00	24,040.00	30,000.00
Interest	483.50	650	716.95	906.40	365.92
Senior Advisor ICMA Reimbursement	143.59	3,000	346.45	2,412.11	685.24
Jobs Newsletter	1,200.00	2,000	1,000.00		
Transfer from Reserve					
Total Revenue	\$ 37,977.09	\$ 72,800	\$ 60,108.40	\$ 54,108.51	\$ 58,518.38
Expenditures					
League Administration Fee	12,000.00	12,000	11,500.00	11,000.00	10,500.00
100th Anniversary					1,647.41
ICMA Planning Conference		1,500	1,308.23	867.29	854.46
ICMA Regional Conference		1,650	635.95	969.37	1,018.66
ICMA Reception		3,500	4,398.33	2,601.60	3,568.96
ICMA Coaching	1,000.00	1,000	1,000.00	1,000.00	1,000.00
ICMA Future of Prof Mngment Fund		1,000	1,000.00	1,000.00	2,574.00
WSU Public Information Campaign	970.00				
Spring Conference		2,500	1,645.60	2,480.50	2,359.50
Annual Conference		26,500	24,076.22	19,537.94	27,843.06
Scholarship	7,000.00	7,000	7,000.00	10,000.00	10,000.00
Conference Scholarships		500	125.00	375.00	250.00
Rising Star Scholarships	3,000.00	3,000	3,000.00	3,000.00	
Board Expenses		1,000	956.90	801.10	1,104.76
Insurance/Bonds	1,106.00	1,100	1,097.00	1,097.00	1,097.00
Service/Bank Charges	118.87	165	128.09	160.30	139.63
Miscellaneous					
Website Expense	2,791.49	2,740	2,791.49	10,932.37	1,751.49
Postage	8.30	25	27.83	4.23	9.39
Miscellaneous:		100	146.06	16.15	18.84
Senior Advisor Expenses	287.18	6,000	692.89	4,827.66	1,315.07
Total Expenditures	28,281.84	\$ 71,280	61,529.59	\$ 70,670.51	\$ 67,052.23
Net Income (Loss)	\$ 9,695.25	\$ 1,520	\$ (1,421.19)	\$ (16,562.00)	\$ (8,533.85)
Ending Cash and CD Balance			\$ 43,204.47	\$ 44,625.66	\$ 61,187.66
Estimated Cash and CD Balance	\$ 52,900				
Investments					
Certificates of Deposit	Core First	\$ 31,013			

Fall Conference Breakdown

	2019	2018	2017
Revenues	\$ 32,530.00	\$ 24,040.00	\$ 30,000.00
Expenditures	\$ 24,076.22	\$ 19,537.94	\$ 27,843.06
Net	\$ 8,453.78	\$ 4,502.06	\$ 2,156.94

Spring Conference Breakdown

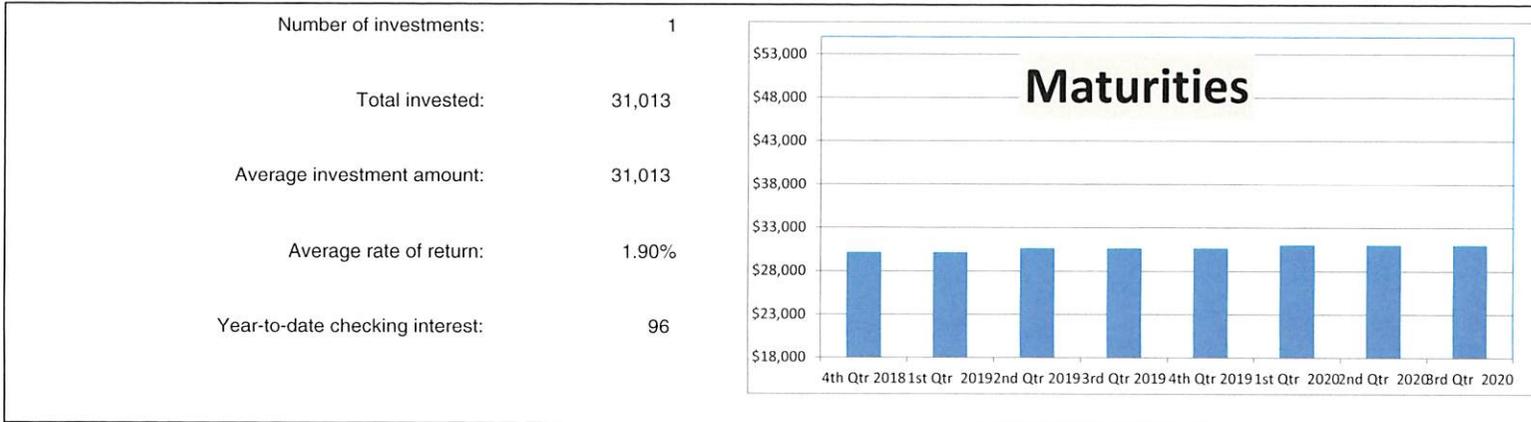
	2019	2018	2017
Revenues	\$ 1,680.00	\$ 1,975.00	\$ 1,952.22
Expenditures	\$ 1,645.60	\$ 2,480.50	\$ 2,359.50
Net	\$ 34.40	\$ (505.50)	\$ (407.28)

Updated on 10/7/2020

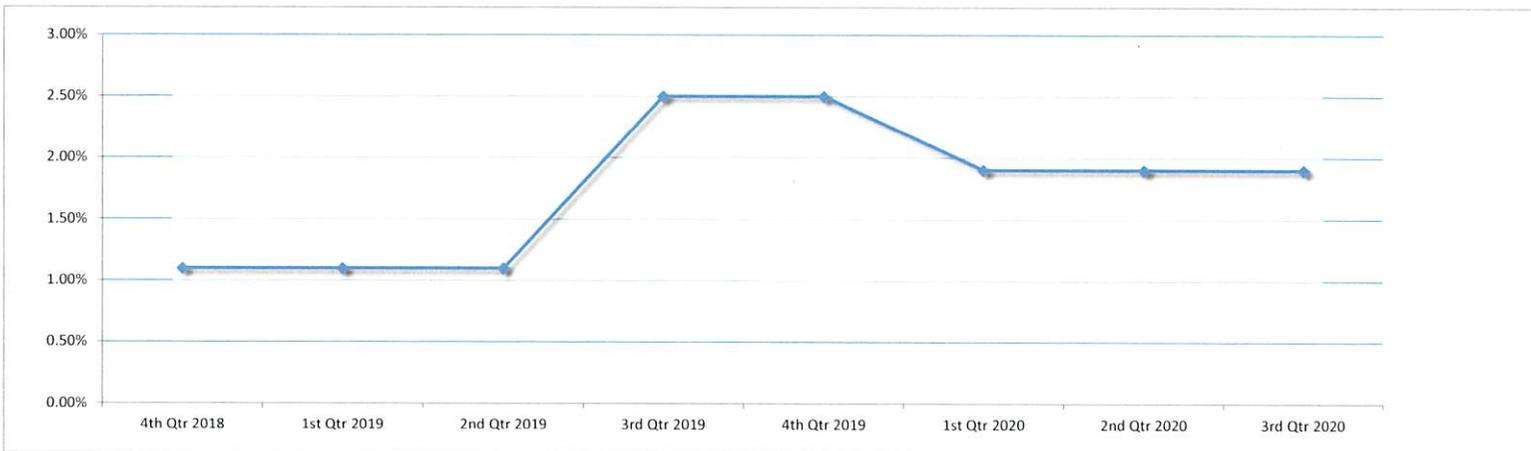
KACM Investments as of September 30, 2020

Investment Location	Investment Type	Number	Principal Amount	Placement Date	Term	Maturity Date	Interest Rate	Interest to be credited this term
Core First	Certificate of Deposit	CD #04300037493	31,013	9-Feb-20	24 mos	9-Feb-22	1.90%	1,190

Summary Tables



Interest Comparison





300 SW 8th Avenue, Suite 100, Topeka, KS 66603

Bill To

Kansas Association of City/County Mgmnt
 300 SW 8th Ave., #100
 Topeka, KS 66603

Invoice

Date	Invoice #
9/30/2020	20-2179

Ordered By	Terms	Due Date
	Net 30	10/30/2020

Qty	Description	Rate	Amount
1	KACM Administrative Fee, 4th quarter, 2020	3,000.00	3,000.00
3	KACM Website	75.00	225.00
1	Webcom Annual Website Support	1,880.00	1,880.00
1	WSU-Public Information Campaign	970.00	970.00
1	Lockton Companies, 3 year renewal	3,320.00	3,320.00
1	Postage	7.80	7.80



Total	\$9,402.80
Payments/Credits	\$0.00
Balance Due	\$9,402.80

Phone #	Fax #	E-mail	Web Site
785-354-9565	785-354-4186	rredd@lkm.org	www.lkm.org



Nominating Committee Report

October 29, 2020

The KACM Nominating Committee consisting of Nathan Law, Becky Berger, Jason Hilgers, and Jonathan Mitchell submits the following report regarding nominations for 2021 Board Officers and Members.

2021 Board Officers

President – Becky Berger

Vice President – Jonathan Mitchell

Secretary – Nathan Law

Treasurer – Jennifer Cunningham

Board Member Reappointments (Term Expires 2022)

J.D. Gilbert – Large

Barack Matite – Medium

Michael Ort – Small

Board Member Appointments to Fill Vacancies (Term Expires 2021)

Phillip Smith-Hanes – Large (Open)

Board Member Appointments to Fill Vacancies (Term Expires 2022)

Ty Lasher - Medium

Todd Pelham - Large

Please see attachment for the proposed 2021 KACM Board of Directors.

Proposed 2021 KACM Board of Directors

First Name	Last Name	City/County	Title	Term Ends	Board Officer	Order
Becky	Berger	Atchison	City Manager	2021	President	1
Jonathan	Mitchell	Hoisington	City Manager	2021	Vice President	2
Nathan	Law	Louisburg	City Administrator	2021	Secretary	3
Jennifer	Cunningham	Garden City	Assistant City Manager	2021	Treasurer	4
J.D.	Gilbert	Ford County	County Administrator	2022	Large	5
Jason	Hilgers	Manhattan	Deputy City Manager	2021	Large (Open)	6
Ty	Lasher	Bel Aire	City Manager	2022	Medium	7
Barack	Matite	Eudora	City Manager	2022	Medium (Open)	8
Michael	Ort	Jetmore	City Administrator	2022	Small	9
Todd	Pelham	Lenexa	Deputy City Manager	2022	Large	10
Ethan	Reimer	Halstead	City Administrator	2021	Small	11
Phillip	Smith-Hanes	Saline County	County Administrator	2021	Large (Open)	12
Taggart	Wall	Winfield	City Manager	2021	Medium	13
Kathy	Sexton	Derby	City Manager	2021	Past President	14

Continuing Members

New Members



Kansas Association of City/County Management

**2020 Awards Committee Report: Confidential Until KACM Annual
Conference in December 2020**

CONFIDENTIAL

ETHICS POLICY

Ethic Committee Mission Statement: To serve as a state review agency for ICMA to address charges against members regarding breach of the ICMA Code of Ethics and to provide information to strengthen the KACM members' knowledge of acceptable conduct under the code of ethics.

KANSAS ASSOCIATION OF CITY/COUNTY MANAGERS RULES OF PROCEDURE FOR ENFORCEMENT OF THE ICMA CODE OF ETHICS

GENERAL

- A. This set of rules shall govern enforcement of the International City/County Management Association (ICMA) Code of Ethics, which is shared by the Kansas Association of City/County Managers (KACM). These rules shall apply specifically to members of the KACM who are not ICMA members. Members of the KACM who are also members of the ICMA shall be covered by rules of procedure for the ICMA.
- B. All members of the KACM are bound and agree to abide by the ICMA Code of Ethics.
- C. The purpose of these rules is to provide a reasonable process for investigation and determination of violations of the ICMA Code of Ethics with a fair opportunity for individual response.
- D. It is the intention of the KACM membership that these rules be carried out carefully but expeditiously in order to minimize the time during which a member may be subject to possible disciplinary action while ensuring the fairness of the process. Accordingly, time limits stated in these rules shall be binding, subject to extensions which may be granted by the KACM Ethics Committee Chair in counsel with the KACM President for reasonable cause upon submittal of a timely request.
- E. No person may participate in a complaint brought under these rules if that person's participation would otherwise create, or appear to create, a conflict of interest.

JURISDICTION

- A. All members of the KACM are subject to the ICMA Code of Ethics and are subject to sanctions for any violations whereof, which occur during their membership. As a condition of membership, the KACM membership application shall include a provision that requires KACM members to acknowledge and adhere to the ICMA Code of Ethics. A member may be subject to sanctions for a violation, which continues while he or she is a member even though the conduct in question originated prior to admission for membership.
- B. If a complaint is made against a person who was a KACM member at the time the alleged violation occurred, but who is not a member of the KACM at the time the complaint is made, the complaint will be processed under these rules only if the former member agrees in writing. In no event shall consideration be given for an individual's re-admission to membership in KACM until an outstanding and unresolved complaint against the individual for conduct while formerly a KACM member has been reviewed in accordance with these Rules.

- C. The KACM shall retain jurisdiction over an investigation of a respondent who, before the conclusion of the investigation, resigns from the KACM or otherwise allows his or her membership to elapse.

RESPONSIBILITIES

- A. Subject to these rules, the KACM Board of Directors (Board) shall be responsible for making the final decision on matters pertaining to enforcement of the Code of Ethics.
- B. The KACM Ethics Committee shall be responsible for implementing these rules and shall have specific duties as set forth hereinafter.
- C. The Board, KACM President (President), and Ethics Committee shall be responsible for publicizing and promoting the ICMA Code of Ethics with the membership, elected officials, and the general public.

SANCTIONS

- A. Sanctions may be imposed in accordance with these rules upon KACM members who are found to have violated the Code of Ethics. In determining the kind of sanction to be imposed, the following factors may be considered: the nature of the violation, prior violations by the same individual, the willfulness of the violations, the level of professional or public responsibility of the individual, and any other factors, which bear upon the seriousness of the violation.
- B. The following sanctions may be imposed singularly or in combination at the conclusion of an investigation and/or hearing under these rules:
 - 1. Private censure: A letter to the respondent, the complainant, and ICMA (if the respondent is a member of ICMA) indicating that the respondent has been found to have violated the Code of Ethics, that the KACM disapproves of such conduct, and that, if it is repeated in the future, it may be cause for more serious sanctions.
 - 2. Public Censure: Written notification to the respondent, the complainant, ICMA (if the respondent is a member of ICMA), local governing bodies affected by the circumstances, and the news media, indicating that a violation of the Code of Ethics took place, that the KACM strongly disapproves of such conduct, and the nature of the sanction(s) imposed. Notice shall also be published in the KACM newsletter.
 - 3. Expulsion: Written notification to the respondent, the complainant, ICMA (if the respondent is a member of ICMA), local governing bodies affected by the circumstances, and the news media indicating that the respondent's membership privileges in the KACM have been revoked. Notice shall also be published in the KACM newsletter.
 - 4. Membership Bar: If the respondent is no longer a member of the KACM, written notification to the respondent, the complainant, ICMA (if the respondent is a member of ICMA), local governing bodies affected by the circumstances, and the news media that the respondent has been barred from re-admission. Notice shall also be published in the KACM newsletter.
- C. Upon receiving documented evidence that (1) a member has been found guilty of criminal conduct after trial by a judge or a jury, (2) the member's conduct violates the Code of Ethics, and (3) the conduct occurred while the person was a member of the KACM, the President may (a) ask the Chair of the Ethics Committee to commence an investigation in accordance with the Initiation of Procedures section of these Rules; or (b) defer consideration until the person has exhausted all legal appeals or the time for legal appeals has expired.

INITIATION OF PROCEDURES

- A. Proceedings against an individual for an alleged violation of the Code of Ethics may be initiated by the President, after consulting with the Chair of the Ethics Committee, upon receiving a written complaint or other written information from any source indicating that a violation may have occurred.
- B. Upon receiving such a written complaint or information, the President, in conjunction with the Chair of the Ethics Committee, must ascertain whether it is sufficiently clear and complete to initiate proceedings and, if so, whether it alleges conduct that may be a violation of the Code of Ethics.
 1. If the President and Chair of the Ethics Committee conclude that the evidence is sufficiently clear and complete and that the action does not constitute a violation of the Code of Ethics, the Chair of the Ethics Committee shall so notify the complainant in writing. Copies of said notification shall also be provided to the Board.
 2. If the President and Chair of the Ethics Committee conclude that the complaint is not sufficiently clear or complete to initiate proceedings, the Chair of the Ethics Committee shall seek further clarification from the complainant or other sources before taking any further action.
 3. If the President and Chair of the Ethics Committee conclude that the complaint is sufficiently clear and complete to initiate proceedings, and may, if proven, indicate a violation of the Code of Ethics, the Chair of the Ethics Committee shall forward a copy of the complaint or information by registered mail to the respondent named in the complaint or information. The respondent shall be informed at that time of the provisions of the Code of Ethics, which he or she is alleged to have violated. The Chair of the Ethics Committee may also request that the respondent answer specific questions pertaining to the alleged violation. In addition, if the respondent is a member of ICMA, then the Chair of the Ethics Committee shall notify ICMA of the complaint and of the Ethics Committee's intention to investigate the complaint.
 4. The respondent shall be given thirty (30) calendar days within which to respond in writing to the complaint or information, to provide any further information or material he or she considers relevant to the allegations, and to answer any specific questions asked by the Chair of the Ethics Committee.
 5. After receiving all requested information within the specified time limit, the Chair of the Ethics Committee shall refer the question to the Ethics Committee for investigation in accordance with these Rules. However, no investigation shall be required if the respondent admits to the violation in his or her response. In that circumstance, the matter shall be referred to the Board for disposition in accordance with these Rules.

INVESTIGATIONS

- A. Upon referral from the Chair of the Ethics Committee, a subcommittee of not more than three members of the Ethics Committee shall be appointed by the Chair of the Ethics Committee to begin an investigation into the allegations.
- B. Within three (3) business days of receipt of a notice to proceed with an ethics investigation, the subcommittee shall afford the respondent an opportunity to meet with the subcommittee in person and may, at its discretion, afford such an opportunity to the complainant as well. The respondent may appear at such a meeting personally and may

be accompanied by a representative. Alternatively; the respondent may appear through a representative.

- C. The subcommittee shall prepare and maintain notes of all meetings and interviews with the respondent, the complainant, and any witnesses, and may request any such person to sign a statement based on those notes. The respondent shall be entitled to review the notes and statements, and any other documents or evidence gathered during the investigation and shall be afforded the opportunity to respond in writing thereto.
- D. The subcommittee shall take all reasonable steps to ascertain the facts relevant to the case, including, but not limited to, interviews with witnesses, review of the respondent's submission(s), an examination of all published materials judged to be relevant and reliable.
- E. Within forty-five (45) calendar days, the investigation shall be concluded, and a written report of the subcommittee's proposed findings of fact shall be sent to the Chair of the Ethics Committee, the KACM President, and the respondent. Each finding must be supported by reliable and relevant evidence, which has been made available to the respondent for review. In its report, the subcommittee shall also recommend a specific sanction to be administered, if appropriate.

DECISIONS

- A. The Ethics Committee shall review the subcommittee's report and determine if the evidence supports the findings and recommendations.
 - 1. If the Ethics Committee concludes that the evidence is not sufficiently clear or complete to reach a decision, it may return the matter to the subcommittee with a specific request for further investigation in accordance with these Rules.
 - 2. If the Ethics Committee determines that the evidence supports the proposed findings, it shall determine whether the findings demonstrate that a violation of the Code of Ethics has occurred. The Ethics Committee's recommendation shall then be forwarded to the Board for final adjudication.
 - 3. If the Board concludes that the findings demonstrate that a violation of the Code of Ethics has not occurred, it shall dismiss the case with a finding of "no violation occurred" and so advise the respondent, the complainant, the Ethics Committee, and the ICMA (if the respondent is a member of ICMA).
 - 4. If the Board concludes that the findings demonstrate that a violation of the Code of Ethics has occurred, it shall determine the appropriate sanction(s). The Board shall notify the respondent of its intent to adopt the subcommittee report as final, and to impose the specified sanction(s) for the reasons stated, unless the respondent can show that the findings of fact are erroneous, or that the proposed sanction(s) should not be imposed in light of certain mitigating factors, which the Ethics Committee had not previously considered. The respondent shall also be notified of his or her right to a hearing. The respondent shall have thirty (30) calendar days in which to submit a written response to the Board and/or request a hearing.
 - 5. In the event that the respondent makes no further submission and/or does not request a hearing, the Board shall promptly adopt the proposed findings and sanction(s) as final and so inform the appropriate parties, as outlined in Section B of the Sanctions section of these Rules of Procedure.
 - 6. In the event the respondent makes a written submission, but does not request a hearing, the Board shall review the submission and may either adopt, or revise and

adopt as revised, the proposed findings and/or sanction(s), as they deem appropriate. Before deciding, the Board may also request additional information from the respondent. The Board shall notify the respondent, the Ethics Committee, and the complainant of its decision. In the event the respondent requests a hearing, the Board shall conduct a hearing. Hearings shall be conducted in accordance with these Rules. No sanction(s) shall be imposed before the hearing is concluded.

HEARINGS

- A. The following procedures shall govern all hearings conducted pursuant to these Rules.
- B. The hearing shall be conducted by the Board, which shall be convened by the KACM President.
- C. Within thirty (30) calendar days of receiving a request for a hearing, the President shall notify the respondent by registered or certified mail that a hearing has been scheduled before the Board. The hearing date shall not be earlier than thirty (30) calendar days after the date the notice is postmarked. The notice shall also state that the respondent has a right:
 1. To appear personally at the hearing;
 2. To be accompanied and represented at the hearing by an attorney or other representative;
 3. To review all documentary evidence, if any, against him or her, in advance of the hearing;
 4. To cross examine any witness who testifies against him or her at the hearing; and
 5. To submit documentary evidence and to present testimony, including the respondent's, in his or her defense, at the hearing.
- D. The Board shall not be bound by any formal rules of evidence but may accord appropriate weight to the evidence based on its relevance and reliability.
 1. The subcommittee report shall be admissible evidence at the hearing.
 2. The Board may not hear evidence of any alleged ethics violation by the respondent that was not related to the initial investigation.
- E. At any hearing conducted under these Rules, the Chair of the Ethics Committee, or his/her designee, shall first present evidence in support of the subcommittee's report and the Ethics Committee's recommendation. Upon conclusion of the presentation, the respondent shall have the opportunity to present evidence in his or her defense.
- F. The Chair of the Ethics Committee shall have the right to question or cross-examine any witness testifying at the hearing.
- G. Within forty-five (45) calendar days of the conclusion of the hearing, the Board shall render a decision in the case. Members of the Ethics Committee will not be allowed to participate in the decision-making process.
 1. The decision shall be in writing and shall include a statement of the reasons, therefore. Only evidence, which was put before the Board and the Ethics Committee may be considered as a basis for the decision.
 2. The Board's decision may be to:
 - a. Dismiss the case;
 - b. Adopt the findings and sanction(s) recommended; or
 - c. Revise, and adopt as revised, the findings and/or sanction(s) recommended. No sanction may be imposed for any violation of which the respondent had no prior notice.

3. A copy of the decision of the Board shall be sent to the parties, as stated in the Sanctions section of these Rules of Procedure.
 4. Promptly after receiving a copy of the written decision, the KACM President shall implement the sanction(s), if any, imposed by the Board in accordance with these Rules.
- H. The Board shall determine logistical and administrative considerations related to hearings. Decisions of the Board shall be final and binding.

MISCELLANEOUS

- A. The Board is authorized to secure legal counsel to represent the KACM and, more specifically, the Ethics Committee and any subcommittees it may establish during an investigation of alleged violations against the Code of Ethics. KACM shall provide professional liability coverage to assist and protect the KACM and the participants in this process.
- B. All proceedings set forth in these Rules of Procedure shall be confidential.
- C. "Business Day" shall mean Monday through Friday between 8 a.m. and 5 p.m. "Calendar Day" shall mean a twenty-four period from 12 a.m. to the following 11:59 p.m.

**ADMINISTRATIVE SERVICES AGREEMENT
KANSAS ASSOCIATION OF CITY/COUNTY MANAGEMENT
AND
LEAGUE OF KANSAS MUNICIPALITIES
202118-202421**

THIS AGREEMENT is by and between the League of Kansas Municipalities (hereinafter the "League"), and the Kansas Association of City/County Management (hereinafter "KACM"). In consideration of the mutual covenants herein contained, the parties agree as follows:

Whereas, the League was organized in 1910 for the purpose of assisting its member cities in strengthening local government throughout Kansas and is an instrument of its member cities; and

Whereas, KACM was organized for the purpose of promoting and improving the proficiency of city and county managers and administrators in Kansas; and

Whereas, members of KACM are administrative officials of Kansas cities and counties that are League member cities and counties that directly subscribe for services from the League; and

Whereas, KACM is a recognized affiliate organization of the League; and

Whereas, the League has served as executive secretary for KACM for many years and the parties desire to continue and enrich this relationship as further set forth herein.

Now, therefore, the parties agree as follows:

1. This Agreement shall become effective on May 24, 202118, after being duly executed by the President of KACM and the Executive Director of the League, and shall expire at midnight on May 1 April 30, 20241. Further, the League will provide KACM with a draft copy of a contract extension at the 20203 Annual KACM Conference. Either party to the agreement may cancel the agreement at any time by giving written notice at least thirty (30) days in advance of the intended date of cancellation. In the event of early termination by KACM, KACM shall pay the balance of any fees due for the current year, all outstanding expenses, and an early termination penalty equal to ½ the following year's annual fee to compensation the League for winding down expenses. In the event of termination, the League shall in work diligently with KACM within a reasonable timeframe to transfer all permanent records of KACM, website access, membership database access, all account records, banking accounts, and any other KACM material that might be in the League's possession to an individual or organization of KACM's choosing.
2. It is the general purpose of this Agreement to improve and add continuity to the administration of KACM affairs and to assist in the professional development of municipal managers in Kansas. It is mutually understood that the League will continue to serve its member cities, working with managers and other city officials, and that this Agreement is intended to reimburse the League for special and additional services provided to KACM as an organization.
3. In accordance with this Agreement, the League agrees to provide the following services to KACM:
 - a. The League shall serve as executive secretary of KACM. In consultation with the KACM Board, the League shall designate at least one of its permanent, professional staff and such other staff as shall be necessary to carry out the responsibilities under this agreement.
 - b. The League will provide an work with the KACM senior advisors to ensure that there is an outstanding welcome effort to all eligible managers, administrators, assistants and other potential members known to the League. Such service will include a prompt and enthusiastic welcome and solicitation of membership, helpful provision of information on KACM, the handling of inquiries and communication with the KACM Board for approval of membership. The Senior Advisors working with League staff League will also send a welcome packet to new members, which shall include a copy of the KACM by-laws, information on the Mentoring Senior Advisor Program, listserv, and contact information for all KACM Board members, an invitation to

~~serve on the KACM committees.~~

- c. To assist the KACM Board in communicating with its membership, the League will maintain a current database on the membership updated as necessary. The database will include such information as name, position, address, size of city, type and class of membership, years in position, year joined KACM, previous service on Board or as an officer, and dues status. Such database will be in a format that can be easily accessed and utilized by the League or KACM ~~for mailings.~~
- d. The League shall assist KACM in furnishing members with an advance agenda, minutes and other materials as are required for the orderly conduct of the business of the Board and Association. Among the items that shall be furnished shall be the following:
 - Membership by type and class and a tabulation of the number in each.
 - Listing of paid memberships and other receipts.
 - Listing of all members delinquent on payment of dues.
 - Listing of any known vacancies and known members in transition.
 - ~~At least four weeks prior to KACM's Annual Conference, the League shall provide a listing~~ of all new members and eligible non-members.
- e. The League shall coordinate the billing of KACM dues under the direction of the Board. It shall make deposits of KACM dues payments in KACM's account; keep payment records; create a list of delinquent accounts and distribute that list at KACM's spring conference; and other necessary and appropriate action.
- f. The League agrees to prepay expenses of KACM for all standard annual expenses. The League shall obtain approval from the KACM Treasurer for expenses outside of normal association activities. Proper documentation of all payments shall be kept by the League and available upon request. KACM will reimburse the League for all KACM expense payments each quarter.
- g. The League shall provide KACM financial management services including bookkeeping, coordinating banking functions, deposits and reconciliations, preparing quarterly financial statements, maintaining the annual budget and will assist any company hired to audit the performance of their services to KACM.
- h. The League shall maintain the permanent records of KACM, keeping them in an accessible location in the League offices and open for review by KACM when needed. Such records shall include:
 - Meeting agendas.
 - Meeting Minutes.
 - Resolutions.
 - Changes in Bylaws or Constitution.
 - Quarterly and year-end financial reports.
 - Year-end membership lists.
 - Active contracts and agreements.
 - Inactive contracts and agreements.
 - Buford Watson Award recipient list and applications.
 - Scholarship Awards recipient list.
 - Any other correspondence deemed necessary by KACM.
- i. The League shall assist KACM by arranging its regular Board and Association meetings. League services shall include duplication and distribution of agenda packets prior to Board meetings, ~~registration packets and notifications~~, assisting with conference planning, registration and other services associated with meetings and conferences. All charges for presenters, facilities, food or other direct expenses of such meetings and conferences shall be borne by registration fees or by the funds of KACM and shall not be considered as a League service to be rendered under this Agreement.
- j. The League shall maintain an electronic membership database. Membership directory and contact information shall be posted online under the "members only" section of the KACM website. Twice a year, the League shall ask members to update their information online. Annually, the League will compile ~~directory and~~ salary information into a downloadable format available to those members who complete the survey.

- k. The League shall distribute KACM Board Minutes to members. If KACM desires the preparation of other special reports KACM and the League will negotiate a separate scope of service and fee for such report.
- l. The League agrees to provide an annual report to the KACM Board detailing known form of government presentations made to governing bodies, as well as known changes and proposed changes made to forms of government. In addition, the League will make ~~an annual report~~ at every board meeting on LEAPS searches detailing the cities, positions, and number of applicants for each opening. The report will include any trends in contracts/negotiations and the skills and abilities governing bodies are seeking.
- Grievance Procedure - If a KACM member feels improper action was taken by the League while conducting a LEAPS search, the member may submit a complaint with the Executive Board of KACM. The Board will confer with the League and review data regarding the search, excluding confidential information, and report the findings back to the member and the League. Following the review, the Board shall take whatever action it deems appropriate regarding the complaint if the Board deems the complaint to have merit, the Board shall file a grievance report with the League's Executive Director. If the Executive Director fails to resolve the complaint to the satisfaction of the KACM Board, the KACM Board shall file a grievance report with the League's Governing Body. The procedure will not involve the city's governing body or affect the outcome of a search.
- m. The League will assist with the planning for the Annual Conference including preparation of marketing materials, registrations, and scheduling of speakers. Additionally, the League will negotiate the arrangements for lodging expenses, meeting rooms, and catering for the Conference. After the Conference, the League shall provide detailed report of Conference revenues and expenses. In consideration of this specific responsibility, the League will receive \$5,750 annually from KACM.
- n. The League will maintain KACM website. In consideration of this specific responsibility, the League will receive ~~\$75-150~~ monthly from KACM. The League will also maintain a listserv in the same manner that such service is provided to other League affiliates.
4. The League and KACM agree the fee for the service to be provided under this Agreement shall be the following: \$~~124~~,000 for year 20~~21~~~~18~~, to be paid quarterly in advance upon billing of the League; \$~~124~~,500 for year 20~~22~~~~19~~, to be paid quarterly in advance upon billing of the League; and \$~~132~~,000 for year 20~~23~~~~0~~, to be paid quarterly in advance upon billing of the League. These amounts are in addition to the ~~\$65,000~~~~750~~ to be paid pursuant to subsection 3(m) above and the \$150 monthly to be paid pursuant to subsection 3(n) above. In addition to the fee, KACM will provide registration expenses associated with the attendance of three League staff members at each KACM meeting.
5. The League, by performing or administering the services included in this agreement, acknowledges that it is serving in a role that may create a conflict between its obligations to the members of the KACM and members of the League of Municipalities. In such circumstances, the League and all of its employees, whether members of KACM or not, agree to handle all information shared with it through participation in KACM meetings, listserv postings, or other such related communications, as confidential within the scope of the organization. Such information should not be relayed to elected officials, employees of members, or other non-members of KACM unless specifically authorized by the KACM Board or its membership, or if specifically authorized to be shared by a member.
6. This constitutes the whole agreement between the parties and supersedes all prior negotiations and agreements. Should KACM desire to have the League perform other services not included in the scope of this Agreement the service requirements and compensation shall be negotiated in a separate addendum to this Agreement.
7. This agreement is to be governed by and construed in accordance with the laws of Kansas, without regard to its conflict of law principals.

~~Don Cawby~~Becky Berger
KACM President

Date: _____

Erik Sartorius
League, Executive Director

Date: _____